

Phronesis and an ethics of responsibility

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This article concerns the development of a framework for the formation of an adequate approach to moral reasoning in bioethics. Bioethics has largely been dominated by the influence of two approaches to moral reasoning, viz. utilitarianism and Kantian deontology. We aim to develop an approach to moral reasoning that we find more suitable, and that enables one to incorporate some of the valuable aspects of the two frameworks without succumbing to their deficiencies. This approach is the ethics of responsibility, as inspired by the work of Emmanuel Levinas, Zygmunt Bauman and Hans Jonas. The two central ideas of this approach are (i) the ethics of responsibility as an approach that accommodates the possibility of failure; and (ii) that the ethics of responsibility suggests the need for a dialectic of norms and applications that can, in principle, overcome some of the most serious shortcomings of utilitarianism and deontology.

In this regard we draw strongly on Aristotle's notion of practical wisdom, or *phronesis*. We further develop Aristotle's statement that 'Prudence is not concerned with universals only; it must also take cognisance of particulars, because it is concerned with conduct, and conduct has its sphere in particular circumstances.'

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This article addresses the development of a framework for the formation of an adequate approach to moral theorising in bioethics. Bioethics has largely been dominated by the influence of two approaches to moral reasoning, viz. utilitarianism and Kantian deontology. In terms of utilitarianism, actions are to be judged right or wrong, not based on their inherent characteristics, but purely on the desirability of their consequences.^[1] In contrast, deontology asserts that deeds have *inherent* moral worth. There is, in itself, something wrong with acts such as stealing, lying and cheating, irrespective of their consequences. For someone like Immanuel Kant, moral acts are right, not because of their consequences, but because they adhere to our inalienable and universal sense of duty.^[2]

Both of these approaches have been extensively criticised for a range of problems and shortcomings. We aim to develop an approach to moral reasoning that we find more suitable, and which enables one to incorporate some valuable aspects of these frameworks without succumbing to their deficiencies.

An ethics of responsibility (ER)

We prefer to promote an approach that was originally introduced by Max Weber,^[3] and further developed in the work of the German philosopher Hans Jonas.^[4] It has become known as the *ethics of responsibility* (ER). This theory has also been developed in the work of Zygmunt Bauman,^[5] drawing on the French phenomenologist Emmanuel Levinas,^[6] and in the work of the first^[7-10] and second^[11] authors. To take or accept responsibility means to be able to be held accountable for whatever decisions are taken, on the basis of the assumption that reasons can be provided, that they have been thought through, and even though they might be fallible.

The first author has elsewhere defined an ethics of responsibility as 'An approach where, on the basis of recognition of the moral

ambivalence associated with most of the phenomena in the social world, the main task of moral judgment is not deemed consistency within a single paradigm, but the acceptance of responsibility for whatever line of action is recommended. This ethics acknowledges the benefits of a variety of approaches, but also admits the failures that can be identified in most of these approaches. An ethics of responsibility is a form of ethics that makes people – all people, not only healthcare workers and moral philosophers – accept responsibility for the world in which we live and which we create by means of science and technology. It is an ethics that no longer allows us to accept the idea that morality is exclusively determined by rules, codes and laws behind which people can comfortably hide when justifying the morality of actions in morally complex situations. It is an ethics of responsibility because it demands that we be accountable for everything that we invent and design in our attempts to construct, apply and evaluate our life ethos – i.e. the value system according to which we live.'^[7]

This approach, however, raises an important issue concerning the basis of morality: to whom are we accountable for our actions? Following Bauman^[5] and thus drawing on the work of Levinas,^[6] we argue that individuals are accountable to the unconditional claim that others make on them, to (i) be available to others and (ii) to have their interests at heart, irrespective of whether others act reciprocally, i.e. whether they always act morally and take care of the individual's interests. Accountability towards the other, which also implicates accountability towards the environment within which others must survive, is the only sustainably defensible basis for morality.

This idea is inspired by Levinas' insistence on the non-reducibility and ungroundability of morality. According to Levinas, moral responsibility – to be 'for' the other before you can be 'with' the other – is the first and primary reality of the self. That is, we *are what*

we are only on the basis of being there for the other. Being for-the-other is the starting point, rather than the product, of all sociality. It precedes all other forms of relatedness to the other, including those based on knowledge, evaluation, suffering or action. Moral responsibility therefore has no 'foundation', cause or determining factor. The question 'how is morality possible?' cannot be answered if no foundation or grounds can be identified for it. *There is no self that precedes the moral self.* Simply by being there, we are, essentially, there for the other; by being there, we are responsible for the other.^[6]

Two central ideas

An ER is premised on two ideas: first, that an appropriate framework for moral decision-making requires us to make room for the possibility of failure; second, the idea that, howsoever important the consequences may be, we must be able to bear in mind important action guides such as rules and principles when making responsible moral decisions. We develop this last idea by drawing (unlike Jonas, Bauman or Levinas) on Aristotle's idea of *phronesis*.

The possibility of failure

An ER requires us to always be ready to bear responsibility for our actions. This means that we should carefully reflect on our reasons for decisions and actions, and always be willing and ready to provide the reasons that we have formulated for any moral decisions. At the same time, it implies openness for rebuttal, in case our reasons are inadequate or we are faced with more complete information or superior reasoning. In that case, an ER admits the possibility of failure. In such a situation, the framework requires that a moral agent nevertheless be willing to accept responsibility for what has been decided, even if it implies the acceptance of blame or even penalties.

ER is a framework that accepts, within the context of applied ethics, that moral decisions *need to be taken*, at some point, sooner rather than later, and that those decisions always carry the risk of incompleteness or failure. The moral sphere does not pose questions which can be answered with the degree of certainty that is often found in the factual sciences. To apply an insight of Paul Ricoeur:^[12] in ethics one works, not with a 'logic of verification', but with a 'logic of validation'. The conclusions reached are based more on probability than on certainty.^[12] The appropriate analogy is reasoning before a court, rather than verifying theoretical propositions with sense observations. Judicial reasoning has an intermediary function which shows that procedures of validation have a polemical nature. This is also typical of reasoning in bioethics. There is, therefore, seldom a 'last word' in the decisions about the moral status of possible actions in bioethics.

Gibson^[13] takes a different, but analogous, approach to fallibility in an ER, concerning the question of respect for the embryo. She points out that when we differ about the measure of respect that an embryo deserves, it is not similar to the question of whether a racist deserves respect. There is sufficient consensus in society that racism is abhorrent and should not be tolerated, but when we differ about respect for the embryo we ought to acknowledge the limitations of our insights. Gibson writes: 'Respect between moral agents must be understood as respect between finite moral agents. As moral agents we are able to formulate and act upon moral judgments. As finite moral agents, however, there are limits to our knowledge and understanding such that even ordinarily decent people sometimes do not know what the

right thing is, and sometimes make mistakes.'^[13] According to Gibson, when arguing about issues such as the moral status of the embryo, the extent of the uncertainty that we are working within also compels us to respect opponents of our views. We may both be mistaken in our moral judgment. Our finitude typically becomes apparent when we deal with an issue such as the moral status of the embryo.

Her position, which we strongly support, becomes even clearer in the following passage: 'Ethically acceptable uses of the embryo have to be worked out in a way that acknowledges that the human embryo is both something that may have considerable moral status and something that may well not have considerable moral status ... Just as we should approach the use and destruction of the human embryo with "fear and trembling", so too should we approach the prevention of its use in the same way. By researching on the human embryo we may well be destroying something that has considerable moral status; by preventing research on the human embryo we may well be failing to alleviate the suffering of children and adults whom [sic] most certainly do have considerable moral status, for no good reason.'^[13]

Although Gibson does not use the phrase 'ethics of responsibility', her argument fits very neatly into the first idea that we alluded to: ER is an *ethics of fallibility*. At some point, we must make a decision in order to move forward, but that decision can be wrong and can have dire consequences. Yet, *not taking the decision or preventing some action can have equally disastrous consequences*. We have to accept responsibility for whatever we decide, but certainty cannot be demanded of us. What can be demanded, however, is the full catalogue of our reasons and the arguments supporting them. Thus, when engaging in an ER, *we have no assurance of correct moral behaviour, but we do have assurance of responsible moral behaviour*. The latter is mostly what can realistically be expected from moral agents.

Phronesis: the dialectic of norms and applications

The second aspect of the framework developed above is the dialectic between appeals to moral norms, on the one hand, and the consideration of consequences on the other. We have argued that to consider future consequences is inevitable and necessary in an appropriate moral approach. A critic of our position could ask: Why are you not full-fledged consequentialists? Our answer results from the critique of consequentialism/utilitarianism, which the first author has developed elsewhere.^[14] As unacceptable as it is to disregard consequences when arguing about the morality of actions, we feel it is equally unacceptable to flatly ignore or disregard moral action guides such as norms, values and principles. To do so would be to ignore most of our basic moral intuitions, and the collective wisdom of our moral education and moral principles.

Is there a model of moral reasoning that has the potential to adequately accommodate *both* the force of moral rules *and* the responsible consideration of consequences? Or is such a possibility a figment of our imaginations that we wish to project onto the framework that we call the ER?

Our answer is that the reconciliation of the force of moral rules and the need to consider consequences was foreseen and developed in the oldest tradition of moral philosophy in the West, Aristotelianism, and particularly in Aristotle's *Nicomachean Ethics*.^[15] We refer particularly to Book 6 of this work, in which Aristotle deals with the 'intellectual

virtues'. We devote some attention to his notion of 'prudence' or 'practical wisdom' – these notions are the best English translations of the forceful Greek word *phronesis* (prudence or practical wisdom), which Aristotle explicates in this part of his *Ethics*.

Phronesis, for Aristotle, is the kind of knowledge to which ethics aspires. It must be distinguished from two other kinds of knowledge: *theoria*, which is the theoretical knowledge, and *techne*, the knowledge that we gain in order to apply technical skills. Aristotle's ethics differs quite fundamentally from that of his great teacher Plato, who held that all true knowledge, including ethical knowledge, is an instance of *theoria*. According to Plato, moral knowledge was acquired through recollecting (*anamnesis*) the knowledge gained of the Idea of the Good – the highest of the Forms in Plato's famous Realm of Forms. In our pre-existence we contemplated the Idea of the Good; in this life, we are 'reminded' (*anamnesis*) of what we saw there. That means that *ethical knowledge, for Plato, is essentially theoretical knowledge*; we aspire to know what the Good is in the sense of ascertaining it in a comprehensive theoretical grasp, that which St. Augustine would call a *visio et fruitio*.

For Aristotle, however, this is an impoverished idea of moral knowledge. For him, moral knowledge is not theoretical, but *practical*. In the sense of *phronesis*, it is a knowledge that enables us to act in many practical situations encountered in everyday life. *Phronesis* is not simply knowing what good is, what virtue is and what the rules that govern our behaviour are. More importantly, it is knowing how to act in the practical situations of everyday life where the norms and rules need to be applied. Such situations should influence policy formation rather than serve as firm rules. At the same time, *we must understand that phronesis is not mere techne*. For example, *techne* would be the skill required to fill a cavity in a tooth or to fix a computer. It is an ability to perform a task that is acquired, remains the same in every application, and can be improved. However, what is *actually learned and applied in techne remains the same*.

Phronesis, in this respect, is quite different. *Phronesis is practical knowledge of how to live the good life*. But the end of *phronesis*, the 'good life', is not a fixed, circumscribed entity about which we are all in agreement, such as a painless tooth or a working computer. The good life is not necessarily the same for everyone. MacIntyre explains that 'The good life for man is the life spent in seeking for the good life for man, and the virtues necessary for the seeking are those which will enable us to understand what more and what else the good life for man is.'^[16]

Put differently: *Phronesis* is a kind of knowledge of both means and ends. The end that we choose will influence the means we adopt to acquire it, and *vice versa*. In the words of Comte-Sponville: 'Prudence has something modest or instrumental to it: it is enlisted to serve ends that are not its own and is concerned, for its own part, with the choice of means.'^[17]

The *content* of *phronesis* is also not necessarily the same in every practical situation in which we find ourselves. For example, what does it mean to be courageous? In some circumstances, it might mean the willingness to die for the sake of others; in others, as was the experience of Frankl^[18] in Auschwitz, it is the determination not to surrender and die, but to try and find meaning in the simplest things in order to maintain the strength to carry on.

Most importantly, *phronesis* (or prudence) is a kind of knowledge wherein I try to act in accordance with the precepts or action

guides that I acknowledge, and which are prudently applied to the situation in which I find myself, and where I must act in such a way that I can live with the consequences. This application requires *deliberation* – a rational interchange that moves to and fro between the requirement of the norm and the requirements of the situation. Bernstein formulates it as follows: '[P]*hronesis* is a form of reasoning and knowledge that involves a distinctive mediation between the universal and the particular. This mediation is not accomplished by any appeal to technical rules or Method (in the Cartesian sense) or by the subsumption of a pre-given determinate universal to a particular case ... *phronesis* is a form of reasoning which yields a typical 'ethical know-how' in which both what is universal and what is particular are co-determined. Furthermore, *phronesis* involves a "peculiar interlacing of being and knowledge, determination through one's own becoming." It is not to be identified with or confused with the type of "objective knowledge" that is detached from one's own being and becoming.'^[19]

Aristotle makes this clear: 'Prudence is concerned with human goods, i.e. things about which deliberation is possible; for we hold that it is the function of the prudent man to deliberate well; and nobody deliberates about things that cannot be otherwise, or that are not means to an end, and that end a practical good. And the man who is good at deliberation generally is the one who can aim, by the help of his calculation, at the best of the goods attainable by man. *Again, prudence is not concerned with universals only; it must also take cognisance of particulars, because it is concerned with conduct, and conduct has its sphere in particular circumstances.*'^[15] (Our italics).

This last sentence is the crux of our argument. Aristotle penetrates to the essence of what we call moral knowledge. That knowledge is based in the norms and action guides that pervade societal life, and which we inherit from our education, our religion, our conscience and the conventions of society. But simply to know the rules is insufficient. They must be responsibly applied in many practical situations. How they are to be applied is far from self-evident. That is something we learn in the practice of daily life, it takes time and we learn it in many ways. The way that Aristotle particularly emphasises is *deliberation*.

Deliberation is an argumentative strategy that requires dialogue with both ourselves and others. It implies the careful weighing up of the claim of the norm against the requirement of the situation – especially bearing in mind the consequences our deeds will have. In this sense, deliberation (the essence of *phronesis*) is a dialectic movement between guides to action and the requirements of the practical situation, as well as the possible consequences of the action. Comte-Sponville emphasises that the exercise of prudence has an element of uncertainty and fallibility: 'Prudence presupposes uncertainty, risk, chance and the unknown. A god would have no need of it, but how could a man do without it? Prudence is not a science; rather, it replaces science where science is lacking. One deliberates only when one has a choice to make, i.e. when no proof is possible or adequate – that's when one must want not only good ends, but also good means to achieve them. To be a good father, it is insufficient to love one's children nor to wish them well for that wish to come true. Love does not excuse a lack of intelligence. The Greeks knew this, perhaps, better than we. *Phronesis* is like practical wisdom: wisdom of action, for action, in action.'^[17]

Although Aristotle did not use the phrase 'ethics of responsibility', to our mind this is the essence of the ER that we have developed as

the overarching framework for moral argumentation in this article. It is the ethics that springs from the application of *phronesis*.

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