

Thinking and behaving “Otherwise”: An anthropological enquiry into utopia, image and ethics

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Abstract

The word “utopia” was coined by Thomas More and refers to the unreal and ideal state described in his *Utopia*, first published in 1516. Following the example of Plato’s *Republic*, More as well as other thinkers and writers of the 16th and 17th century reflect on the political relevance of utopia and provide unique accounts of ideal, just, and perfect “no places”, as paradigms and standards of social, political, and religious reformation of the coeval world. However, the *political* significance of utopia relies on a basic *anthropological* feature, which incidentally is already underlined by More: the relationship between imagination and experience. This means that: 1) the human being’s “eidetic” freedom is characterised by the inseparable relationship between imagination, reflection, experience and action; 2) utopia is capable of disclosing the transformative and normative features related to the human being’s constitution; 3) utopia can be fruitfully used to motivate human will and mobilise support for human flourishing. In this article I endeavour to show that among contemporary philosophers it is Hans Jonas who most fully develops the anthropological significance of utopia by investigating the very relationship between imagination and experience, and by underlining how the eidetic and reflective constitution of the human being leads to ethics. As a further goal, I wish to highlight that the anthropological relevance of utopia can shed light on our imaginative and ambivalent nature, and provide a practical and educational basis for the achievement of an “ethics of images” for the current digital era. For this purpose I shall draw on the thinking of Marie-José Mondzain and Jean-Jacques Wunenburger, among other scholars.

Keywords: utopia, image, imagination, imagery, ethics, education, Hans Jonas, Marie-José Mondzain, Jean-Jacques Wunenburger

1. Introduction

The word “utopia” (from the Greek *οὐ* “no” and *τόπος* “place”, thus “no place” viz. “non-existing place”) was coined by Thomas More and refers to the unreal and ideal state described in his book *Libellus vere aureus nec minus salutaris quam festivus de optimo reipublicae statu, deque de nova Insula Utopia* [*A Truly Golden Account of the Best State of a Commonwealth and of the New Island of Utopia*], which was first published by the Louvain printer Thierry Martens in 1516 (More, 1995). Following the example of Plato’s *Republic*, More and other thinkers and writers of the 16th and 17th century (like Tommaso Campanella, Francesco Patrizi, Francis Bacon and James Harrington) reflect on the political relevance of utopia and provide unique accounts of ideal, perfect and just “no places”, as paradigms and standards of social, political, and religious reformation of the coeval world.

However, the *political* significance of utopia (both as an unrealizable or abstract model, and as a method of criticizing and reforming present-day society or state) relies on a basic *anthropological* feature, which incidentally is already underlined by More: *the essential and twofold relationship between imagination and experience*. What I mean by this is the human being’s desired way of life and worldly condition. As noted by Ruth Levitas, we are “essentially capacity-bearing beings [...] possessed of an innate context-transcending capacity”, according to which “we seek always to live beyond ourselves”. It is “an emergent property of the human mind to create the infinite out of the finite; one innate characteristic of the mind is its non-mechanical character, its capacity to outrun and subvert the given, in short, to imagine. While we are always and everywhere constrained and constructed by historical

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circumstances, these circumstances vary in the extent to which they permit and enable human agency, and they never shape us fully [...]. Transcendence is the capacity to imagine ourselves beyond and to act upon, rather than simply react to, the external structures around us” (Levitas, 2013, pp. 184–185). Rather than a goal, utopia is thus “best regarded as a method that is both hermeneutic and constitutive. In its hermeneutic mode, it identifies the various and fragmentary expressions of utopian desire. In its constitutive or constructive mode, as the Imaginary Reconstitution of Society, it [...] expands the range of possibilities” (Levitas, 2013, pp. 217–218).

This means that: 1) the human being is – as Hans Jonas would say – an “eidetic” being characterised by the inseparable relationship between imagination, reflection, experience and action (Jonas, 1966); 2) utopia is capable of disclosing the transformative and normative features related to the human being’s constitution, namely the “imaginative engagement with a model which can modify our attitudes and even qualify our conduct” (Baker-Smith, 2014); 3) finally, since it “operates at the level of affect as well as intellect” (Levitas, 2013, p. 218), utopia can be fruitfully used to motivate human will and mobilise its support to human flourishing.

Among contemporary philosophers it is Hans Jonas who fully develops the anthropological significance of utopia by investigating the very relationship between imagination and experience, and underlining how the eidetic and reflective constitution of the human being leads to ethics. This is the basis of Jonas’ “veneration for the image of man, turning into trembling concern for its vulnerability” (Jonas, 1984, p. 201) and for his criticism of specific aspects of the anthropological, political, and technological utopias stemming from modernity, such as the “Baconian ideal”, the “utopia of the coming ‘true man’”, the “idea of progress”, and “Marxist utopianism” (Jonas, 1984). As a further goal, I wish to suggest that the anthropological relevance of utopia can shed light on our imaginative and ambivalent nature, and provide a practical and educational basis for the achievement of an “ethics of images” for the current digital era. For this purpose I shall draw on the thinking of Marie-José Mondzain and Jean-Jacques Wunenburger, among other scholars.

2. The anthropological significance of utopia

In order to introduce the anthropological significance of utopia, I would like to refer to a conversation held in 1964 between Ernst Bloch and Theodor Adorno on the contradictions of utopian longing or desire, published under the title *Etwas fehlt – Something’s Missing* (Bloch & Adorno, 1988). Among other issues, Bloch and Adorno discuss the relationship between utopia (as a way of thinking) and utopian accomplishments. Indeed, utopia refers to something more than mere accomplishment. Utopia is something which “is not *yet* in the sense of a possibility; *that* it could be there if we could only do something for it” (Bloch & Adorno, 1988, p. 3). Adorno agrees and adds: “Whatever utopia is, whatever can be imagined as utopia, this is the transformation of the totality. And the imagination of such a transformation of the totality is basically very different in all the so-called utopian accomplishments – which, incidentally, are all really like you say: very modest, very narrow. It seems to me that what people have lost subjectively in regard to consciousness is very simply the capability to imagine the totality as something that could be completely different” (Bloch & Adorno, 1988, pp. 3–4). Moreover, what hinders the imagination and understanding of utopia is the fact that – states Adorno – “One may not cast a picture of utopia in a positive manner. Every attempt to describe or portray utopia in a simple way, i.e., it will be like this, would be an attempt to avoid the antinomy of death and to speak about the elimination of death as if death did not exist. That is perhaps the most profound reason, the metaphysical reason, why one can actually talk about utopia only in a negative way” (Bloch & Adorno, 1988, p. 10).

Bloch remarks: “‘negative’ does not mean ‘in depreciation’” (Bloch & Adorno, 1988, p. 10). Adorno agrees and further adds: This is the reason why we have the “the commandment not to

‘depict’ utopia or the commandment not to conceive certain utopias in detail [...]. What is meant there is the prohibition of casting a picture of utopia actually for the sake of utopia, and that has a deep connection to the commandment ‘Thou shalt not make a graven image!’ This was also the defence that was actually intended against the cheap utopia, the false utopia, *the utopia that can be bought*” (Bloch & Adorno, 1988, pp. 10–11).

Bloch entirely agrees with Adorno and specifies further the risk related to conjuring up utopian visions: “This leads us back again to [...] the actual state of affairs where utopia becomes diffused, in that I portray it as being [*seiend*] or in that I portray it as achieved even if this is only in instalments. As instalment of having been achieved is already *included* when I can portray it in a book. Here it has at least become real already and, as you said, ‘cast into picture’. One is thus deceived. It is diffused, and there is a reification of ephemeral or non-ephemeral tendencies, as if it were already more than being-in-tendency, as if the day were already there. Thus, the iconoclastic rebellion against such reification is now in this context completely correct. And displeasure must keep on its guard, for which death most certainly provides a continual motivation” (Bloch & Adorno, 1988, p. 11).

So, according to Bloch and Adorno, it is incorrect to make “graven images” of utopia, since they would end up reifying utopia’s critical, dialectical and never resting impulse to a “totality of the end”. In other words, Bloch and Adorno’s ‘iconoclasm’ is rooted in their will to avert iconolatry (or iconodulia), i.e. the worship of reified images or instalments of utopia, an attitude which indeed results in the misconceived identification of utopia (as a way of thinking) with utopian accomplishments. I believe that this argument is supported by the basic assumption that the notion of image is something in itself static and non-performative, and thus incapable of coping with a dynamic dialectical effort to truth.

But what if the notion of image was conceived in a different way, namely a ‘performative’ way? What if our understanding of ‘image’ actively underwent – let us call it – a ‘performative revolution’? In what sense would this revolution affect our understanding of utopia? In brief, what I wish to argue is: A) as already stated by Bloch and Adorno, we have the duty to avert iconolatry, i.e. we *do* have to maintain the difference between utopia (as a way of thinking) and utopian accomplishments; B) however, the most effective way of attaining this goal might not be an iconoclastic stance, but an attitude thoroughly based on ‘iconophilia’, where of course the notion of ‘*eikon*’ or ‘image’ has undergone a performative renovation. Indeed, I think that the iconophilic way of thinking rather than the iconoclastic is capable of providing 1) a thorough understanding of our imaginative and ambivalent nature, 2) a renewed view of utopia (as an practical experience and a way of thinking and behaving “otherwise” [Levitas, 2013]), and 3) a key to understanding some risks related to utopianism.

Let me briefly hint at the steps of this possible counterproposal, which draws on the philosophical reflections of Hans Jonas, Marie-José Mondzain and Jean-Jacques Wunenburger among others.

2.1. The image is intrinsically performative, related to desire and central to normativity

Among the most interesting findings of Hans Jonas’ philosophical-anthropological enquiry is the following: the image proves to be central to the human constitution and is redefined in ‘performative’ terms. Let me briefly summarise his argument. In order to understand the human specificity Jonas rephrases Cassirer’s “*animal symbolicum*” (Cassirer, 1944, p. 44; Jonas, 2016, ch. V, p. 37; see also Jonas, 1966, pp. 184–185) as “*homo pictor*” (Jonas, 1966, pp. 157–175): the human being is characterised by a unique degree of inner and external freedom, which is evident in a symbolic nature, namely something related to sight (perception), image, and (bodily) movement. In Jonas’ words: the external existence of manmade images (like primitive graffiti) “as a result of human activity reveals also a physical aspect of the power that the image faculty wields: the kind of command that man has over his body. Indeed, the inner command

of the *eidos*, with all its freedom of mental drafting, would remain ineffective had it not also the power to guide the subject's body in execution. Only in this way imagination [*Vor-stellung*] can rise to representation [*Dar-stellung*], although representation descends exactly from imagination and the bodily freedom repeats each time the freedom of imagination [...]. What we here have is a trans-animal, uniquely human fact: eidetic control of motility, that is, muscular action governed not by set stimulus-response pattern but by freely chosen, internally represented and purposely projected *form*" (Jonas, 1966, p. 172, modified according to Jonas, 2010, pp. 300–301).

Incidentally, worth underlining is that by referring to the very same religious (viz. biblical Jewish) tradition employed by Adorno and Bloch to support their iconoclastic view, Jonas achieves quite a different result when commenting on *Genesis*, 2.19: "Image-making each time re-enacts the creative act that is hidden in the residual name: the symbolic making-over-again of the world. It exhibits what the use of names takes for granted: the availability of the *eidos* as an identity over and above the particulars, for human apprehension, imagination, and discourse" (Jonas, 1966, p. 173). Jonas highlights two further issues: 1) the image-faculty and its freedom happen to be "geared to will or desire, with the result either of supplanting the evidence of perception by what one would have it to be (wishful thinking), or of opposing it by what one would make it to be (projective thinking)" (Jonas, 1966, p. 177). These "voluntaristic exercises of negative-positive freedom" are "the source both of illusory belief and of creative utopia" (Jonas, 1966, pp. 177–178) and provide a broad understanding of what the human being *truly* is (Jonas, 1966, p. 185). In short, the *practical* relevance of the image is underlined here. 2) The image-faculty gives rise to *self-reflection*, as the basis of that typically human experience of – in Ricœur's words – "oneself as another": "Man models, experiences, and judges his own inner state and outward conduct after the image of what is man's. Willingly or not he lives the idea of man – in agreement or in conflict, in acceptance or in defiance, in compliance or in repudiation, with good or with bad conscience. The image of man never leaves him, however much he may wish at times to revert to the bliss of animality. To be created in the image of God means to have to live with the image of man. That image is worked out and entertained in the verbal intercommunication of society, and thus the individual finds it ready-made and thrust upon him. As he learns from others to see things and to speak about them, so he learns from them to see himself and to express what he sees there 'in the image and likeness' of the established pattern. But learning this, learning to say 'I', he potentially discovers his own identity in its solitary uniqueness. A private objectivity of the self is thus in constant rapport with the public image of man and through its own exteriorization contributes to the continuous remaking of the latter – the anonymous share of each self in the history of all" (Jonas, 1966, pp. 185–186). What is underlined here is the role played by the image in the human being's *normative* experience, namely in the effort to answer the "question of what life befits man" (Jonas, 1966, p. 209) or "what can the best society look like? Which is the best framework for the best human life?" (Jonas & Gebhardt, 1994, p. 209). The image is indeed central in this regard, since it gives rise to reflection, which in turn provides the means to cope with an extreme degree of *distance* from the world. It is thanks to this dynamic interplay of self and world that eidetic freedom turns into free will, thus giving rise to morality (Jonas, 1966).

2.2. The image is dialectical, ambivalent and open (undecided), and leads to the ambiguity of human free will

The practical-performative relevance of the image is the core of Jonas' anthropology. I would like to underline the novelty of this approach by interpreting it in the light of a present-day trend in image theory represented by the Algerian-French scholar Marie-José Mondzain. In particular, I would like to draw attention to the transition from eidetic freedom to free will.

Mondzain states that the key issue related to images is no longer their static resemblance to something, but representation as the performative deed of “building the view of individuals who share a common space. The question is no longer addressed to the object as ‘What does the image show?’, but to the subject as ‘What do we see?’ and ‘Who decides what is to be seen?’” (Mondzain, 2003, p. 153). The image’s *object* remains “undecided” until when, thanks to the *subjects* (viz. those who enquire into the meaning of the world’s appearance), the process of visibility takes finally place. Images are characterized by a peculiar “power” (Mondzain, 2003, pp. 27–28), namely a way of moving (emotionally) and motivating (to act). Nevertheless, this power is ambivalent (incidentally, Jonas also reflects on the ambivalence of images in Jonas, 1966, pp. 157–175) and so – according to Mondzain – the related process of visibility can result in two opposite outcomes: 1) *idolatry*, where individual freedom is subdued to the authority of the image and of its creators, or 2) *iconophilia*, where individual freedom has the opportunity to exercise its own capacity and freedom of judgement without any imposition by an authoritative power and with the aim of achieving a common view. Only in this second case is the image capable of fully disclosing its evaluative (or normative) significance and of stimulating the conscious (viz. responsible) exercise of free will. Indeed, “the image is precisely what urges thinking to become critical. The visible is nothing given; it is everyone’s duty to build the object of what one desires to see” (Mondzain, 2003, p. 166).

To sum up, the centrality of the image in the human constitution evidences 1) the latter’s ambivalent feature (idolatry as a continual temptation; iconophilia as an ongoing possibility), 2) the mutual relationship between freedom and responsibility (in this regard, Mondzain states for instance that “To produce an image and to present it to sight means to be able to bear responsibility for it. This is how we achieve a perspective which is able to judge and to be responsible” [Mondzain, 2003, p. 166]), and finally 3) the need for a new ‘performative’ philosophy, which is capable of thinking through and thanks to images (see also Wiesing, 2016).

2.3. The image and its ambivalence opens to ethics and demands ethical (as well as political, pedagogical, etc.) enquiry

Let me briefly restate that, according to Jonas, the human being’s eidetic and reflective constitution is at the heart of the essential ambiguity of his or her freedom and free will (Jonas, 1966 and Jonas, 1984 repeatedly underline this aspect). This feature calls for ethical reflection – an enquiry made especially urgent in times of techno-digital development, which on the one hand increases the power of human action as well as the magnitude of its effects and on the other hand is nevertheless incapable of coping with the related ethical issues arising at an environmental, bioethical, economic, social and political level (see Floridi, 2014 among others). What I would like to emphasise is the role played in this regard by images (indeed, it is not by chance that Jonas often recalls the ethical centrality of the so-called “image of man” – a topic that I do not have time to develop further), which are central to how human beings live and act in the world.

To give an example, I would like to hint at the relationship between image and the closely connected notion of imagery, as conceived by Jean-Jacques Wunenburger among others. Wunenburger shares Jonas and Mondzain’s basic assumption that image and imagery are intrinsically ambivalent. This is why ethics is demanded: the value of imagery “relies not only on its products, but on their utilization. Thus, imagination requires ethics or even a culture of images” (Wunenburger, 2003, p. 29). At the basis of this ethical claim resides the belief that imagery may be variously used in order to “free us from immediacy, from the existing and perceived reality, without confining us in the abstractions of thinking” (Wunenburger, 2003, p. 63). Among the functions performed by imagery, the most interesting for the topic under consideration is the one Wunenburger defines as “practical institutive orientation” (“Visée

instituyente pratique” – Wunenburger, 2003, p. 74), which offers relevant motivational resources: “the imagery provides social subjects with that hope, expectation, and proactivity which are necessary to organise or challenge, namely to promote those deeds which form the life of the social body. Without the mediation of imagery societies risk to be nothing but static and functional organisations similar to anthills [...]. Imagery envisages collateral possibilities which may be fulfilled. Individuals and people recognise in the imagery related to their dreams what are the aims of their present and future deeds. The myths of the future fascinate, galvanize the energies, nourish those projects of transformation of the present” (Wunenburger, 2003, pp. 78–79). Jonas is also well aware of this propulsive, eidetic and reflective human feature – sad to say, a feature currently disregarded in favour of the “self-corrective mechanics of the interplay of science and technology” (Jonas, 1966, p. 208), which is *allegedly* capable of clarifying the “issue of the good” (Jonas, 1966, p. 209) and the human being’s “ultimate ends” (Jonas, 1966, p. 208), but is in fact unlikely to do so unless humanity also plays a part in this effort (Harari, 2017).

2.4. Why utopia after all?

Following Jonas, we could say that utopia is what we need in order to preserve our humanity. We need utopia to steer clear of the reductive shortcomings and threats of present-day technological and political utopianisms – namely those programmes of (collective) action, which tend to misuse hope in order to realize authenticity and the “true man” (Jonas, 1984). These utopianisms are unsatisfactory precisely because the value and dignity of the *present* is erased and this, according to Jonas, prevents human existence from being duly understood and preserved in its *eidetic and reflective capacity, ambiguity* and “*partiality*” (“*ek merous*”, 1 Cor. 13,9 ff. quoted in Jonas, 2000, p. 28). In his own words: “When I found myself, unexpectedly, standing before Giovanni Bellini’s Madonna triptych in the sacristy of St. Zaccaria in Venice, I was overcome by the feeling: here had been a moment of perfection, and I am allowed to see it. Eons had conspired toward that moment, and in eons it would not return if left unseized: the moment when, in a fleeting ‘balance of colossal forces’, the All seems to pause for the length of a heartbeat to allow a supreme reconciliation of its contradictions in a work of man. And what this work of man holds fast is absolute *presence* in itself – no past, no future, no promise, no succession, whether better or worse, not a prefiguration of anything, but rather timeless shining in itself. *That* is the ‘utopia’ beyond every ‘not yet’, scattered moments of eternity in the flux of time – and Bloch was very well aware of that. But they are a rare gift, and we should not forget over them the great tormented souls, to whom we owe perhaps even more (and something other than instruction about a ‘not yet’): in *them*, too, there is the ageless *present* of man. That there are yet things to come is indeed always part of what is and each time our task, but to read it into the testimony of the past for our benefit and edification, as if only we at last could lead it in us beyond itself and to its destination, as if it had waited for us, nay, had been ‘meant’ for us in the first place – that is to rob it of its inherent own right, and ourselves of its true gift” (Jonas, 1984, p. 200).

In what sense are these reflections still to be considered ‘utopian’? In what sense – to quote the sentence Bloch borrows from Brecht – “Something’s [still] missing”? Indeed, I believe that – as stressed by Jonas – utopianism has to be reframed as no longer a purely *ex negativo* approach focused on the Blochian dialectics of “displeasure” and hope, but a more complex and imaginative one revolving around “fear”, “reverence/veneration [*Ehrfurcht*]” and “hope”² – in a word: responsibility, which is not at all at odds with desire, since responsibility provides – both *ex negativo* through fear and *ex positivo* through the “image of man” we in living

² See the *Preface* and the final pages of the German *Das Prinzip Verantwortung* (Jonas, 2015, pp. 15–19, 414–420; the latter pages are slightly different from the corresponding English translation). On “reverence” as a feeling, see as well Jonas, 1984, pp. 88–90.

entertain – critical guidelines for the dutiful perpetuation and flourishing of humanity, freedom and desire, along with its openness and ambiguity (viz. its unavoidable exposure to the risks of annihilation, alienation, reification, commodification, etc. – Sargent, 2010; Jacoby, 2005).

3. Conclusions

In this article I endeavoured to clarify in what sense utopia is essentially and primarily endowed with anthropological relevance. Utopia expresses what makes us human, namely our capacity to think and behave “otherwise” and “beyond ourselves”, and to be simultaneously “future-” and “present-oriented” (Levitas, 2013, p. 84). It expresses our “eidetic” and imaginative nature, along with the unavoidable degree of ambivalence related to this peculiar image-centred experience of freedom. Steering clear of ‘idolatry’ and pursuing ‘iconophilia’ requires a constant effort in terms of awareness, care and attention, especially in the current techno-digital image- and visualisation-based era characterised by the tendency to “capture our gaze” and overrule our ability to “pay attention” (Waldenfels, 2006; Citton, 2014; see also Depraz 2014). The need to find effective ways of imagining a more durable relationship between present and future demands of us that we be responsible – and becoming responsible entails the conjoint mobilisation of reason and affect (see for instance Jonas’ “feeling of responsibility” [Jonas, 1984]), as well as the “education of desire” (Abensour, 1999) through “critical, creative and caring” dialogue (Lipman, 2003).

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“Verbindlichkeit”: Some drafts of a groundwork in moral philosophy

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Abstract

All of metaethical positions today can be replaced by a universal architecture of moral philosophy, all but one: moral realism. Here, I use the term “metaethics” to refer to any theory of ethics concerning the groundwork of ethics, on the one hand, and the inquiry of the use of philosophical words, concepts or methods on the other. In this article, I will present my hypothesis that in moral philosophy, we do not need any specialized metaethics at all. Metaethics as a discipline of philosophy is only required by the work of moral realists, who try to show us a realm of values and norms that exist (*per se*) naturally, non-naturally or supernaturally. How can they know? The effort of metaethical realists cannot be proven either in ontology or in the philosophy of language or in cognitive science or in any meta-science that works *en plus* to ethics, because even in every additional discipline, we have to accept the presupposition of a validity of judgments. So, let us try it the other way around; we have to find a way to found ethics by following its structures, and that means, based on David Velleman’s concepts: a) We have to search for a ubiquitous point of ethical theory in its foundation – here, no kind of value or norm can be found that is not based on a universal formal structure of normativity. b) We have to start an empirical inquiry to collect norms and values in actual use. MFT, moral psychology and moral sociology are in charge here. The combination of such an abstract groundwork with mere empirical study has to be legitimized again. Hence, I am going to try to sum up the main ideas of such a project to show the relevance of a new architecture of moral philosophy today. There is a line of reasoning that addresses the possibility of a transcendental critique in practical philosophy; therefore, it has to look into the different notions of “intuition” in moral methods like it was used by Sidgwick (Rashdall, Green, Ross, Brentano, McTaggart) and Moore on the one hand and Brentano and Bergson on the other. In my view, there is a way to combine these perspectives using the two-level-model of Hare, Singer, Greene, where “intuition” is used to categorize habits and customs of the common sense morality in general while a critical reflection uses act-utilitarian calculus to provide a universal decision – in the sense of “concrete reason” – for any possible actor in a singular situation (Hegel, Peirce, Bloch etc.). The change between these levels may be explained by means of a pragmatistic kind of continuum of research with an ideal summum bonum in the long run and a concept of common sense morality as can be found in every group or society.

Keywords: groundwork, transcendental critique, pragmatism, ubiquity, universality, personalism

To paraphrase Francis Bradley,² I will begin this article with a consideration about the meaning of morality: If I am asked why I am to be moral, I have to start by looking at myself as a free and autonomous being. In that sense, morality must be understood as a normative and binding relation (obligation) that I am willing to follow because of the identity of this relation with a distinct relational structure of the will in all living creatures. As George E. Moore (1903) deepens this kind of thinking, we should not be confused by the polysemy of “is” in the question “What is morality?”; I do not think that we can find a thing in the natural world to point at and to say: “Look there, that is morality.” The answer to that question, for all that I believe, makes a difference to the traditional argumentations in moral philosophy, and has no referential extension (has no amount in a logical sense), but it refers to a reflection that a moral being is able to perform.

What I want to emphasize is the relation of speculative and moral philosophy; that means a relationship of, say, mysticism and ethics. In that way, speculative philosophy is not an

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² “If I am asked why I am to be moral, I can say no more than this, that what I cannot doubt is my own being now, and that, since in that being is involved a self, which is to be here and now, and yet in this here and now is not, I therefore cannot doubt that there is an end which I am to make real; and morality, if not equivalent to, is at all events included in this making real of myself” (Bradley, 1970, p. 84).

argumentation without empirical correspondence but an action with some kind of contemplation of the inner sense, as if my own presence/being was included or even implicated in every thought that I think. This “fact” of consciousness might be expressed by emphasizing the mind-dependence of all human experience and knowledge. Both are hard to convey in an article such as this – but still even by reading this text and thinking all those thoughts you prove that there is something right in this concept. However, let specialists answer all those mystical assumptions.

As I remarked, the terms “obligation” or “liability” do not represent a material object and thus do not exist in the sense of something that exists as a “this” (*tode ti*), but designate a particular kind of relationship that belongs to consciousness. Obligation should therefore not be determined extensively by considering individual phenomena or types of liabilities, but by undertaking an intentional definition in which its proprium is emphasized as clearly as possible. The place of such a project is transcendental philosophy, at least when understood as the discipline of conceptual reflection and formal systematization. Based on my assumption, obligation can be considered as an equivalent to morality. So, this article investigates relations within practical philosophy and here within the framework of moral philosophy. I will reflect on the fact that, no matter which subject we consider regarding its normativity or valorization aspects, morality is a necessary and universally valid presupposition and therefore a formal prescription, which is also always fulfilled in every judgment – a transcendental critique should get to the essence of this fact.

Two fundamental assumptions of moral philosophy – one being synthetic sentences *a posteriori* that are composed of material perceptions and concepts and the other one being (verbal) definitions composed of analytic sentences or the so-called “Ordinary Language Approach” – do not achieve what I will develop in the following paper. Although the following investigation remains synthetic, only pure forms of the capability of knowledge will be involved in our universal judgments. It is not possible to demonstrate/prove the transcendental critique of liability either in a mere tautology (“Normative Relation is morality.”) or in an analysis of complex/metaphysical conclusions (“Morality or obligation is the combination of judgments about what is good.”), but instead, liability needs to prove its own validity by carrying out its own conditions “on the fly”, so to speak. Thus, the field of morality always appears in a matrix of three pure categories “consciousness-language-world”.

How do I know what to look for if I am searching for the liability of liability or the obligation of obligation? Is there a kind of intuition I can rely on when it comes to the phenomena of morality? Could it be intellectual intuition or a special sensuous perception respectively feeling that can recognize a non-natural “good” as a property of a natural object? Should a deduction of duties be carried out by assuming anthropologically set properties (reason, moral sense ...), or external institutions (God, clerical dogma ...)? If one of these aspects was necessary, would that mean that it can be critically examined and legitimized/justified or would its status remain one of an arbitrary posit (like innate ideas)?

From my point of view, the only way to establish a basis for moral philosophy is to look for universal conditions of the possibility of morality, and this means, therefore, that the definition of morality has to confirm its validity in a performative way. Therefore, I propose performing an act of abstraction to highlight the unvarying aspects that are found in the manifold phenomena of our everyday moral life and to carry out a philosophical reflection on the formal structure in human moral judgments in such a way. This allows us to retrospectively conclude that the previously used various phenomena of morality have already gained validity from their underlying reasonable structure.

In accordance with Immanuel Kant and recently Robert Brandom et al. I want to define reason as the cognitive function of inference, i.e., of drawing a conclusion out of two or more premises. Therefore, a transcendental critique of practical reason is a method that depends on reason itself, for it tries to conclude a universal structure of morality for any creature with the

capability to reason. Is such a critique impeded by its circularity? That would only be the case if reason tried to legitimate its own power. In a critique, the thinker itself concludes that there is no other way to generate judgments than to use reason – so that even the fallacy that reason has no meaning to us would show that this misconception depends on the structures of inference itself.

It is that point that G. E. Moore was dealing with when he asked his questions in *Principia Ethica*. Since then, metaethics has understood itself as a culmination point of theoretical reflection within moral philosophy (ontology, linguistics, epistemology, cognitive sciences). It reflects the work of normative and descriptive ethics from a second-order observation and systematizes ethical positions. However, this second order is not reflected again before categorizations take place so that the structures of metaethics themselves change from observation to observation and from object to object. In short, metaethics has not created the transcendental groundwork that I mentioned above and, therefore, it can possibly be entirely compensated by a combination of transcendental philosophy, ethics and moral psychology.

From a philosophical point of view that I share with David Velleman, morality should be examined first before we start to gather a plurality of concrete “mores” (Velleman, 2013). These belong to the fields of empirical moral research, but morality belongs to the field of transcendental philosophy. Transitions between the two levels can be examined in a continuum of research because amidst the realm of mind-dependence there is no gap, dichotomy or speculative “jump” between them. Transcendental idealism is always used as a kind of first-person confession, that there is a universal relation between “my perspective” and the objects “I” am examining. Hence, this formal relation is ineluctable and, so to say, ubiquitous for every being with consciousness.

Furthermore, if it can be shown that pragmatism and utilitarianism could be combined with such a kind of relational idealism, then the transition from transcendental philosophy into both applied ethics and empirical moral research is fully guaranteed. In this way, the variety and flexibility of methods in empirical research can be combined with the one transcendental presupposition mentioned above. It is this ubiquity of a fundamental relationship between my view and the object examined that enables a change of roles or of putting oneself in somebody’s shoes like most of the utilitarian authors suggest. While the realist’s metaethical tendencies are based on a series of prescribed dichotomies (fact/value, is/ought, internalism/externalism, intrinsic/extrinsic, philosophy/common sense, primary/secondary qualities), the combination of transcendental critique and pragmatist methodology will show for moral philosophy that those dualisms are mere misunderstandings that could be avoided by clarifying the perspective used.

If we look into the depths of pragmatistic genealogy, a look that I cannot reconstruct here in detail, there we can find Kant’s critical philosophy as one of its origins. Like Sami Pihlström, I advocate that a transcendental “turn” in pragmatism would have enormous advantages for the considerations of the structural moments of moral philosophy, while the pragmatist embodiment of transcendental philosophy could prepare the way for living normative ethics. Pihlström himself mentions a naturalized transcendental Critique (Pihlström, 2015, p. 79). In the basic texts of constructivist, phenomenological, utilitarian and pragmatistic thinking, fundamental, unavoidable presuppositions emerge and can be systematized in a categorical form that creates the crucial link between theoretical and practical work within moral philosophy and additionally between moral philosophy and moral sciences.

Pragmatism offers the following criteria of transcendental idealism: a) Phenomenalism: I always speak of things as appearance; things in themselves are not recognizable and can only be thought of as if they are not recognizable as such. b) Empirical Realism: Every scientific research program is itself based on the formal requirements of the validity of its judgments, experiments, explanations, etc. c) The transcendental critique discusses the condition of the possibility of knowledge formation in a theoretical and practical sense. The results of this investigation raise a claim of universal and necessary validity: While common validity (an

agreement of principle and maxim) is generally established and corresponds to the intuitive level of Hare, the universality lies in the claim of the categorical imperative (see Kant, MdS, AA 06: p. 225.06–13), that “binds” without exception.

For normative ethics, pragmatic realism (moderate naturalism) and transcendental idealism (phenomenalism, relationality, processuality) are presumed as unavoidable research axes in whose architecture all aspects of moral philosophy (even without metaethical aspects) can be described. In favor of a continuum of inferences, it is this simultaneous restraint that excludes statements about things and values in themselves, dichotomies and bogus questions. The analysis of metaethics shows that a lot of the “non-realist” authors already attempted to constitute their metaethical positions by using (implicitly or explicitly) pragmatic arguments. Since realists are not necessarily bound to naively-objective, ontological normativity claims, but rather to facts and relational structures, transcendental idealism can be identified with empirical realism as far as the relationality of experience is confirmed by the respective author.

Thus, normativity is constituted by the binding nature of reasons and justifications, and reasons, in turn, are produced by theoretical or practical considerations. Such considerations may be compared by a deliberation (procedural/substantive) of the foreseeable material conditions and of the relationship between means and ends (Is it right for me/for us to act like this?). Looking at such a deliberation from the perspective of a second order, the degree of application varies between concrete-practical and abstract-practical dimensions. The more general norms and principles are, the more formal, in terms of the mere logical structure of thinking, are the resulting judgments. Pure universality, on the other hand, is identical with the highest degree of concretion, since it occurs in an affirmative awareness of reason. In this way, universality generates relationality and morality in the descriptive and normative facets of liability, how they appear – for each/my reason – in the concrete contexts of my “Lebenswelt”.

Transcendental idealism does not exclude any position of metaethics or normative ethics or the scientific spectrum, but requires a clarification of the way in which each position is represented and, thus, it examines the effects that it has on everyday life. In this way, I see transcendental idealism as compatible with a pragmatic pluralism of methods, transcendental philosophy as compatible with life-worldly pluralism, a groundwork (Kant, GMS, AA 04) as compatible with open moral decision-making processes in everyday life. At least, transcendental realism is irrelevant for any level of scientific research.

Since I wanted to examine the conditional perspectives, according to which moral questions are to be clarified and how morality is possible, what obligatory character it has and where it becomes recognizable in actual actions, the analysis initially had different levels, too, amidst one and the same inclusion system. Every concrete moral judgment has material proportions and is therefore not universal. The foundation of morality, however, refers universally to the necessary structures of the so-called “synthetic unity of apperception” (see Kant, KrV B, AA 03: p. 126).

From a meshing of all phenomena of the simple lifeworld arise fundamental complex connections, which go beyond simplistic linear-causal processes such as the binary stimulus-response pattern. Individuals can thus be described, integrated into their immediate environment, by an adaptive process. Every basic reflex-movement, however fundamental, is included in this concept as an active event, as it represents an individually prompted reaction, which, for other persons, can be interpreted biologically as a function of an evolutionary progression of the species and nature. In pragmatism, therefore, knowledge cannot be determined by (referentialistic) correspondence theories of distant observation, but can be used in the functional circle of a coherent truth model “on the fly” (if at all). An ultimate justification of pragmatism, or “instrumentalism”, cannot be carried out in a conclusive way, since the various stages of the research process are indefinite, unfinished, and based on studies that deal with inscrutable starting points (problems). The actual dislike of pragmatists for *a priori*

structures is directed against innate ideas, the prefabricated, the substantial, but not against critical thinking.

For formal moral philosophy, therefore, pragmatist methodology can only be connected to transcendental architectonics to the extent that the moment of reflection of transcendental apperception is detached from the paradigm of substance/accident. For the classical pragmatists treated here, the proximity to critical philosophy is directly provable for these aspects: universality, relationality and idealism, and synechistic “interactions”. From this point of view, therefore, the scientific landscape of methods must now be linked to this methodology so that the pragmatistic movement in the architecture of moral philosophy can finally be traced back to the lifeworld.

I want to emphasize once again the advantages that I hope to gain from this step: Direct realistic positions can be detached from “exuberant” (“überschwänglich”), transcendental realism and traced back to transcendental idealism as it becomes clear that empirical research necessarily presupposes relationality. It is not without reason that Cheryl Misak, in her introductory book “The American Pragmatists” (Misak, 2013), uses the idealistically inspired work of Peirce. Also, empirical realism corresponds completely to the methodological principle of transcendental idealism. Nevertheless, this transcendental philosophy will have shot its bolt as soon as the fundamental dispute over liability can be completed. Empirically accessible phenomena of morality need to be examined more closely in terms of ordinary experience and therefore of the sciences.

However, metaethics is neither a transcendental discipline nor does it use empiricism, even less does it have any effect on the everyday questions of morality. A whole series of prejudices against transcendental idealism can be traced back to naive or speculative realism. In its transcendental forms, this kind of realism asserts that things, values, laws, norms, etc. exist in themselves and that they are either in themselves inaccessible to me or that I have special access to them (moral sense, intuition, revelation). In any case, when I explore these objects, I have exclusive contact with them as my appearances. It is the indifference of the research basis that shows how transcendental realism constantly contradicts itself, whereas transcendental idealism confirms itself. For me, the basic assumption of transcendental realism is neither provable nor refutable. In transcendental idealism, it is asserted that things, values, laws, norms, etc., as they can be described, relate to me and that they can only be thought of “as such” as a negative limitation of our knowledge: Everything that can be said about these objects comes into relation to the conscious living being and is constituted through experience processes. Therefore, “reality” must be understood as clarifying the point in which something is said to exist in real terms. So, there may be real dreams, real fictions, real ideas, etc., but also an empirical reality that forms both the basis of my everyday experiences and the basis of scientific research.

Finally, in order to radicalize my groundwork in moral philosophy, let me try to explain my position like this: I think that “I” am the only moral person in the world. That means that I am radically free but coincidentally, while reflecting on “me”, I find an autonomous and indefinable/ineffable self. Therefore, to put this radical thought in relation: You are no person to me as you occur in my world of relations between phenomena. But you are a person to me as you are “I”, too, in a quite formal/structural way of thinking (Vendler, 1984, p. 117). That you are thinking and willing and so on and how you think and will and so on are identical to my structural way of formal thinking – here lies the universal (ubiquitous) grounds for morality. With the system model of obligation/liability proposed here, all views and forms of involvement can be mapped in their specific aspects and typical justification strategies. In doing so, the moral experience and decision-making in a given situation can be measured with appropriate degrees of participation of the persons involved. Ethical strategies and common “moral” rules are available to the individual depending on the background of beliefs, values, and preferences. In addition, case studies and reviews serve as evidence for impact assessments.

It can also be comprehensively worked out which conditions prevail from a scientific point of view. For example, statistics and similar situations can be used or new projects can be created. Argumentative justification strategies are then available for dealing with other participants, which may even coincide with cataloged ethical *topoi* (charity, duty, constraints, impact assessment, egoism, etc.). However, it must not be neglected that in addition to the existing horizon of experience of an individual kind and against the background of experiences from the traditions of human history, there is a real moral problem only if the individual gets into a moral crisis or moral conflict with other people or norms. This is where the process of ethical discourse begins as a means of reflection and evaluation of the moral criteria within the context of the lifeworld problem. In subsequent analyses of such situations, I do not want to deny anyone the possibility of continuing to work in the field of metaethical investigations. However, in the course of my studies, the suspicion has been substantiated that the acceptance of an independent discipline of metaethics itself becomes a question of ethics, namely the question of honesty and authenticity.³

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³ To finish this article with a kind of a short conclusion or, say, to put this whole concept under one main category, I take up the proposal that a reviewer of this article made: He/she mentioned that my thoughts seem to be a kind of personalism. I would like to add that (or ask if), maybe, it is a personalism minus its Christian presuppositions, minus its aversion against materialism, which I endorse in the sense of Bloch's "Prinzip Hoffnung", minus its metaphysical connotation in asserting the reality of something beyond my own possible experience, minus its devaluation of animal consciousness, minus...(?). Maybe, if one accepts "my" own uniqueness and gives up this uniqueness for the sake of a universal feature – the ubiquity of personality – then my article is correctly categorized as a personalism in certain parts. I have to admit that because of this reviewer's remarks, I thought for one short moment that I had finally found my safe place in philosophy – and even given the fact that this restless search goes on, let me end this article by calling it a part of a transcendental or even a pragmatistic personalism.

The rules of the rationality of practical discourse in the light of ethics of discourse: An analysis of Robert Alexy’s proposal

Guillermo Lariguét¹

Abstract

The author discusses the rational argumentation of the values from a proposal defended by the legal philosopher Robert Alexy. The paper shows that discourse for Alexy is essentially a regulated activity. A model of certain rules ensure the rationality and correctness of practical discourse oriented towards resolving conflicts of value. Firstly, the types of rules responsible for the rationality of practical argumentation are described. Secondly, some open problems relating to the claim to correctness of reasoned practical discourse are posed, namely problems derived from the idea of consensus and that of a single correct answer to certain practical issues that include conflicts of values and raise basic disagreements.

Keywords: discourse ethics, deliberative democracy, model of rules, correctness

Introduction

In political philosophy, models of deliberative democracy have become the banners of a forceful intellectual conception (Elster, 1998; Gutmann & Thompson, 2004). The common denominators shared by the populated family of deliberativist conceptions include: a) that political decisions must be adopted after a process of exchanging reasons, the result of which is the triumph of the best argument; b) that all those affected by them must take part in said decisions; and c) that the product of such a process must be that of a full rational consensus of the issues around which the controversy revolves.

As can be seen, deliberativist conceptions rely on the fact that practical reason, displayed in cognitive and argumentative skills, can result in an objective discussion on values and a rational consensus on axiological conflicts. However, despite the extent to which this rationalist faith has developed, it is hard to find a clear and broadly accepted notion of the meaning of “arguing rationally”. With respect to this, José Luis Martí says the following: “Despite the crucial relevance of these concepts [“arguing”, “providing plausible reasons”] in understanding the deliberative model, the literature of deliberative democracy has in general, with a few exceptions, neglected them entirely” (Martí, 2006, p. 97).

Indeed, there is no single generally admitted stance with respect to practical rationality and its alleged objective use in questions of value. Moral philosophy, in fact, configures a cross-linked fabric of optimistic and sceptical conceptions of a variety of sorts with respect to practical reason.

My modest objective is to argue that there is a thought-provoking proposal for discussion or rational argumentation of the values from a proposal defended by the legal philosopher Robert Alexy (a global landscape of argumentation in the legal domain can be found in Atienza, 2017; Feteris, 2017). Following the traces left by the *ethics of discourse*, Alexy claims that just as *theoretical discourse* implicitly involves a claim to “truth”, in *practical discourse* we also find an implicit claim to “correction” (see also, Apel, 1991; Habermas,

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2000; Feteris, 2003, pp. 139–159; Wojciechowski, 2010, pp. 53–69; Forst, 2011).² It is therefore feasible to aspire to a “correct response” to our conflicts of value and basic disagreements. Without becoming involved here in the “universal” or “transcendental” nature of the substantiation of practical discourse (Johnston, 2016, pp. 719–734), I shall show that discourse for Alexy is essentially a regulated activity. Certain types of rules ensure the rationality and correctness of practical discourse oriented towards resolving conflicts of value. I therefore propose to achieve two goals in this work. Firstly, to pose what types of rules are responsible for the rationality of practical argumentation. Initially, my task on this issue shall be basically descriptive and not discursive. Secondly, once the first goal has been completed, I wish to pose some open problems relating to the claim to correctness of reasoned practical discourse. These are basically parasitic problems of a fundamental one, namely: whether it is possible to speak of a single correct answer to certain practical issues that include conflicts of values and raise basic disagreements, and what such a claim consists of.³

1. Typology of rules

There is no single type of rule with which to face the challenges of reason. According to Alexy, we must distinguish at least five types of rules: fundamental rules, rules of reason, rules on the burden of argumentation, rules of rationale and, lastly, rules of transition. Although Alexy does not actually say so, the model of rules he proposes does not work on an “all or nothing” basis. A model of deliberative democracy made up by these “constitutive” rules may be gradually or partially satisfied in actuality. The model is normative and ideal as it serves precisely to assess to what degree political reality responds to the model and is closer or further from its deliberativist heart. No doubt each of the rules I shall describe following Alexy may generate some philosophical problem. I shall, however, prioritize the expository nature of the rules over the formulation of problems because I wish to pose the fundamental problem of the claim to correctness of practical discourse in the second part of the paper. To begin with, let us see what these rules are and how they work.

Fundamental rules

There is a first group of rules that operate as genuine possibility conditions of any linguistic communication in which truth or correctness are dealt with (Alexy, 1989, p. 185).⁴ They are as follows:

² In order to avoid misunderstandings, in the following lines of my paper, the term ‘discourse’ can be understood as a set of oral or written utterances expressible in a certain language. The notion of ‘practical discourse’ is more restrictive than the previous definition of the term *discourse*. As a matter of fact, it refers to the kind of discourse that involves some type of rules, principles, standards or normative or evaluative arguments. Given this definition, the category of “discourse ethics”, specifically refers to those ethical guidelines that are presupposed in any moral or legal argumentation. Such guidelines are linked to correction claims or claims of validity. Every social actor, for instance a juror, must defend these guidelines with arguments that claim to be valid, and satisfy, especially, requirements of practical rationality. The rules of rationality in Alexy’s practical discourse are rules that refer to a discourse in the “ideal” sense, that is, a discourse in which social actors respect rules of argumentative rationality. Such “ideal” discourse is often distinguished from the “real” discourses articulated by social actors. Such discourses are not necessarily minimally close to the aforementioned rules of rationality. For more details (see, for instance, Maliandi, 2010; Forst, 2011).

³ In this work, I will make references to disagreements of values in a *generic sense* (for a much more detailed classification of types of disagreements in moral or legal domains see, for instance, Besson, 2005). With regard the specific problem of “faultless” disagreements (a topic that there is no need to discuss here) (Kölbel, 2004, pp. 53–73).

⁴ Herein paragraphs are translated into English from the work published in Spanish, in a splendid translation by Manuel Atienza and Isabel Espejo. Atienza is one the greatest specialists in legal argumentation in the world, and an expert on Alexy’s work. Besides, Alexy is a frequent visitor at the Master's Course of Legal Argumentation in Alicante, headed by Atienza. As a result, the Spanish edition is very faithful to Alexy’s original work.

- a) No speaker may contradict him/herself.
- b) A speaker may only state what he/she him/herself believes.
- c) A speaker who applies predicate F to an object “a” must also be willing to apply F to any other object equal to “a” in all relevant aspects.
- d) Different speakers may not use the same expression with different meanings.

As can be detected, a) this refers to the basic rules of logic, in this case those we apply to normative statements (forbidden, allowed, obligatory) or to value statements (good, bad). They are therefore rules of a logic of norms or a deontic logic, whereby we take it for granted that logical relationships between norms are possible. With respect to b) it is no more than the rules of “sincerity” in communicative preferences. The arguer may of course be a “hypocrite”. But in the game of public debate and fair play, even hypocrites find themselves obliged to adjust their “true value preferences” to one that may be publicly defended with plausible reasons.

If we now address c) the requirement refers to the use of linguistic expressions by a single speaker, while d) to the use of linguistic expressions by different speakers. In c) the category of “consistency” becomes clear. If this category is applied to value judgements, this would lead to a rule that would uphold the principle of universalisation of the judgement and, according to Alexy, such a rule would be as follows: “Every speaker may only state those value and duty judgements that s/he would likewise state in all situations in which s/he would claim they are the same in all relevant aspects”. Meanwhile d) claims for a “community of language use”. Given the multiculturalism applied to language issues, this condition appears to be problematic; nevertheless, deep down there is faith in the chance of finding a kind of language translation manual which could be clarified conceptually in a certain generalized discourse on our expressions.

Rules of reason

As Alexy rightly recalls, practical discourse attempts to *justify* the assertion of normative statements; these assertions may operate to refute value stances, answer questions, substantiate political proposals with moral implications, etc. (Alexy, 1989, pp. 187–188). As stated by Alexy the following rule governs an assertive speech act (Alexy, 1989, p. 188):

a) “When asked to do so, every speaker should substantiate what s/he states, unless s/he can provide reasons to justify refusing to give grounds”.

- a) As claimed by Alexy, this should be seen as the “general rule of substantiation” (Alexy, 1989, p. 189). From this perspective, according to Alexy, “someone who substantiates something expects, as far as the substantiation process is concerned, to accept the other as a party in the substantiation, with the same rights (Alexy, 1989, p. 189),⁵ and not to coerce, or lean on the coercion of others”. Language games that do not comply with this constitutive rule cannot genuinely be considered substantiation. Following Alexy, these typical requirements of what Habermas would call “ideal situation of dialogue” could be said to be formulated by three rules that guarantee equality of rights, universality and non-coercion, respectively. The first rule regulates admission in discourse and prescribes the following:

a.1) Anyone able to speak may take part in the discourse.

⁵ As regards the subject of rights, and “conflict of rights”, is widely known Alexy’s thesis of balancing and the proportionality test. In this paper, I will not discuss this topic as it is sufficiently autonomous in relation with my present purposes here related with ethical issues. In the same sense, I will not discuss the “special case thesis” maintained by Alexy because its treatment raises another kind of philosophical problems linked with the relation between moral and legal system (see, for instance, Alexy, 1999, pp. 374–384; 2014, pp. 51–65).

The second rule regulates the freedom of discussion and can be formulated in three requirements:

a.2) “Everyone can problematise any assertion”; “Everyone can introduce any assertion into the discourse” and “Everyone can express their opinions, wishes and needs”.

Lastly, the third rule, which protects discourse from the shadow of coercion, goes thus:

a.3) “No speaker may be denied the exercise of his/her rights established in a.1 and a.2 by way of coercion within or outside the discourse”.

Rules on the burden of argumentation

In accordance with Alexy, the principle of universality of judgement is built into a “general rule of substantiation” according to which “when requested to do so, every speaker must substantiate what he/she states, unless he/she can provide reasons to justify refusing to give grounds” (Alexy, 1989, p. 191). What underlies this principle is the fact that if someone attempts to treat a person or state of affairs differently from the way it is being treated in a regular pattern of cases, he/she should provide reasons for it. This correlates with principles like Perelman’s principle of “inertia” according to which a praxis or opinion that has been accepted once may not be abandoned without a reason for doing so. In the light of these considerations, in the opinion of Alexy, the following rule applies:

Rule on the burden of argumentation (R1) “Someone attempting to treat a person A differently from a person B is obliged to substantiate the difference”.

This is explained on the backdrop of the principle of “equality” of participants; anyone deviating from this principle must provide good reasons for doing so. R1) tells us that when a speaker states something, his/her interlocutors in the discourse are entitled to claim substantiation. As Alexy says, for something to be the topic of discourse, it has to be stated or to be questioned indicating a reason for it. This can, in turn, be formulated by means of rule R2, which prescribes the following: “Anyone who attacks a proposition or a rule that is not the object of the discussion, must give a reason for doing so” (Alexy, 1989, p. 192).

Lastly, Alexy tells us that it is inadmissible for a speaker to continually demand reasons from her interlocutor. This is why rule R3 is formulated claiming the following: “Someone who has invoked an argument is only obliged to provide further arguments if presented with counterarguments”. In addition, rule R4 is raised in the interest of argumentative clarity, according to which “when someone introduces into the discourse a statement or manifestation about her opinions, wishes or needs that does not refer to a former manifestation as an argument, must, if so requested, provide grounds for why he/she introduced such a statement or manifestation” (Alexy, 1989, pp. 192–193).

Rules of substantiation

The first group of rules is made up of different variants of the principle of generalizability or universality. Alexy compares Hare, Habermas and Baier’s formulations (Alexy, 1989, pp. 197 and ff.). Nevertheless, despite their stylistic differences, these variations point basically to a rule in which a normative proposition may be accepted by “all” those involved. In Hare’s formulation that Alexy follows, this rule says the following: “Someone stating a normative proposition that presupposes a rule to satisfy other people’s interests must also be able to accept

the consequences of such a rule in the hypothetical case in which he/she is in those other people's situation" (Alexy, 1989, p. 198).

In Habermas's case, according to Alexy, this rule is formulated thus: "The consequences of each rule for the satisfaction of each one's interests must be acceptable to everyone" (Alexy, 1989, p. 198). Meanwhile, following Baier, Alexy formulates the rule according to which: "All rules must be able to be taught openly and generally".

Yet, with these rules, we have still not ensured a "rational consensus". The participants of discourse, in fact, and as we shall see in the second part of this paper, start out from what Alexy calls "irreconcilable normative convictions". First of all it is necessary to address the assessment of how these "convictions", or "preferences" if one prefers, are formed. It is important because the authentic preferences upon which a deliberative democracy works have no self-interest but rather are impartial and rational in the sense that they are not deformed by manipulation (Martí, 2006, p. 63). That is why the moral rules that serve as a basis for the speaker's moral conceptions, for Alexy, must be able to pass the test of their "historical-critical genesis" (Alexy, 1989, p. 199). A moral rule fails such a test if the normative conviction or the value preference has lost its rational justification or if this justification is insufficient. Meanwhile, the moral rules that serve as a basis for the speaker's moral conceptions or preferences, according to Alexy, must be able to pass the test of their "historical-individual configuration" (Alexy, 1989, p. 200). This refers to the fact that it is necessary to investigate whether the convictions have incorporated cognitive dissonances due to "unjustifiable conditions of socialization", that is, conditions of manipulation or coercion regarding the content of the convictions or preferences.

According to Alexy, it should not be forgotten that practical discourse is developed to resolve practical issues that actually exist (Alexy, 1989, p. 200). This points to the fact that practical discourse must also lead to results that can be put into practice. This requirement demands thorough empirical knowledge of the limits of reasonableness of our convictions and preferences.

Rules of transition

All the rules studied so far aim to guarantee rationality in the exchange of arguments between participants in a democracy. This does not, however, ensure that all the practical issues may be overwhelmingly resolved by means of practical discourse. A number of problems can emerge. For example, disagreement on questions of fact, linguistic problems when users employ expressions with different meanings, or the sheer existence of irreconcilable normative convictions, a topic I shall address below. For such cases, it may be necessary to move from practical discourse to "other forms of discourse". According to Alexy, the rules that make it possible to move on to other discourses, for example, from a theoretical or empirical discourse or one of language analysis, are the rules of "transition" or rules for moving from one form of discourse to another in which it is at least possible to clarify the value differences that block consensus among all those affected (Alexy, 1989, p. 201).

2. Problems open to the claim to correctness of practical discourse

I have so far expounded what the rationality of a model of deliberative democracy consists of. The dense network of rules I have described, following Alexy's proposal, is oriented towards establishing reliable grounds for rational discussion on values. In this sense it takes a metaethical position in favour of "cognitivism". However, as any keen reader will have noticed, these rules are not devoid of problems. For example, the rule of the universality or generalizability of judgement is subjected to the heat of current debates on moral particularism. To what extent does the idiosyncrasy of particular cases not demand a situationalist look averse to generalization? In the case of the rule requiring every speaker to be able to take part in the discourse establishes what role shall be given to prelinguistic creatures such as animals or foetuses. Should they also be represented in the debate? What substantive implications for the

debate on the “personality” of animals or fetuses might a positive response to the above question have? And lastly, to mention another problematic case; does the requirement of “one” linguistic community have a performance limit given the *factum* of cultural and linguistic pluralism? These questions act as indicators of issues that deserve detailed analysis that I shall not go into here so as not to lose track of my central purpose. To be precise, my purpose is to highlight some problems that are open to the claim to correctness or the correct response for all our existing practical issues. In a model of deliberative democracy – and the same goes for the ethics of discourse – it is relevant to aspire to a “full consensus” on practical issues (Lariguet, 2011a, pp. 75–89). Jeremy Waldron has criticised this ideal aspiration to full consensus. He points out the following: “[...] dissent or disagreement [are viewed] as a sign of incompleteness or the politically unsatisfactory nature of deliberation. Its approach implies that there must be something wrong with deliberative politics if reason fails, if consensus escapes us, and we have no other option but to count votes” (Waldron, 1999, pp. 91–92).

The presupposition of consensus by the model operates as a linchpin for the correctness of the participants’ response to a practical issue. There is, however, a problem here. In the words of Alexy: “[the] said problem refers to the question of whether an ideal discourse would lead to a consensus on every practical issue”. Alexy’s response is that “such consensus does not follow logically from determining that the conditions [the rules] of the ideal discussion have been fulfilled” (Alexy, 1989, p. 301). Consensus on a practical issue is something “substantive” and the rules of rational discussion only have a “formal” nature with respect to this. Alexy says that a guarantee of consensus “could therefore only be accepted if the empirical premise that there are no anthropological inequalities of the men opposed to the discourse were true, and that they could exclude, also under the conditions of ideal discourse”, a consensus in practical issues; hence, in matters of value. Alexy claims that this issue “cannot be resolved”. “There is no procedure that makes a safe prognosis possible regarding how participants would proceed in the discourse as real people under the admitted, and not real, conditions of ideal discourse” (Alexy, 1989, p. 301).

But there is another more intricate issue regarding consensus and it is that of contradiction. In Alexy’s own words, “if there is no guarantee of consensus, then it must be held as possible, after a potentially indefinite duration of discourse, for the participants to defend norms which are nevertheless irreconcilable”. The result of the procedure would thus be both N and -N. But according to the procedural conception of deliberative democracy, this means that both N and -N, insofar as they are products of the rationalised use of discourse, qualify as “correct”. Yet this conclusion, as Alexy acknowledges, would have to be denied if we accepted that there is a “single” correct answer for each practical issue (Alexy, 1989, p. 302). For all that, the presupposition of an “independent” correct answer of the procedure, that is to say, an absolute and not procedural conception of the correct answer appears to Alexy to enclose an “ontological thesis” with little value and against which much can be said. According to Alexy, the theory of discourse has an absolutely procedural nature of correctness (Alexy, 1989, p. 303). Following what Alexy would call undoubted procedural correctness, there would be a “considerable reduction of irrationality” (Alexy, 1989, p. 304).

Yet although what Alexy claims may be conceded, the pertinence of a non-procedural concept of correctness for deliberative democracy cannot just be denied. Martí has highlighted that an independent criterion of correctness to which to adjust to is required for a model of deliberative democracy to work (Martí, 2006, p. 64). If this criterion were admitted we would have the procedure linked to a critical “substance” which would evaluate the quality of its very content. Beyond this, the problem that persists for the claim to a single correct answer is that of the existence of contradictions or irreconcilable normative convictions for one and the same practical issue. This does not seem to be an illegal statement for our democracies. In their midst it is not uncommon to attend debates between extreme and irreconcilable value positions with

respect to abortion, the status of the embryo, reproductive cloning and euthanasia. Indeed, in democratic societies characterised by “pluralistic values”, the presence of “dilemma conflicts” between differing positions is not ineradicable. This pluralism, which leads to dilemma conflicts, generates what Susan Wolf has dubbed “pockets of indeterminacy” (Wolf, 1992, p. 788) in our moral theories as they do not tell us what the correct answer is (Lariguet, 2011b). This occurs in conflicts in which, as Silvina Álvarez says, situations are given “where there are valid reasons to resolve the issue in favour of both opposing positions” (Álvarez, 2008, p. 25). In such cases there seems to be an impossibility to apply two conflicting values and hence the impossibility of a single correct answer is opted for.

All the same, even though it were true that full consensus is impossible on certain practical issues, this does not mean that deliberation is incapable of producing certain beneficial effects from the point of view of democratic legitimacy. With respect to this, José Luis Martí has claimed the following: “We expect deliberation to generate a greater and better understanding of the different points of view, to resolve those disagreements based on erroneous beliefs, and to bring those corresponding positions as close together as possible⁶. Although it may not allow us to reach a consensus or increase agreement quantitatively, the decisions subsequent to the deliberation are, as we shall see later, more informed, and even the deliberative disagreements, those lasting beyond the deliberation, are also more valuable” (Martí, 2006, p. 33).

For all that, Martí himself admits that “the very practice of argumentation *presupposes* the existence of an intersubjectively shared correct answer to what we are arguing about”. This presupposition, however, clashes with the existence of varying and unfathomable value patterns. Nevertheless, Martí responds that these patterns are only in disagreement for “epistemic reasons” but not for “ontological” reasons (Martí, 2006, p. 29). To think the opposite would lead us to a “radical” pluralist conception that would be unacceptable even to basic disagreement theorists like Waldron. But most importantly, Martí adds, it is irreconcilable with deliberation (Martí, 2006, p. 29). However, despite this statement by Martí, there are no arguments in his quoted work to lead one to think that disagreements between irreconcilable and, prospectively, unfathomable value positions are merely epistemic in origin, that is to say, resulting from cognitive deficits on the matter of values. One might hypothesise (Lariguet, 2008) that there could be cases in which “no more need be known” and despite this both the conflict and the dilemma persist. Assuming that what I say makes sense, the idea of an unequivocal claim to correctness that settles a value conflict continues to be an open problem upon which further meditation is due.

3. Final considerations

I have claimed in this paper that the *leitmotiv* of deliberative democracy is based on an appeal to practical reason and an exchange of the best arguments to reach a consensus among all those affected by a practical issue *x* that is to be uniformly and universally resolved.

I have claimed that a step before discussing the scope of the *leitmotiv* consists in asking what the conditions for rational deliberation are. I have pointed out that the legal philosopher Robert

⁶ In this sense, Alexy’s “rules of transition” would appear to be operating, which would seem to make it possible to move from litigating practical discourse to other forms of discourse that clarify the nature of the differences and incompatibilities in value positions (for incomparabilism see, for instance, Chang, 1998). In this regard, it is worth recalling that Alexy considers that “legal discourse” is a “special case” of practical discourse because it shares with it the claim to correctness (Alexy, 1989, pp. 206 and ff). One might think that those issues not settled with deliberation in a parliament and which remain as basic disagreements shall be resolved by way of judicial or juridical deliberation. In this regard, legal discourse could have rules to move on to discuss value preferences from the point of view of a certain legal order. But this does not mean that judges will plausibly solve the underlying moral conflict of the incompatibility of convictions or normative preferences. In fact, the “special case” thesis deserves a particular, independent paper which would make it possible to analyse the problems that emanate from said thesis.

Alexy's proposal provides an answer when paired with the ethics of discourse. There are certain typologies that guarantee deliberative rationality in a democracy. After explaining what the rules are, I have examined the problems that are open for the claim to correctness in response to practical issues in our societies. I have indicated that it is initially necessary to determine the procedural or non-procedural nature of the criterion of correctness. I then argue that, in the context of the pluralism of prospectively unfathomable and irreconcilable values, dilemma conflicts arise that question the claim to a single correct answer for value debates. Admitting that there may be as many correct answers as there are normative convictions is tantamount to sliding down a slope that would lead us to normative relativism. Consequently, our challenge consists in reconciling – if at all possible – the claim to unity of the correct answer with the existence of dilemma conflicts which appear to form part of a real phenomenology of our world.

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Effective altruism for the poor

Jakub Synowiec¹

Abstract

The aim of the paper is to contribute to the debate on effective altruism. It is an attempt to present it as a universal moral proposition – not only a new charity model for the richest citizens of the world. The article starts with a definition of a hypothetical group of relatively-poor effective altruists. Their hypothetical living conditions and opportunities are juxtaposed with the theory of effective altruism developed by Peter Singer and William MacAskill and with career guides proposed by 80000hours.org – one of the websites gathering effective altruists. In the last part, selected practices for relatively poor effective altruists are described. The conclusion of the paper is, that although most of the reflections behind the concept of effective altruism are developed for the richest people in the world, it is a universal ethical position that can be applied into lives of relatively poor people, whose contribution should not be underestimated.

Keywords: effective altruism, Singer, MacAskill, ethical career

Introduction

Effective altruism is in danger of becoming classified as an “option for the rich” because of the focus on a range of new or enhanced approaches to managing one’s donation budget, especially in the beginning of the development of the movement, magnified by the media attracted to the somewhat controversial concept of “earn to give” as a suggested lifestyle choice for supporters of the movement. And, since a significant number of intellectuals supporting effective altruism recommend the level of giving not exceeding what one can give without sacrifice, it seems to be a proposal only for people with deep pockets.

My experience of explaining effective altruism to people from a society that steadily grows economically and tends to be affluent is that arguments made to convince those people earning in any leading developed country, like the United States or the United Kingdom to factor ethical factors in when reconsidering the budget are not that appealing for those who manage their budgets in less wealthy countries. A similar objection can be made about Effective Altruism’s advice on ethical career choices, for many reasons, they are tailored to people from the most prosperous countries. This can lead people to treat effective altruism as an idea only for the richest (just as people used to think about charity in general). The main thesis of this paper is to illustrate that effective altruism is a universal ethical proposition, but putting it into practice can take various forms, depending on the circumstances of one’s life, and although the guidelines for effective altruists are made for citizens of the most affluent societies, one can adjust them to different conditions with careful reasoning.

To show that effective altruism does not have “property qualification”. I focus on “relatively poor effective altruists” – a group of people who cannot reasonably donate 10% of their income, but at the same time they do not face extreme poverty and would like to do the most good they can.² I intentionally omit people living in extreme poverty, first and foremost

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² This is a hypothetical group which does not refer to any existing society and for the aim of this paper it can actually be an empty set. The philosopher William MacAskill emphasizes that people tend to underestimate their “real power” and focus on their feelings and for that reason they sometimes honestly believe they are in the hypothetical group, whereas they can actually donate 10% of their income (MacAskill, 2015a, p. 20). It can be rationally assumed that the group of “relatively poor effective altruists” is not an empty set, they might actually be a large group of people who are able to live without external assistance but are not wealthy enough to spend a lot on things which are not related to their basic needs. Based on my personal experience I assume that in countries of central Europe there are many people that could be regarded as members of this group.

because I believe that the topic “ethical duties of people living in extreme poverty” will soon be a hypothetical problem— thanks to advancements in technology and the moral development of humanity (including effective altruism) – and secondly because it would require going into debate on duties in extreme situations, which would exceed the limits of this paper. The conclusion is that even people with limited financial resources and little hope for improving their economic situation, can be effective altruists and do a lot to make the world a better place.

I will start by analysing the idea of effective altruism presented in the works of William MacAskill and Peter Singer, two of the most influential and prominent philosophers supporting effective altruism. The paper then goes over ethical career recommendations proposed by 80000hours.org³ and how they compare with the circumstances of the lives of relatively poor effective altruists. In the next part selected recommendations of effective altruism for everyday life are presented and from that I try to extract what can apply to relatively poor effective altruists in terms of effectiveness.

Doing the most good one can

Effective altruism, both as an idea and as a movement, was born in affluent societies for their members.⁴ It is primarily a proposition for people who do not have to struggle to satisfy their basic needs, rather they spend huge amounts of their money on things they do not really need and are wealthy enough to save some money. Although all people are equal, some were lucky to be born in rich societies and have an opportunity to do a lot of good with the resources they are able to control. However, effective altruism appears to be a universal proposition since its fundamental idea: the duty to do the most good, is shared by everyone.⁵ The circumstances modify how this general rule is to be put into practice.

The fundamental idea of effective altruism is optimizing the world – for an individual to do the most good. Good appears to be understood in a hedonistic sense, and since the most prominent intellectuals supporting effective altruism are negative utilitarians, they aim to reduce suffering rather than increasing total happiness (as long as there is so much suffering in the world). On the basis of research, effective altruists believe that to optimize cost-effectiveness, it is recommended to reduce suffering by indirect action: donating to proven, highly effective charity organizations.⁶ Effective altruism developed meta-charity, which focuses on analysing charity programs in order to be able to recommend those that can do the most good with the given amount of money. Also, there is a huge evidence-guided philosophical

³ 80000hours.org is a part and a founder of the effective altruism community, a nonprofit organization incubated by the Center for Effective Altruism (Oxford), running a website designed to “help as many people as possible lead high-impact careers” by providing career advice.

⁴ The genesis of effective altruism can be found in the writings of Peter Singer, a prominent contemporary moral philosopher, starting from his article *Famine, Affluence and Morality* (Singer, 1972), through more than 40 years of his research and other writings, crowned by his *The life you can save* (Singer, 2009), where he promotes ethical lifestyle very similar to effective altruism and gives the philosophical arguments for helping the poor. He popularizes the term “effective altruism” in his talk at a TED conference (Singer, 2013) and finally writes a book *The most good you can do* (Singer, 2015), which is one of the most important books presenting ideas of effective altruism. Singer addresses his writings on poverty to the members of rich societies, who maintain the consumer lifestyle, but in his books on ethical theory he emphasizes that ethics is universal. Another source of effective altruism are the people gathered around the Center of Effective Altruism in Oxford (founded 2011, establishing this center is also probably the first public use of the term), the web pages Givingwhatwecan.org and 80000hours.org and Prof. William MacAskill, who wrote another noteworthy book: *The most good you can do* (MacAskill, 2015a), which explains the idea and the movement. They also focus on popularizing the idea in the richest societies.

⁵ A duty to optimize the world is one of the consequences of utilitarian ethics, which claim to be universal (Singer, 1997; 1979; 2015).

⁶ As long as the cost-effectiveness of indirect action(s) is higher than in the case of direct work.

discussion among effective altruists on the areas where the donations should be directed first.⁷ Supporting the recommended most effective organizations gives the donors some security that their money is not being wasted.

However, taking this perspective, the amount of good we can do is obviously related to the amount of money we donate. Effective altruists do not have a universal standard for the amount of their wealth that they should give, but there are some indicators that 10% is a minimal requirement for the majority of them. One of the popular meta charity advisers – Giving what we can – among other data, shows how many healthy years of life can one grant by 10% of the household's income.⁸ The 10% donation as a standard, may have its roots in the writings of Peter Singer, who recommends giving 10% of the family's income to the poor as a reasonable standard for the majority of the (well-off) people in his most famous book *Practical ethics* (Singer, 1979, p. 181), alongside the argument that not helping the poor is, for every affluent individual, morally close to the murder of an innocent person (Singer, 1979, pp. 161–168). Increasing the amount of money donated increases the number of lives saved or the amount of eliminated suffering.

For Singer, the logical limit of increasing our donation is somewhere near the margin utility – putting oneself in conditions similar to those we help, but with the ability to function in a rich society and earn money for further donations (Singer, 2015, p. 28). Reducing financial needs, living on less and less to do more good is a possible option, but – as Singer states – promoting it would be counterproductive. People are not rational enough to hold this standard, they are unlikely to try to take an impartial point of view and count the similar interests of others as the same as theirs. There is a natural tendency to promote the interest of people related to us towards the unknown, of our beloved ones and first and foremost of ourselves.⁹ The idea of giving everything above the minimal level of well-being in a society of consumerism is unlikely to be adopted, giving that much could make donors unhappy or even put them outside that society. Peter Singer claims, though, that in exchange, a donor would give his life extraordinary meaning and feel happiness, like many people and he himself do (Singer, 2015, p. 97). In the consumers' society logic ten percent of one's income for happiness and sense of fulfilment is more like a good deal. From a utilitarian perspective, it is better to advocate for a standard that will be widely accepted and has the potential to make the largest possible change towards to good direction, than for the universal moral standard (Singer, 2009, pp. 152–152).

Ethical career choices

Living on less, on some level, would be too difficult, but there is another way conducive to giving more money. Effective altruists gathered around the website 80000hours.org promote a strategy of doing the most good based on ethical career choices. Even a brief read of *The Most Good You Can Do* or *Doing Good Better* reveals that the authors are writing for a particular audience: people from affluent societies.¹⁰ It also appears that the guidelines for an ethical

⁷ At the moment, they are: eradication of extreme poverty, eliminating animal suffering and preventing extinction of earth-originated intelligent life. Individual value judgments of effective altruists make them decide which cause they personally feel is the most urgent. There is a powerful argument by Nick Bostrom that existential risk prevention should be the most important cause, as even a little progress in this field outweighs (in terms of doing the most good) anything we can do now, even in areas like eliminating world's poverty. (Bostrom, 2013) but for Peter Singer, although the logic of the argument is correct “it is not an argument that many people are likely to act on” (Sosis, 2019). (The methodology of choosing causes is presented in MacAskill, 2015a, pp. 222–242; Singer, 2015, pp. 117–147).

⁸ Givingwhatwecan.org.

⁹ These topics are explored by Peter Singer in his *The Life You Can Save* (Singer, 2009, pp. 45–60).

¹⁰ For example MacAskill writes to a “typical citizen of the west” (MacAskill, 2015a, p. 27) or he supposes that readers of his book are, like him, among “the richest 10% of the world's population” (MacAskill, 2015a, p. 28). He emphasizes that being among the ten percent of the richest nowadays is an unusual opportunity to do a lot of good.

career offered by effective altruists are adequate for people living in specific conditions in affluent countries.¹¹ Currently, 80000hours.org proposes four approaches to consider: earn to give, advocacy, research and direct work. At the beginning of effective altruism, there was probably too much focus on the “earn to give” strategy, which attracted attention to the movement but also might have created the image of it as limited to “redistribution of wealth”.¹² Although it is certainly the wrong image, the “earn to give approach” is often associated with effective altruism and is still promoted as a way to make a great impact. It also has another advantage: one can easily estimate how much good one has done, for instance, how many vaccines were bought or how many lives were saved (according to MacAskill, donating \$3400 is equivalent to saving one life (MacAskill, 2015a, p. 63), with other approaches it is more difficult. Saving one person in a lifetime can be the most memorable story of a life, but it depends on luck to be in the right place at the right time, and with proper qualifications. However, with the “earn to give strategy”, an affluent person can feel like a superhero, saving lives while sitting in an armchair, with a few clicks. The “earn to give strategy” is also somewhat the least demanding one. If one feels content with their job, they just do the ordinary activities by which they earn money to be donated, and without any other activity but following the guidelines of meta-charities, they save lives. Knowing that these ordinary activities are to get money to save lives makes them definitely more important.

Since for some causes, like eradicating extreme poverty, the best impact is available for those with the deepest pockets, the best solution seems to be to become one of them. It is actually a typical aim for most people in a consumer society – land a high-paying job, to earn more, to afford more, to consume more. Effective altruists would use the same means to a different end: get a better-paid job, to earn more, to be able to give more, to do the most good you can. Promoting the “earn to give strategy” may encourage people who do not share consumerist values and are satisfied with a modest level of living, to join the race for the best career. If they are talented enough, they can take the best-paid position available, for ethical reasons.

At first glance, “earn to give” appears to be the best strategy, particularly when we think about people like Bill Gates or Matt Wage, a student of Peter Singer, who was moved by philosophical arguments and instead of continuing his career at Oxford, took a position on Wall Street because that way he would earn far more than as an academic, and, as a result, save more lives (Singer, 2015, pp. 3–4). Obviously, this approach is not suitable for everyone (Todd, 2017c), but it’s also society-dependent – i.e. the highest-paying positions are more numerous and more easily accessible in the most prosperous countries. People who are unable to donate 10% actually have enough motivation to seek a better-paid job, but even getting a relatively good job in a poor society might not put a person close to the salary of an average worker in the most affluent countries. Salaries are also a reason for economic migration, which may drain poorer societies of the best educated specialists. Abandoning positions important in their society in order to work in a more affluent society to take the “earn to give” approach by a person who is hard to replace, can do more harm than good. A medicine specialist in an affluent society is, at best, just an additional worker of his kind, but may also simply make another, less skilled

¹¹ One of the members of 80000hours.org, Robert Wiblin, admits on “Effective Altruism Forum” that the question what people from poorer countries can do to have a big social impact is difficult for the organization. He presented several ideas, some of them overlap with ideas presented in this paper, but the post is very general, rather to start a debate than to give answers (Wiblin, 2015b).

¹² 80000hours.org attempts to change this opinion. In an article published on this web page, William MacAskill says it was a mistake to allow journalists to focus on “earn to give”. He writes “we used to believe that at least a large proportion of people should aim to earn to give long-term” and puts several, rational and evidence-based reasons why they believe fewer people should take this approach. Among them that there is a greater need for talent than money at the moment (MacAskill, 2015b). However, there is an open question on how much initial focus on the “earn to give” strategy influenced the image of effective altruism in general, and whether it can be reversed.

person, change his job, but in areas where specialists of that kind are scarce, he is precious and needed.¹³ Also, the number of well-paid jobs is limited; getting them requires not only determination but also skills and expertise that are hard to develop under some circumstances. All this means that the “earn to give” strategy may be difficult or not worth the effort in the case of a “relatively poor effective altruist”. But there are other possibilities for doing the most good.

Approach number two, recommended by 80000hours.org is advocacy, namely “the promotion of solutions to pressing problems” (Todd, 2017b). Advocacy can accompany virtually every job, and all effective altruists should take part in it (Singer, 2015, p. 4; MacAskill; 2015a, pp. 246–247). Whenever one encourages people to effective altruism, they actually do advocacy. If one donates 10%, and a colleague of theirs, following their example, also decides to donate 10%, then it is more good than without his advocating, and since one can influence many people, part time advocacy can do more good than the full-time “earning to give”¹⁴ (It can be true even for the richest, since people are more influenced by the members of their reference group). Some people can be lucky and have an enormous impact via advocacy, such as politicians, religious leaders or exceptional philosophers whose ideas changed the world, among them, definitely Peter Singer and William MacAskill, but one cannot rationally suspect that he/she will be a prominent philosopher. Taking a rational approach to advocacy led 80000hours.org to suggest trying: political and policy-making positions, position with a public platform, managers and grant makers or professional positions that create favourable conditions for meeting lots of influential people (Todd, 2017a). All these suggestions are for people from affluent nations, but the advocacy approach can be taken by everyone. The more likely to be influential a job is, the more good one can do by advocacy. Teachers, physicians, journalists and other traditional jobs with social impact are probably more valuable in societies with fewer professionals in these areas.

The third recommended approach of doing the most good is a research career. If one can take this career, choosing the right field enables us to do a lot of good as a researcher, for example, taking part in discovering a cure for a serious disease is a big step towards a better world. Technological advancements can also be very helpful – like a tool to deflect asteroids. Research on the effectiveness of charity programs can also do a lot of good because it may help to make donations even more effective (Singer, 2017, p. 58). It appears, though, that going into science is potentially more effective in the most prosperous nations because of the development of education there. Relatively poor effective altruists must carefully consider if they are able to do a lot of good that way.

Direct work is the fourth approach promoted by 80000hours.org. It is an obvious way of helping but also one that requires caution because there are already many people working that way, so an additional person would not have a great impact and, owing to the fact that charity organizations differ, the best ones are claimed to be a hundred times more effective than the good ones (MacAskill, 2015a, pp. 1658–1662). And there are also harmful ones. Getting a post in an aid agency is reasonable for a person who cannot earn enough to donate the amount of money necessary to hire an aid worker and feels good about doing that job. It is also good for those people who feel a desire to help directly. People in the most affluent countries who do not feel personal commitment to this job are advised to take a different one because they can be replaced by other persons in these jobs and if they opt for “earn to give” instead, they can “hire” several aid workers thanks to their donations. For relatively poor effective altruists, direct work can be as good as another career but it also allows them to do good by direct actions. Exceptional individuals can achieve a lot by starting charity organisations (Singer, 2015, pp. 58–62).

¹³ These thoughts were inspired by MacAskill’s recommendation to not take up a career as a doctor in an affluent society (MacAskill, 2015a, pp. 90–91).

¹⁴ Peter Singer encourages the showing of one’s noble acts, because it can inspire others to do more good: “we are much more likely to do the right thing if we think others are already doing it” (Singer, 2009, pp. 64–68).

What is more, 80000Hours.org presented which positions that can be regarded as the most harmful and therefore should be avoided (Wiblin, 2015a). People ought to choose another career path for ethical reasons. The list of the ten most harmful jobs include positions held by many people worldwide: marketing for compulsive behaviours (alcoholism, gambling, etc.), factory farming, fraudulent medical technologies (homeopathy), “patent trolling”, lobbying for rent-seeking businesses, weapons research, borderline fraudulent lending, fund raising for harmful charities, forest clearing and tax minimization for the super-rich. From this list, the attention of relatively poor effective altruists should be paid to factory farming and forest clearing, as there are many positions in these areas where no sophisticated intellectual skills are required, so anyone can take them. It is unlikely that an effective altruist can do any better when replacing another person who would otherwise take this job, as harming animals and the environment are part and parcel of these jobs. People convinced to effective altruism, even if they do not want or cannot take the “earn to give” approach, should treat the choice of their career path as a moral choice and, if their options are limited, choose a career that is at least not harmful.

It seems that guidelines for careers at 80000hours.org are made for citizens of affluent countries and may be of little help to people who do not have such opportunities. However, effective altruism “is about asking «how can I make the biggest difference I can» and using evidence and careful reasoning to try to find the answer” (MacAskill, 2015a, p. 15). The conclusion to this part is that effective altruists living in a poorer society or being unable to reach the level of affluence that would allow them to do good by donations, can still treat their career as a moral choice, using reasoning and the best evidence they have. Sometimes, it might turn out that a career which would not be advised in a rich country is the right choice in a poorer country. For instance, MacAskill suggests that the career of a doctor does not have to be the right ethical choice (MacAskill, 2015a, pp. 78–90). He claims there are already many doctors and another one in an affluent country does not bring much good, let alone that normally just replaces another person who would probably be as good a doctor as this one. But when we start thinking about other countries, an extra doctor may be the one who provides people with services otherwise unavailable and benefit poorer society,¹⁵ thus, careful reasoning can bring us to the conclusion that being a doctor may be doing the most good for some relatively poor effective altruists.

Everyday choices are moral choices

The principle of “doing the most good one can” led many people to reconsider their careers but, if taken seriously, also means significant changes in the personal life of an individual. Peter Singer presents these changes as a modest life (Singer, 2015, pp. 23–37). Singer suggests that all our consumer choices are moral choices, and therefore, if one is about to buy a car, they shouldn’t buy the best one they can afford, but rather the one which would be sufficient to serve their needs (i.e. a small car for commuting in a city). The saved money should be, then, donated. This example is, of course, of no help to people who buy just any second-hand car and hope it will be cheap to maintain. Yet, it can be a guideline for other, maybe smaller choices. Giving careful consideration to consumer choices may lead to the conclusion that even relatively poor people can save money and donate it.

Another idea to be used for less wealthy people is manifesting real care for the suffering of animals in their dietary choices. Eliminating the suffering of animals in factory farms is one of the main causes of effective altruism in people (Singer, 2015, pp. 137–144). Animal-based food was made cheap due to mass production in factory farms and is available even for the poor. On

¹⁵ MacAskill presents estimations that an average doctor in the United States will save about 2-4 lives during his entire career by his direct action (which is, undeniably, a great achievement), whereas in Ethiopia it is 300 lives. However, a doctor in the United States is more likely to be able to save more additional people by his donations. MacAskill, 2015a, pp. 78–93.

the other hand, the real costs of cheap meat are incomparable to the profits (Lymbery & Oakeshott, 2014). Animals kept in factory farms are the only means for factory owners to make a profit, their suffering matters when it decreases profits, therefore they suffer a lot, for some of them death is the best moment of their lives. A meat-based diet is also partly responsible for global hunger and – in the long run – can cause existential risk for our species.¹⁶ There are several ways of stopping factory farming, but Singer recommends changes in our diets as the most effective one.¹⁷ If there are no people willing to pay for the products of factory farming, they will stop working, meat will become expensive in shops and thus harder to buy. The effect would be quick and impressive if many people went vegan or vegetarian. William MacAskill argues reasonably, that even the decision of a single person can have a great impact by being the one that would change the amount of meat ordered by a shop (MacAskill, 2015a, pp. 107–108). However, going vegan or vegetarian might still be difficult in poorer countries, where cheap meat is a good nutrition option. Another alternative worth considering is to do a lot of good just by preparing meals for our family while practising reducetarianism, in this case: intentional dietary choices which aim to reduce the amount of meat consumed. It can be achieved by meatless days, smaller portions or changing the proportion of meat in a meal. Reducetarianism appears to be more likely to be adopted by society than a strict diet (Kateman, 2017), so it has potential for being more effective than the veg(etari)an approach. Making 10 people reduce their meat consumption by 10% is the equivalent of making 1 go vegan. Also, there are strong arguments that most effective reducetarianism is to stop eating chicken, eggs and pork first (MacAskill, 2017, pp. 69–71).

Another thing good for effective altruists in any circumstances is to focus on not wasting. Singer recommends cooking at home instead of eating out in restaurants or drinking water from the tap (if it is safe), not from the bottle (Singer, 2009, p. ix). People throw away a lot of edible food, sometimes because they just want to eat something else. There is no direct way to transfer food to distant lands at reasonable costs, but indirectly, one can focus on planning his meals and save some money that way.

Conclusion

It may turn out that the most effective way of doing good for relatively poor effective altruists is... promoting effective altruism or an ethical life in general. Convincing people to effective altruism can multiply one's impact. And, considering that the people we convinced may keep spreading the idea, one can find oneself in the beginning of a chain of people who will finally become convinced to effective altruism. It is to be noticed that people living in affluent countries are not the only ones to live in extraordinary times. More and more countries are becoming affluent and living standards are going up, as well. Technological development is rapid, and new advances also help people in poorer countries, sometimes they even do better than charity actions.¹⁸ The world is constantly developing and for that reason we can expect that people in the future will have better opportunities to do good, if they decide to follow “do the most good” rule rather than “do whatever you want”, so making them more ethical is a good thing to do. There is no general answer how to be effective in making people more ethical, yet, setting a good example is always the right strategy.

¹⁶ Meat production indirectly threatens human species by its contribution to the greenhouse effect.

¹⁷ A method of achieving this goal is advocacy for changes in diet (Singer, 2015, p. 139). Peter Singer has been doing it for his entire career. MacAskill argues, that “changing consumption habits is not [a] very effective way compared with the alternatives” (MacAskill, 2015a, p. 178), but here too he focuses on the most affluent people, who can do more good by donations.

¹⁸ A very popular program, One laptop per child, was prepared to provide access to modern technology for people in developed countries, yet, it appears that rapid development of smart-phones achieved this goal without fundraising.

Effective altruism career guides recommend young people to invest in themselves at the beginning of their career, in order to have more to give away later on. If they start identifying with the ideas of effective altruism as students, they might also do so as adults, and acquire the habit of giving before gaining the habit of extensive consumption. The same can be true for groups like citizens of poorer countries. Apart from advancements in technology and great progress in economy, effective altruism was set up because of a great development in moral reflection (Singer, 2015, pp. 13–20). After all, people who started effective altruism had been concerned about the most important moral problems before. Making people ethical before they are able to afford to lead a consumer lifestyle would constitute a vaccine of sorts. An alarming example are countries like China, where the level of wealth has increased and now people want to have the “West-like” access to cheap meat (Shih Han, 2014). Satisfying them would cause more suffering of animals. There would be less demand for cheap meat if the opinion that eating meat was wrong was shared by many people in this society before it became wealthy. The increasing prosperity in China may also worsen the greenhouse effect, which is a potential threat to humanity. The rising level of affluence is also good news, for there will be more people with the capability to make donations. Even if in a given country most people are relatively poor, it does not mean it would never change, estimating their impact should include reflection on what they would probably be able to do in the future. When new opportunities to do the most good arise, effective altruists will be prepared and, instead of increasing their consumption, they would use them to make the world a better place. Promoting effective altruism is a good goal, also among those who cannot make a great impact at the moment.

Effective altruism is a revolutionary ethical proposition which has attracted the attention of many people, not only from the most affluent countries, although it was clearly made for them in the first place. Our world has recently become smaller but the difference in opportunities and the level of affluence remains high. Using reason and evidence to do the most good one can is a principle for everyone. There are guidelines provided by intellectuals supporting effective altruism, some of them intentionally vague, to cover many potential examples, but as it was emphasized, they are also tailored to people living in the most prosperous countries and do not match the circumstances of living of those “relatively poor effective altruists”. A task for local effective altruism communities, which are emerging even in very poor countries, is to adjust the reflection of effective altruism to those realities specific to their area, considering the available facts in careful reasoning.

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On the search for sources of good and evil in the Lvov-Warsaw School of Philosophy

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Abstract

In this article, the author attempts to identify the sources of good and evil as undertaken by the Lvov-Warsaw School of Philosophy (LWSP) founded by Kazimierz Twardowski. Such attempts were undertaken by both Twardowski himself and his closest students and associates; Władysław Witwicki, Tadeusz Kotarbiński. Tadeusz Czeżowski, and Kazimierz Ajdukiewicz. The best-known approach is Kotarbiński's independent ethics in which the author refers to Aristotle perceiving such potential in the characteristics of each individual as to distinguish elementary qualities in the form of opposites including opposition to good and evil. According to this approach, man acts in an evil manner because he stops following the natural voice of his own heart and instead implements set proposals provided by external factors. In the opinion of the author, the proposals formulated within the LWSP can form the basis for a rational explanation of the atrocities committed during World War II which modern ethics, being focused on neutral metaethical issues, fails to do.

Keywords: Kazimierz Ajdukiewicz, Tadeusz Kotarbiński, Kazimierz Twardowski, Władysław Witwicki, the Lvov-Warsaw School, ethics, sources of good and evil

Introduction

In no other scientific discipline do the issues of subject matter and the definability of the concepts used arouse so much interest as in ethics. In everyday language ethics deals with good and evil. Nevertheless, philosophers often acknowledge that the indefinability of the concepts used in ethics is a sufficient basis to deny it a scientific status. A classic example of this approach is reflected in Leon Koja's views. Koja aspired to become a follower in the academic traditions of the LWSP. According to him, ethics is only "wishful thinking", and "ethical considerations are generally a domain of declarations not strongly based on more serious attempts to justify statements, whimpers, repeated complaints, threats and condemnations" (Koj, 1998, p. 7). Therefore, nobody needs ethics, because it does not solve people's real problems. With such a postulation, not only is ethics not a science, but it is not even clear if any judgement in relation to good or bad is necessary at all. However, by holding such a view, the philosopher set himself apart from the scientific movement initiated by the LWSP, in which ethics played an important role and was the subject of interest for the most outstanding representatives. In addition, this approach favours incorrect assumptions related to the understanding of scientific study of individual philosophical sciences by the LWSP. However, this is not an isolated case, and the popularity of such a position was the reason why ethics ceased to deal with what it was called to and ethicists began to deal primarily with justifying the scientific nature of ethics. Due to such reorientation of priorities, to this day ethics struggles in principle to find an answer to the causes of issues related to the traumatic experiences of World War II. On a smaller scale, similar problems occur to this day during contemporary armed conflicts which most often break out on ethnic or religious grounds.

The following study is also an attempt to show that ethical considerations played an important role in the work of the LWSP and its representatives successfully managed to systematise ethical issues by introducing into ethics rules which every science must follow and they did so without giving up the practical task of ethics including its impact on the moral

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condition of society. The representatives of the LWSP were aware that even rigorous adherence to the scientific requirements does not make ethics perform its true tasks.

Ethics at the LWSP – between tradition and the present day

Representatives of the LWSP, as representatives of the analytical trend in philosophy undertook attempts to make ethics scientific, based on various assumptions, which included, among others, a struggle to define basic ethical concepts. However, although all these attempts were ultimately unsuccessful, thanks to them, ethics ceased to be treated as an inseparable part of religious doctrine and gained the status of an independent philosophical discipline. Kazimierz Twardowski, the founder of the LWSP, tried to define what good is even in his early works on ethics. The attempt to analyse the concept of good was essential but, the analysis was unsuccessful. In the end, Twardowski stated that good is shown through the behaviour of a human being, and thus “a [sic] good behaviour is the one that corresponds to the characteristics of a [sic] man. By doing good things, we develop these features (just like muscles). Ethical behaviour, then, contributes to the development of humanity, as well as certain behaviour of animals contributes to the development of their species” (Twardowski, 1994, p. 107). Moral behaviour is therefore the basic duty of man who in this way realises both his deepest self-interest and also the interest of the entire human species. The sense of duty is therefore a natural disposition of every human being, similar to what instinct is in animals. However, reason is man’s supreme authority and directs him through life. According to Twardowski, science is the highest product of reason, which is generalised in philosophy. The starting point for philosophy is three types of facts subject exclusively to the power of reason. These are ethical, aesthetic and logical facts. It is only reason which judges facts, and therefore they depend only on reason. Although such judgments concern facts, reason can judge them according to the principle of contradiction that something exists or not. People may therefore differ in their opinions. Thus, Twardowski was a Platonist, because he thought that there was a close analogy between these opinions, and his view is only a modernised version of the Platonic triad: truth, goodness and beauty. He was convinced that it must be like this, because otherwise the theory of evolution would not make sense. Therefore, it is natural for man to realise three values: truth, goodness and beauty, of course within the limits of his own abilities.

On the whole, most of Twardowski’s students uncritically dealt with the tasks of ethics, only repeating the views of their teacher. Only a few of them tried to formulate their own proposals. Tadeusz Czeżowski initially followed Twardowski’s path and in his work “Metaethic considerations”, explicitly stated his thoughts related to ethics “...arose under the influence of various intellectual stimuli, but they merged close to my views on the structure of sciences. These views are a continuation of Kazimierz Twardowski’s views and through him are related to Brentano’s philosophical system, from which the foundations of psychology were taken, and above all, the idiogenic theory of judgement and the classifications of feelings” (Czeżowski, 1960, p. 1). Nevertheless, Czeżowski’s views on the status of ethical concepts underwent modification. In the 1960s, he claimed that observational sentences and ethical valuations are syntactically similar, the only difference is that in the first case a certain characteristic of the subject is stated and introduced (e.g. its colour), whilst in the second case it is only stated. Hence his explanation: “non-representative terms: existence or truthfulness, necessity and possibility, beauty, moral value or goodness, are not really attributes of objects, nonetheless they are assigned to them as empirical characteristics in modal sentences. [...] they were termed *modi entis*, or modes of being” (Czeżowski, 1989, pp. 118–119). In spite of such declarations regarding defining terms, towards the end of his life Czeżowski’s views came close to that of Utilitarianism. In his reflections related to metaethics, Czeżowski formulated a descriptive definition of the supreme good, in which he stated that good serves to satisfy human needs and since they fulfil this task to different degrees, they can be hierarchized. “The highest good is

the good that satisfies the maximum needs of the valuer due to given parameters. Examples of good include: a handbook, providing the most accurate information in a given area of knowledge, an architectural project, fully implementing the construction plans, car design, perfectly suited to its terrain and economic requirements” (Czeżowski, 1960, p. 40). However, in this approach, good has lost its universal character, because human needs are individual and therefore the degree of their satisfaction is subjective.

In his interpretation of ethical concepts Czeżowski seems to be closest to the understanding proposed by Twardowski. According to him, good is not a simple feature of the subject, but a way of its existence. However, most of Twardowski’s students believed that good is a characteristic of the subject, and thus many problems arose with its definition. Since a characteristic is perceptible, one must therefore explain why it is not perceived by everybody. This turned out to be a flaw in traditional ethics, especially after the dramatic experiences of the Second World War. One of the few students who took up this problem was Twardowski’s first student, Władysław Witwicki (1878–1948). His starting point in ethics and concepts contained therein were the proposals suggested by Twardowski. Such a belief led Witwicki to acknowledge that good and evil are objective characteristics of objects. In other words, their existence is independent from human consciousness, and therefore everybody is able to recognise them infallibly just as they are able to perceive objects. These are the characteristics of objects which exist regardless of the human psyche, and thus they cannot be determined by others (Jadczak, 1989, p. 650). Nevertheless, their obviousness does not allow for their formal definition even though they are experienced by everybody.

Witkowski collected and ordered his loose thoughts relating to ethics and its subject matter in his work entitled “Moral talks”. It was written in 1944 during the traumatic period of the war, as the assumptions of all past ethical systems lay in ruins. The underlying idea of this book was: “There is one good, if it is built-in appropriately” (Witwicki, 1957, p. 7). However, the author did not mean a semantic approach to the issue but to human feelings because each indifferent ethical act must be judged as either good or bad. Since values exist objectively in objects, people can differ in their reception, such as in the perception of colours, but it is never the same object which is both good and bad. Such a modification was necessary for him, because accepting the assumption of universal feeling of good he would have to treat both the executioners and their victims on the same plane. However, Witwicki, did not indicate the sources of human depravity, he concentrated mainly on observing the positive characteristics of objects.

Two interesting concepts about the sources of good and evil were also formulated among the closest of Twardowski’s students namely: Tadeusz Kotarbiński (1886–1981) and Kazimierz Ajdukiewicz (1890–1963). Each concept referred to a different thought initiated by Twardowski. The first one followed the intuitionistic trend in which good is not a definable concept because it is only a certain state of consciousness. The author of the second one took a lot of trouble to verify the traditional views of ethics, and for this purpose he used philosophical analysis. The first of these philosophers (Tadeusz Kotarbiński) is widely known in Poland as the creator of independent ethics, whereas the history of Polish ethics is silent regarding the achievements of the second one (Kazimierz Ajdukiewicz) because his analyses so far have not been publicised (Konstanczak, 2017, pp. 145–154).

Tadeusz Kotarbiński’s Proposal

Kotarbiński aimed to develop ethics which people could use even if they are not scholars. It was not a detailed analysis since it covered a range of issues concerning all people rather than all disciplines of science. “According to us, ethics similarly as healthcare or administration, does not need outward facing justifications. Its guidelines remain invariant, irrespective whether a reasonable person is a materialist, an idealist, or a spiritualist in the general theory of being” (Kotarbiński, 1956, p. 12). There are also no absolute theories of science in which ethics

is guaranteed the status of science because “What belongs and what does not belong to science – this is related to the historical moment and the historical situation” (Kotarbiński, 1980, p. 43). The conclusion to this argument, however, is clear: “And so, many repeat the slogan refusing ethics the status of science. [...] Ethics is refused the status either because it is impossible to achieve serious justifications in ethics, or because ethical problems, which are practical and not theoretical, in principle, do not belong to science. However, none of these arguments can take away from ethics the right to be a science, which is guaranteed by our criterion” (Kotarbiński, 1980, p. 43).

With this understanding of science in ethics, Kotarbiński left Positivism far behind, as its ethical problems were frequently included within those disciplines which were undoubtedly scientific. However, in Kotarbiński’s opinion, ethics receives a scientific status through its cultural significance and not by attempting to classify individual sciences according to theoretical criteria. It can even be said that in his opinion ethics can be considered to be a science because the people want it to be so. “Because of the enormous importance of public ethical culture and the enormous intellectual effort input by thinkers over the centuries into the issue of ethics, and the richness of existing ethical writing, there can be no doubt that this is a whole, ethics is suitable for cultivating as a research speciality, education material in higher education, and moreover, demanding in a loud voice, a place in universities” (Kotarbiński, 1986b, p. 417).

The independent ethics of Tadeusz Kotarbiński was formulated based on rationalism, and its foundation was the same as the motto of Jan Woleński’s book: “I believe in what I can understand” (Wolenski, 2014). Its basic message boiled down to the postulate of “freeing oneself in ethics from what does not belong there” (Kotarbiński, 1986a, p. 11). With regards to human valuation, practical realism hence depends “on taking into account the limited potential and hierarchy of values according to which a rational person should select a path for his own conduct” (Kotarbiński, 1986a, p. 11). Therefore, ethics is a kind of task to be performed by everyone individually. Thus, universal ethics cannot exist for everybody which, up to now, philosophers have ever tried to formulate. Kotarbiński’s statement “let us therefore boldly conclude that reliable ethics is ethics independent from philosophy,” was thus a natural consequence of such an understanding of its status (Kotarbiński, 1956, p. 12).

Thus, practical realism was the result of placing ethics outside philosophy, because every person feels the pressures of duty which force him to rationally assess the situation, make a choice, and consequently to take the most appropriate action in a given situation. Simultaneously, theoretical philosophy is unnecessary, because every human being performs many such processes subconsciously. Therefore, Kotarbiński’s words about himself, concern all people: “I am a stool with three legs: One leg – ethics, the second – logic, whilst the third – praxeology” (Dziewanowski, 1977, p. 10).

This understanding of ethics originates from an attempt to assess human actions according to the criterion of decency. Kotarbiński consciously did not use the terms “good” or “value”, because they would impose acceptable solutions in advance. On the other hand, the criterion of decency allowed for the possibility of making a mistake as well as for the negative consequences of the action taken. The principles of practical realism minimized such a possibility, but yet they did not eliminate it completely. Within ethics, he also distinguished three branches which each person develops for their own use, namely felicitology, praxeology and ethics in the proper sense. This is not about a ready-made ethical theory, but about a system of rules used by people in everyday life. “Thus felicitology, in short it is related to shaping a happy life. It is about how to live to be happy and not to fall into the opposite state when a person says he is unhappy. Praxeology deals with fitness, the correct behaviour when you don’t want to be clumsy but want to be active and act as efficiently as possible. It’s a technique of bravery. Finally, proper ethics (which the subject of this paper) deals with how one has to live

to be a decent person, to live honestly and not live in a state of shame” (Kotarbiński, 1956, p. 7).

Kotarbiński therefore assumed that in life one can face situations when our intellect is unable to suggest any reasonable solution, and in such cases one can only appeal to the judgment of one’s own conscience. It is based on imagining a hypothetical situation in which we judge someone who does the same task we currently want to do. Then, at the time, an infallible power, drawn from Aristotle, to evaluate through good-bad antinomy is revealed. Acting in opposition to one’s conscience is therefore a dehumanising behaviour, against human nature, and thus “the greatest disaster for man is the awareness of betrayal of the voice of one’s own conscience” (Kotarbiński, 1986b, p. 195). However, conscience is highly individual, so “one’s own conscience in moral matters cannot be replaced with someone else’s conscience” (Kotarbiński, 1980, p. 220),

Considering the issue of how a person would recognise that they are following the right path, Kotarbiński was inspired by Aristotle, who in his “Metaphysics” stated that opposites exist where “two attributes cannot simultaneously belong to one thing capable of accepting them” (Aristotle, 2009, 1018a). The ability to perceive such a contradiction is in a way encoded in nature, and therefore the object cannot be both black and white simultaneously, warm and cold, and likewise it cannot be both good and bad. Such coexistence in any object is internally contradictory and even impossible to imagine. Following in the footsteps of Aristotle, Kotarbiński, tried to identify and present such contradictions. Just like for the Stagirite, there were not many and all were specified in just five pairs of contradictions. The natural disposition of every human being is not so much to grasp such contradictions as the ability to assess that one of these mutually exclusive characteristics occurs in a given entity. The consequence of this reasoning was the observation: “Active goodness has [its] sufficient justification in the heart’s obviousness, regardless of ideological concepts, religion or metaphysics” (Kotarbiński, 1987, p. 106). According to Kotarbiński, the whole essence of ethics is contained in only five moral contradictions:

- 1) kindness – cruelty;
- 2) honesty – dishonesty;
- 3) courage – cowardice;
- 4) bravery – tardiness;
- 5) mastery – resisting temptation (Kotarbiński, 1987, p. 187).

It is a natural disposition of every human being to experience them, and therefore does not have to possess any knowledge related to it. Paradoxically, possessing some ready-made solutions originating from tradition or philosophy in some way even impairs such a natural disposition, and consequently teaching ethics at school does not produce better people. The ability to listen to the inner voice emanating from one’s own heart and to follow the voice of one’s own conscience can help someone to become a better person. It was a revolutionary proposal related to the understanding of the subject of ethics and its tasks, and perhaps for this very reason, Kotarbiński’s independent ethics did not find followers in Poland. Nevertheless, in the history of ethics in Poland, Kotarbiński is an outstanding figure who was “One of the philosophers who not only wants to get to know the world, but also [wants to] change it” (Wallis, 1962, p. 52).

Kazimierz Ajdukiewicz’s Proposal

Twardowski’s closest collaborator and privately his son-in-law, Kazimierz Ajdukiewicz formulated ethical fundamentals, which were different from Kotarbiński’s. His proposition was the result of his experiences when teaching classes in ethics at the University of Lvov. He took over these classes after Twardowski’s retirement i.e. from the 1931–1932 academic year. He presented in them an original approach to analytical ethics in which he considered the

possibility of applying the language of logic to ethical considerations. In his essay entitled “Discourse: On the Ruthlessness of Truth and Relativity of Good” he stated: “There are such situations α that if someone in situation α makes a judgement which is a rejection, then it is not judgement S, thus there are situations α which if in situation α someone rejects or recognises judgement S, he then recognises judgement S. Thus, there are such situations in which everyone, in terms of a particular judgement, holds a certain judgement as a consequence, admits that it is true. However, there are no such situations in which anyone who praises or vilifies judgement S, praises S” (Ajdukiewicz, 1932, p. 45). Nevertheless, this reasoning is a consequence of the distinction between empirical judgments and moral judgements. In the first case, rejecting the judgement that something exists automatically means acknowledging the truthfulness of the sentence pronouncing that something does not exist. In the second case, rejecting the judgement, e.g. that someone is good does not automatically mean that he is bad. This is not only about the fact that good is relative but mainly about the fact that someone’s judgement in any situation is only a personal judgment, which cannot be validated simply by excluding the opposite judgement. However, rejection or acceptance is not accidental, but according to a principle which he called “judicial practice”, a certain socially established principle existing in society, which is followed by individuals when required. Such assertions contained in Ajdukiewicz’s preserved lectures on ethics form, as a consequence, his earlier research relating to the meaning of expressions which he presented in his work “Sprache und Sinn”, published in the journal titled “Erkenntnis” in 1934 (Ajdukiewicz, 1934). In this work, there is talk of articulated and non-articulated judgements, which the latter have an experienced observation character. These judgements are unclear, and thus they do not submit themselves to simple logical verification, but in Ajdukiewicz’s opinion “they are a germline form of observation” (Olech, 1993, p. 26).

For Ajdukiewicz, the independence of ethics was something obvious, because dependent (traditional) ethics had no theoretical justification, and only refers to an unverifiable authority. To practise scientific ethics, one should apply the rules of scientific discourse to it, thus it must be verifiable and its postulates must result from scientific reasoning. Certainly, even then an outline of possible analytical ethics occurred to Ajdukiewicz, which whilst fulfilling all the criteria of independence, would also be scientific ethics. For ethics understood in this way, two groups of issues must be exposed, related to the search for answers to the following questions:

1. “What kind of objects are generally subject to ethical evaluation (<< which we judge to be either good or bad >>). This is the problem of ethical evaluation. “Such an evaluation may be subject to human actions, or their intentions or all things dependent on their relationship to a particular object known as the ideal or idea of goodness, and by some God” (Ajdukiewicz, 1923, p. 28);
2. “The question concerns the characteristics that distinguish good objects from bad”. According to Ajdukiewicz, it is a question of “sources of morality”. The basis for the distinction between “heteronomism and ethical autonomy” is a consequence of the answer to this question. Likewise, within the same question there is the problem of “scope of morality”, i.e. the distinction between the characteristics of bad and good deeds, “depending on whether they relate to the object being evaluated being society or to the individual. He also included in this question the problem of defining “characteristics which decide and suffice to make an object good or bad” (Ajdukiewicz, 1923, pp. 28–29). He considered these characteristics to be the key to the whole of ethics which he called “the issue of ethical criteria”.

This type of observation probably prompted Ajdukiewicz to approve the basics of conventionalism. On the basis of language both judgements are expressed by sentences formulated with identical expressions. However, only the first type of judgement is considered to be true, but not the second. Conventionalism makes it possible to reduce such a discrepancy

by using a linguistic technique, because “The proponents of this approach claim that our image of the world is not directly determined by given experiences, but depends on the choice of a conceptual apparatus by which experiences are reconstructed” (Zmysłony, 2009, p. 85). However, this does not mean that the world is exactly as it is presented by a chosen convention. The choice is justified but after all there were also other possibilities and hence such an approach would seem ideal for solving ethical problems. That is why “Ajdukiewicz – being a linguist – asks what role language expressions play in the process of communication. Changing the perspective causes changes in terminology. Instead of treating theoretical claims as cognitive instruments – and therefore not being themselves a part of knowledge – Ajdukiewicz prefers to treat these claims, but more precisely those which are primary (i.e. which are the main principles of empirical theories) as linguistic postulates. Thus, for Ajdukiewicz, they are certain terminological conventions” (Wójcicki, 1999, pp. 73–74).

However, Ajdukiewicz began his lectures in ethics traditionally: “Ethics covers a range of different issues scattered throughout the history of thought. These issues are concentrated around the issue what should be, how a person should behave, what kind of person should be etc. The word << ethics >> originates from the Greek *ethos* – a permanent place of residence – custom. It is not to be confused with *etos* = habit. Custom, unlike habit, is something collective, sanctified tradition” (Ajdukiewicz, 1932–1934, pp. 202–203). Following Kant’s ethics, Ajdukiewicz further argued that ethics deals with “the distinction between the categorical meaning and the hypothetical meaning of the term ‘should be’. Ethics describes a categorical understanding of duty. Sentences beginning << should be a >> are called norms; if should is categorical, categorical norms. The proper field for ethics is categorical norms. Ethics is the science related to moral good because <<a should be = a is morally good>>” (Ajdukiewicz, 1932–1934, pp. 202–203). Therefore, the question of duty was key for him in the formulation of ethics. However, the obligation does not arise from what is, it is always undefined, i.e. there is no criterion for recognising that moral obligation has been fully completed. Nevertheless, it is easy to state only that something has not been undertaken, implemented or ceased altogether. One can see in this the solution to the dilemma why evil is always defined, whilst good is in a sense blurred – because one can never be certain that good has been fully realised. If an individual uses reason then there should be no problem, because in Ajdukiewicz’s opinion “Man should be such, so as to realise the essence of humanity. He should possess courage – man’s virtue” (Ajdukiewicz, 1932–1934, pp. 203–204). His view was similar in this respect to that of his teacher, Kazimierz Twardowski, nonetheless he reached the conclusion that since all people have the same nature, the principle of equal measure must apply: “no one is entitled to anything just because it is him and not someone else,” and added: “no human being exactly like himself, have any privileges over others” (Ajdukiewicz, 1985, pp. 372–373).

Interestingly, it was Tadeusz Kotarbiński who criticised the principle of equal measure. He appealed to its supporters: “But how to determine this quantity? ... In addition to moral principles [...] you must still have a principle of applying these principles” (Kotarbiński, 1987, p. 227). He thus questioned its logical validity, because in this way he turned this principle into an erroneous circle of reasoning.

Conclusion

In retrospect, one can today risk the statement that reducing moral problems to language level issues seemed to be an escape from the fundamental problems resulting from the traumatic experiences of the Second World War. It was a safe niche allowing for dealing with certain problems without needing to specify their true nature. In other words, humanistic studies faced a great problem when dealing with the past and consequently with an attempt to relate

theoretical descriptions to the recent practices. These considerations did not explain how the Holocaust and all the wickedness experienced by the people who had survived the war were possible. Even today, disbelief arouses the assertion why, then, ethics failed to turn people away from a state of “eclipse of the mind” which they succumbed to en masse during the war. It is worth mentioning that representatives of literature did not shy away from this task, to whom we owe many wonderful works of both the greatness as well as the moral fall of man. One can risk the statement then that the great interest of Polish society in the independent ethics of Tadeusz Kotarbiński resulted from the fact that his concept allowed people to keep faith in science, offering a certain rational solution to post-war dilemmas. After all, he noticed that in the case of free man, the voice of one’s own conscience cannot be replaced by someone else’s. However, if during war that actually happened, and with a great number of people, it must mean that people inexplicably returned to the animal state in which the voice of the pack leader is the only impulse to which they pay attention.

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The ethical dimension of consumption in a relationship

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Abstract

In the present thesis the characteristics of current consumer society are presented in the context of female-male relationships and any inter-human relationships. It has been shown that the ideology of consumption may have an impact on the changeability of female-male relationships, as well as on the stereotypical division of roles in a relationship. The importance of consumer ethics has here been emphasised. For this purpose, the model of erotic ethos, based on sexual aesthetics, has been discussed in this article. This model is connected with the contemporary consumption model, in which one can compare material product consumption with relationship consumption. It seems that consumer ethics concerning relationships not only should consider current changes, but also, in the context of a relationship, bear in mind life ethos and sexual aesthetics.

Keywords: consumer ethics, consumer society, ethical consumption, life ethos

Introduction

The basic assumption of this article is the conviction that current female-male relationships have begun to adopt the form of a consumer exchange. In the first part of the article the idea and concept of current consumer society is characterised. Next, the influence of consumer trends on the sphere of private life is shown. In this context a synthesis of the complexity of relationships in the context of the sexual sphere is made. In the following part the ethos of relationships in the context of consumer ethics is analysed; in particular, a comparison is made between the consumption of material products and the consumption of the female-male relationship.

In investigating the above-mentioned issues the female-male relationship is understood as a sexual relationship between partners who share a common household. It can be a traditional married couple or couples without a civil law contract. Because of the attempt to detect particular relationship principles, homosexual relationships have not been taken into consideration. One can make the assumption in the form of a hypothesis, according to which consumption in itself is not pejorative. The formation of global consumer society and the adoption of consumer behaviour in human relationships does equate to the degradation of ethical principles; these principles should derive from moral values. However, it changes the ways of referring to other market subjects. Because of contemporary female-male relationships focusing on consumption as it is broadly understood, one should investigate the appropriate principles influencing levels of satisfaction, or at least consent to exist in this kind of consumer relationship. It seems that these principles have to take into consideration ethics of consumption and the life ethos of both partners.

Characteristics of contemporary consumer society

One can characterise modern society as a consumer society. It is a civilisation which values consumption more than other virtues, such as: morality, the common good, customs, and social norms. This consumption entails the intensive purchasing of various products and goods and deriving the maximum satisfaction from such activity. The world of consumption

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as well as consumer society is based primarily on utilitarian values (Hostyński, 2006, pp. 17–19, pp. 313–314; Moore, 1980).

Over the centuries, consumption has changed its pejorative meaning from “destroy”, “use up”, “waste”, “exhaust” to become a synonym for “living life” (Gabriel & Lang, 1995, p. 7). The term consumption, from Latin “consumptio”, is a synonym for eating, using, and the meaning was “making use of materialistic goods in order to fulfil the real needs of human being, which is equivalent to contributing or creating conditions for harmonious personal development” (Majka, 1980, p. 228).

Consumer society had already started developing in the second half of the eighteenth century in countries where consumption played a dominant role among other sectors of social life (Alvi, Hafeez & Munawar, 2009, p. 104). Great Britain, France, the Netherlands, parts of Germany and Italy may be included in this group of countries. Evidence of consumer society can be found in British colonies and North America. Economisation of lifestyle and a wide range of mass production constitute the characteristic features of consumer society (Spierngs & Houtum, 2008, p. 900). Moreover, the culture of consumption developed on the back of the Industrial Revolution. This is when goods of a non-essential nature, typically decorative and ornamental products, started to be sold. The great opening of department stores in the mid-nineteenth century was a continuation of the process. Department stores were supposed to elevate shopping to something more than a necessity. They were to transform it into a pleasant social activity (Gabriel & Lang, 1995, p. 7).

In Europe, an intensive development of consumption and consumer society took place after the Second World War. A progressive process of religious, social, ethnic, national, economic and ideological cultural expansion contributed to this development and it was visible in the consumption of goods. As a consequence of the creation of European Economic Community (25th March 1957), the process started of societies in Europe opening up to the influence of other cultures. Goods were intermingled and as a consequence the new consumer culture was created and crystallised, which specifically affected the emotional attitudes of consumers (Galbraith, 1973, pp. 77–84).

The changes of economic conditioning, which is an increase in all sectors of economy, the income of people, change in social values, and cultural conditioning of consumption, all had an impact on the development of consumption in Western Europe after the Second World War. The development of industrialisation and urbanisation had an impact on the creation of new social classes, with ready access to a wide variety of goods and consumer services (Thompson, 2012, p. 914).

Contemporary consumer society is a civilisation for which consumption, connected with the intensive purchase of products and deriving from it great satisfaction, is more important than morality, customs, social norms and common good. This kind of society acquires goods that are not essential for day-to-day living. Possession of these goods is not a goal in itself. The process of acquiring the product is essential here or “the desire to act to acquire more, which partly constructs one’s life goals (Stearns, 2001, p. 15).

A characteristic feature of modern consumer society is the satisfaction of not only the basic needs which are necessary for life, but above all, the acquisition of products for the satisfaction of pleasure. It can be observed the development of complex communication systems that affect the equipment of products in their symbolic meaning. Electronic and digital information transmission technologies equip products with symbolic meaning, thanks to which consumers do not perceive the products how they really are, but they perceive their images to experience them. They are shaping the areas of the subject of consumption as areas of fashion and lifestyle. The emphasis is not on production and distribution but on its social meaning and use. Items of consumption are means by which it is possible to individualize lifestyle and its demonstration.

The formation of a culture of consumption is observed as the last stage of capitalist society. They are changes in the systems of social values for the creation of post-material values (Bylok, 2013, pp. 109–110).

Consumer society is degrading durability and equates “old” with “obsolete“, which can no longer be used, and is only fit for being trashed (Bauman, 2009, p. 27). Consumer society is a collective of individual consumers. Their freedom of decision is expressed in the choice between what is on offer. In consumer society, everything that is needed for life appears in the form of goods for purchase. For the consumer, the value of the object of consumption is based precisely on the possibilities of its consumption. The possibility of being used up is what makes the object a consumable article and an object of consumer desire. Manufacturers of consumer items, which by the market’s nature depend on the maximum turnover are interested in reducing the time of consumption to a minimum (Bauman, 2004, p. 98).

In consumer society, individuals perform, albeit in their own way, acts of consumption in which satisfaction must be immediate and should pass away when the act of purchase has been completed. The time consumed by the act of consumption becomes the bane of consumer society. It is in the general interest as soon as possible to meet one’s needs and the emergence of others. The senses play a special role, thanks to which the units respond to objects spontaneously. This leads to the suppression of reflection on the purposefulness of such intense, often irrational consumption (Wątroba, 2009, p. 140).

The idea of consumerism as an ideology based on excessive consumption and focusing on the acquisition of material goods, in developing countries, has begun to influence other spheres of life, including work, family, emotional relationships, hobbies and free time. Possession of certain goods and their usage has begun to determine the social position of an individual, and affect in a particular way one’s professional career as well as the success of one’s private life (Bylok, 2013, p. 9). Because of the media and widespread marketing, people have started to adopt consumer attitudes, which in the past did not exist; people were unfamiliar with such behaviour. A contemporary consumer acquires goods not only to fulfil the basic needs, but also he or she wants to belong to the economic, social, technological, even geographic and spiritual structures in which they are living (Dalglish, 2012, pp. 36–37).

Consumption in a contemporary consumer society has begun to penetrate deeper into human relationships, because thanks to consumption people’s dreams have come true; men and women have fulfilled their desires. Because of consumption people have communicated with one another, have demonstrated their place in a social hierarchy, have even used consumption to contrast themselves with others and categorise themselves and their surroundings. Consumption also plays a psychological role in the lives of human beings. It calms people and makes them feel more secure (Lewicka-Strzalecka, 2002, p. 165; Aldridge, 2006, pp. 69–134). Possession of a particular product can make a potential partner more attractive and it can show to what particular group of people he or she belongs (Quinteros, 2014, p. 265).

Taking into consideration the above, it seems to be essential that being in a relationship is dependent on fulfilling mutual needs connected with acquiring (purchasing), using and deriving subjective and objective benefits.

Changeability of female-male relationships

Currently, in the era of developed consumption, properly formed female-male relations determine whether a relationship is attractive or not. One can assume that a distinctive contemporary feature of female-male relations is great changeability over time. Zygmunt Bauman draws attention to the fact that a relationship is a coalition based on a convergence of interests. He claims that while people start a relationship, then, they easily finish it. Opportunities “knock at one’s door” and disappear shortly afterwards because fortune is fickle, a coalition may be changeable, flexible and fragile. Although human relationships are fragile

and changeable they are constantly an object of desire. Starting a relationship, though a tormented one, which might be postponed in time because a relationship can finish abruptly, still appears as a source of satisfaction and fulfilment (Bauman, 2003, pp. 43–44).

Female-male relationships can be categorised into two groups, one group is legally formalised relationships (married couples) and the other group is relationships not legally formalised. Relationships are very fragile nowadays which has led to an increase in the proportion of single people. Today, however, being single (“alone”) is not a subject of revilement and very often being “single” does not mean being absolutely alone because it is interrupted by short-term relationships, sometimes being in a relationship means living together. Currently, there is also a number of people living together in a consensual union, where this informal relationship has elements which lend the arrangement an air of permanence. The permanence of consensual union relationships is based on an economic relationship which is consumptively attractive for both sides. It is also based on living together, applying the roles in a relationship, sexual satisfaction, connected with the control of conception, intellectual and communicative relationship, or normalised relationships with other family members and friends, who accept this female-male relationship. Creating a common life ethos also has an influence on the permanence of a relationship, where the sexual sphere is not only connected with reproduction but it also has a dimension which bonds partners together (Slany, 2008, p. 137).

A marriage means a relationship between two people, a woman and a man (biological aspect), which is supposed to destroy the feeling of loneliness and a radical gender distinctiveness (psychological and biological aspects) and gives it a sexual character. It has a social character and it becomes one of the most basic dimensions of social relations. It is approbated by a society. Cultural patterns give norms and regulations of role models in a marriage: as a wife and husband. These cultural changes influence the transformation of role models and the crisis of their identities. Considering the distinctiveness of ethos of a woman and a man, the longevity of marriage without a strong approbate (morality pressure) is limited (Grzybek, 2014, p. 32).

One needs to notice that in a stable relationship the belief that one possesses their partner exclusively may lead to the disappearance or neglect of what the original basis of a relationship was. A marriage contract puts both partners in an exclusive situation of possessing the body, feelings and care of the other person. He or she does not need to be conquered any longer because the love of a partner has become a possession. Both spouses stop making an effort to be loved, to create love, at the same time they become boring, their beauty fades (Fromm, 2012, p. 71). Possession of things by two people may create a union of owners, where “the modus of possessing” overcomes “the modus of being” (Grzybek, 2014, pp. 80–81).

Erich Fromm emphasises the fact that concentration on consumption in a relationship may lead to a fight with boredom by introducing such forms of a relationships as: group marriages, free partner exchange (swingers) and group sex. He claims this is nothing more or less than avoiding problems connected with the love that people have in a relationship. The basic difficulty derives not from the institution of marriage but from the existential structure of “possessing” (Fromm, 2012, pp. 72–73).

Reducing the requirements of a relationship, where essential skills are based on consumer abilities, might be a solution. Zygmunt Bauman names these kinds of relationships as “pin relationships.” The idea is to end (unpin) the relation once partners lose control over it. The first assumption of this relationship is to start a relationship with full awareness, without too much emotion. Secondly, a relationship cannot run its natural course, free from rational control. The third assumption is that one always needs to be ready to “unpin” the relationship, in other words to end it (Bauman, 2003, pp. 38–39).

It is worth mentioning that the idea of an “attractive” and long-lasting relationship results from the ability of a female and male to communicate with each other and with a system of normative social roles that a woman and a man has to play. In this respect one should focus on the term cultural *gender*. It is going to be mentioned according to the assumptions of development ethics (Grzybek, 2013, p. 100).³ It signifies a certain kind of normative gender organisation: cultural gender — it is the assigning of biological sex (male and female) and certain postulated attributes, which in a socialisation and education process through pressure morality should be generated in a particular person. Generated features become the source of a culturally settled area and range of mutual communication and action (Grzybek, 2014, pp. 55–56). This characterisation of cultural gender is going to be essential in attempting to emphasise ethos in a relationship in the context of consumer ethics.

At this point one should refer to Michel Foucault’s ideas concerning sexual organisation. Sexuality and its organisation results in a normative dimension of relationship organisation and because of that it is connected with an endless spreading of control forms and areas (Foucault, 1995, pp. 92–102). Confronting the above idea with feministic views, which require the areas of development space, especially that by which the life ethos of female and male is not identical. It should be emphasised that the sexual role, which is a social product, constricts the right identification and consumption of their own personal desires and sexual needs. Social and moral pressure persuades women to meet the requirements of a man. Male domination is supposed to be responsible for traditional, sexual behavioural norms which are oppressive towards women (Bellioti, 2009, p. 369). The conviction concerning oppressive sexual organisation towards women is also present in the works of Simone de Beauvoir. According to her, a person is not born as a woman – she becomes one. Biological, psychological and economic aims do not determine the form taken by a female in a society. This product called *woman*, which is something implicit between a male and a castrate, is a creation of the whole civilisation. Only because of others does a person become somebody (De Beauvoir, 2014, p. 317).

According to Erich Fromm, referring to sexual intercourse appropriately presents the specificity of gender differentiation, which is so important in the context of consumerism. The role of a male in playing the sexual role is proving his sexual ability and erection which provides a woman with pleasure and fulfilment. It means that a man has to display his masculinity. In order to satisfy a man, a female does not display anything. It is essential to show her will. However, the sexual ability of a man does not equal his will, the lack of availability of a man cannot be hidden, whilst a woman can do it. In a situation when a woman agrees to intercourse and a man desires her, he can be sure of getting sexual fulfilment. Alternatively, when a woman wants closeness with a man and he is not ready to give her pleasure and satisfy her, nothing can be done (Fromm, 2011, p. 106).

It seems that in the contemporary world the existence of poor or absent sexual abilities is much more often the reason for the end of a relationship than it used to be in earlier, pre-consumer generations (Staszewski, 2017, pp. 40–44). The contemporary consumptive approach is connected with a basic characteristic, that is: not to delay any fulfilment of a desire, also in the sexual sphere (Fromm, 2012, p. 95).

Trying to put in order all the main theses concerning the changeability of a female – male relationship or a married couple in the era of current consumer society one can indicate the decrease in stability of married couples’ relationships and increase in the number of consensual union couples. Single people have not become reviled, loneliness is not absolute because it is disrupted by interim relationships with another person. A consumptive attitude towards a relationship is characterised by its control — “pin relationships.” The consumerism of a

³ Development ethics it is a theory showing a normative dimension of a human development, in which theses about moral human existence and ethical personality are the basic assumptions. The aim of development ethics is providing a theoretical tool which allows the visualization of an educational and caring reality (or social one).

relationship is also revealed by showing female sexual desires, which was never a norm in the society of “manufacturers”.

Ethos of relationships versus consumer ethics

Enumerating areas characterising the contemporary specificity of female-male relationships as well as outlining the essence of consumer society has made it possible to show the ethos of a relationship corresponding with current consumer ethics. It should be emphasised that the ethos of a relationship is going to be formed on the life ethos of the individual; including the specificity of female and male ethos. The relationship ethos will have to manage to oppose the morality pressure of society. However, in the era of pluralism of social forms and developing consumer ethics, morality pressure, including religion, has been weakened (Bergson, 2007, pp. 15–106; Plašienková, 2008, pp. 529–535).⁴

It is worth pointing out here the ethics that makes it possible to show the ethos of relationships and consumer ethics. The point of reference will be the assumptions of the ethics of development. The ethics of development is "a theory showing the normative dimension of human development, in which the basic assumptions are issues of the moral existence of man and [his] ethical personality" (Grzybek, 2010, p. 20). Three basic aspects of defining the term of ethics have been elaborated in this theory: “Ethics is: 1) a philosophical science over morality, norms, values guiding human life; 2) knowledge in the field of the art of living; 3) a separate system of valuing and directing oneself in life – the ethos of life” (Grzybek, 2016, p. 18). From the point of view of this reflection, most interesting are the terms referring to the art of living and the ethos of life. On the basis of these notions, an attempt will be made to specify the ethos of relationships and ethics of consumption.

Together with the development of consumer society, specific ethical norms connected with the purchasing process have been formed. A particular consumer ideology has developed, according to which the world is a specific warehouse for potential consumer objects. The life of an individual person constitutes an endless consumer transaction. It comes down to deriving the maximum satisfaction and life success of an individual, which is measured by gaining the proper market value, like accumulated capital or financial status within society (Bauman, 2008, p. 21).

Consumer ethics understood as all the rules and norms of actions connected with broadly understood purchase-consume process, accepted in a particular time and environment, has gained a new dimension. It has come down, specifically, to generally accepted principles of behaviour and customs as well as to moral rules which determine the consumer actions of groups of people or individuals during the purchasing process, consuming and managing of goods (Muncy & Vitell, 1992, p. 298). In this context one can state that ethos becomes a determinant which categorises the purchasing process, as well as attitudes and consumer decisions, as proper or improper (Chun-Chen et al., 2012, p. 317).

In the subject literature we may notice a lack of uniform definition of consumer ethics. It is connected with the idea of economic ethics and consumption ethics. Consumer ethics in the context of economic ethics may be defined as the moral obligation of a person whose actions aim to fulfill material and spiritual desires through the acquisition of goods and services; this kind of activity is analyzed in the means of the influence it has on the person who participates in the economic process, his education, dignity and personal development (Majka, 1997, p. 180). Consumption ethics is connected with a conscious and thoughtful purchase decision, so certain consumer choices are based not only on moral values but on beliefs. Ethical consumption is responsible consumption that may be described by taking a moral approach to

⁴ Morality pressure as a less perfect morality form has been characterized in the specificity of Henry Bergson's ideas.

the market and the consumption of goods and services. The moral factor is associated with the idea of following your values and moral goals (Kalajtšidis, 2016, p. 40).

Life ethos according to “development ethics” can be understood as models of behaviour and evaluation, which means a specific way of being which is affected by morality and ethics. At the same time, it can be confronted with social morality putting pressure on particular behaviours. Nevertheless, it is about the protection of one’s way of being, ethical personality development, which expresses itself in the mode of existence directed more into “being” not “possessing” (Grzybek, 2014, pp. 72, 84).⁵

That is why consent for the rejection and replacement of a consumption object, which no longer provides full satisfaction, affects female-male relationships and places both partners in the role of consumption objects. A female-male relationship conforms to the rules applied in (doing) shopping and that is why partners do not require anything other than average consumer skills. As in the case of a consumer product, a relationship is supposed to be consumed or used. If it is faulty or not attractive, one should dispose of it. A product can be exchanged for a new one, which might be more rewarding, even if a transaction does not take into consideration warranty, service or refund. People trash entirely roadworthy cars, good computers, once an “updated version appears on the market.” Relationships are no exception here (Bauman, 2003, p. 27). On this point one could refer to utilitarian ethics, pointing to the right of actions which give priority to experiencing pleasure and achieving goals over the negative effects of actions, even if they resulted from traditional, shallow morality (Moore, 1980, pp. 3–50; Gluchman, 2008a, pp. 11–32; Gluchman, 2008b, pp. 628–655).

The consumption of a relationship can also be examined from the point of sexual satisfaction. In this context, one should reject the dichotomous divisions of sexual ethics into: group on — anti permissive, objective and absolute Christian ethics, as well as relative and permissive liberal ethics (Ślipko, 2005, p. 284). However, one might contradict such oppositional groupings with Michel Foucault’s thoughts about sexual aesthetics. It should be understood as a lifestyle, in which moral value is neither dependent on the compatibility of behaviour codes nor on purification rituals, but it depends on certain forms, or even particular formal regulations that allow one to benefit from pleasures, in their real distribution, in perceived limits, and retrospective hierarchy (Foucault, 1995, p. 229).

The aesthetics of sexuality could become an element in an integrated life ethos. Igor Primoratz analysed four basic conceptualisations of sex: sex aimed at procreation, sex connected with love, sex as a tool of inter human communication or “sex as sex in itself”, in other words directed towards gaining pleasure— would not need to have a contradictory character, but a proper connection would be dependent on accepting one’s own sexuality aesthetics (Primoratz, 2012, pp. 21–74).

The question arises, whether sexuality aesthetics is an individual consumer choice or the mutual choice of a couple. One can assume that accepting the same aesthetics of sexuality will depend on the convergence of views which a couple had before making their decision to start their relationship. The relational sphere in the ethical estimation dimension is conditioned ideologically with accepting particular anthropological assumptions. One of them is to show human love as a virtue: “Love in its full meaning is a virtue, not only a feeling; what is more, it is not just arousal of [the] senses. This virtue is originated in one’s will and has at its own disposal resources of its spiritual potentiality, which means that it is an authentic engagement of one’s freedom of a person-subject deriving from the truth about the person-subject. Love, as a virtue is alive in one’s will and recognises the decency and value of a person, it is the source of this person affirmation. It affects all relations, experience and actions” (Wojtyła, 2010, p.

⁵ The adoption of the concept of life ethos, being based on the assumptions of the ethics of development, introduces a unique specificity of understanding, which may be different from the assumptions discussed in studies on consumption by other authors (Aldridge, 2006; Baudrillard, 2006; Mysona Byrska, 2015, pp. 59–66; Ritzer, 2001).

110). The above characterisation indicates more the postulated dimension of love in a relationship than the justification of being mutually attracted to each other. It seems that sexual attractiveness can penetrate and melt any other strong emotion or be aroused by it, whilst love constitutes only one of these emotions. Because the majority of people associate sexual attractiveness with love, they easily confuse love with sexual attractiveness. Love can awake the desire for sexual closeness and then sexual intercourse, it is free from greediness, the yearning to conquer somebody or desire to be conquered oneself; however, it is full of affection (Wojtyła, 2010, p. 62).

In development ethics, love, as a virtue, has been determined as the desire to possess an object (right for consumption), which in a particular way is realised in the inner person relationship of two beloved people. Experiencing a mutually loving relationship is a joy in itself; this relationship becomes a very strong motivation to act in itself (Grzybek, 2010, p. 41).

Love, as understood in this way, should not be combined with the morality of pressure, exerted on the members of a society and making them follow a specific behavior towards a sexual partner, but with an attractive value through the desire of realization (Bergson, 2007, pp. 69–106; Grzybek, 2014, pp. 71–84, pp. 90–101). Love free from the normative dimension approaches closer to the ethics of a consumer, who behaves similarly with the objects of his/her desire. Such a comparison seems to allow for making appropriate conclusions.

Conclusion

Attempting to analyse the phenomenon of ethical consumption in relationships, especially taking advantage of consumer trends in the sphere of private life, one needs to focus on certain conclusions. Contemporary consumerism is a transformation of human beings into consumers — “homo consumer” and relegating all other dimensions of humanity, such as background, to secondary and subordinate factors. Purchasing processes are used to satisfy not only those needs connected to the physiological processes of every person, but also to satisfy, in the best way, all other needs as well as the ultimate aim of one’s actions (Bauman, 2011, p. 109).

“Homo consumer”, in one’s own realisation of happiness needs to impose certain principles of this realisation. Being a couple requires the application of a similar life philosophy, life ethos which on the one hand allows one to oppose moral pressure, and on the other hand allows the cementing of a relationship and makes it possible to gain mutual satisfaction. In this context, consumer ethics means applying similar rules, also in the sexual sphere, which can be called: “sexuality aesthetics”. Whether a partner is a subject of consumption and this relationship is objectified — this requires thorough reflection, however, it’s possible to assume that these considerations are going to be diversified, depending on the philosophical and ethical school of thought. However, in this aspect one can show the opposition of sexual morality in the context of ethical systems, which are identical to religious assumptions and ethical eroticism, which is based on an integrated life ethos. In the other characterisation, the consumption of a relationship, especially the satisfactory realisation of this relationship, also understood in a spiritual sense, does not have to objectify a person or a relationship of people.

To conclude, it is necessary to emphasise the fact that consumption in itself is not pejorative. To support this concept, one should refer to utilitarian ethics, in which the rule to experience pleasure determines “the good” of the object of realisation. In order for homo consumer to remain a rationally acting person it is important to accept the order of consumption according to one’s own life ethos, oppose pressure morality, whilst in the context of gender relations — according to sexuality aesthetics, stand in opposition to morality of sexuality.

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Modernism and nihilism of the Constitution for the Earth

Slavomír Lesňák¹

Abstract

This article uses the post-modern Nietzsche affirmation as a criterion for an analysis of the philosophical concept of the Constitution for the Earth (Šmajs, 2015) and other texts by Josef Šmajs, the principal author of the theory of evolutionary ontology. The author draws the attention of the group of authors of the Constitution for the Earth to the risk of the modernist and nihilist application of evolutionary ontology and proposes that the theory be extended to include new criteria and methods to enable it to be applied in a more acceptable manner. The author places efforts aimed at the biophilic transformation of culture into the value-based and ethical framework of moderate anthropocentrism instead of the ecocentric approach preferred by the creators of evolutionary ontology. The author also underlines the risk of the application of an ecocentric approach through the application of recent analysis of media presentations of those who support and deny climate change in the work entitled Environmental Ethics and Behavioural Change (Franks, Hanscomb & Johnston, 2018).

Keywords: evolutionary ontology, ethics, culture, nihilism

Introduction²

Whereas evolutionary ontology (EO), as a relatively new philosophical concept, has the ambition to be applied in ethics and other social sciences (or in practical life), this concept should be examined from different perspectives and positions. We will base our investigation into the legitimacy of the goals and forms of the evolutionary and ontological prevention of the death of nature, culture and man on two standpoints: the first will be a postmodern standpoint, as we recognise the achievements and benefits of this “type” of thinking in both philosophy and in its application in society; the second standpoint – perspective – will be active Nietzschean nihilism, primarily on the basis of Gilles Deleuze’s interpretation, in which both standpoints are interconnected. In our examination of EO we will partly link these viewpoints with the debate on the “freezing” of EO, which took place in *Filosofický časopis* [Philosophical Journal] in 2013–2015 (Binka, 2013; Šíp, 2014a; 2014b; Šmajs, 2014; Moudr, 2015).

Josef Šmajs, in his article entitled *Proč etika nestačí. K ontologickému základu a revitalizaci morálky* [Why Ethics is not enough: On the Ontological Basis and Revitalization of Morals] (Šmajs, 2013b), seeks ways of reshaping the findings of evolutionary ontology (EO) into individual morals. According to Šmajs, ethics can do little to help achieve the goal – the transformation of anti-nature culture to biophilic culture, and so he therefore considers other ways of influencing individual morals in a desirable way.³ He does this through education and the use of new cultural sciences, as well as by encouraging a change in the legal framework, something he has long been trying to bring about.⁴

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² The following text is not an attack on EO, but a critical effort to promote its meaningful and constructive application in ethics, which currently contains several conflicting and controversial elements, to which we will draw attention.

³ Another person who agrees with Šmajs’s opinion is Richard Sťahel, which considers environmental ethics as a discipline that is unable to put its own findings into practice. He therefore focuses his attention primarily on political environmental philosophy and examines potential for change through a social contract, although he admits this is legal fiction as the prerequisite for the effectiveness of law. However, is ethical theory not also a prerequisite for effective application in social reality? (Suša & Sťahel, 2016, pp. 163–186).

⁴ See, for example, the texts *Nájemní smlouva se Zemí* [Lease Agreement with the Earth] (Šmajs, 2009), *Deklarace závislosti* [Declaration of Dependence] (Šmajs, 2012), or *Ústava Zeme* [Constitution for the Earth] (Šmajs, 2015).

The requirements of Šmajs which are most worth exploring in ethical terms are: *a.* Raising nature up to the status of an entity, even the most supreme entity (or making the Earth sacred);⁵ *b.* Deriving moral and ethical arguments from ontologically learned EO theory;⁶ *c.* Substitution of one spiritual paradigm for another – as a means of influencing individual morals – in a roundabout way.⁷

Although the first requirement is the most radical of all, we are afraid that all three are not only “dangerous in postmodern terms”, but can also lead to nihilism, which does not benefit any biophilic concept. We will be returning to these requirements later in the text, in order to verify their (varying degrees of) danger and possible nihilism.

The story of the master and the slave in the context of affirmation

In his work *Nietzsche and Philosophy* (originally dating from 1962), Deleuze interprets the story of the master and the slave in Nietzschean terms: the slave can overcome the master only by defining himself to him, and construes himself on the basis of that definition (Deleuze, 2016, pp. 193–213). In his analysis of this text, Tomáš Hauer notices Deleuze’s emphasis on the authentic definition of oneself and even considers it to be one of the attributes of postmodern thinking (Hauer, 2014). Since the master does not need to define himself to others, he thinks, acts and lives as it suits him, unlike the subjugated. The slave, on the other hand, is defined primarily by another – by the master, not by himself. As he lacks the power to affirm himself, he has to negate the master, the other. In this view the slave is a weakling, who is unable to create his own values or take a free view of life.

In this light, each creation of values and norms derived from someone else seems inauthentic and alienated – incorrect. It is also incorrect to derive values from systems of thought; this is a weakness that leads to individual and social nihilism. This does not just mean a state of aimlessness in an individual or even a move towards nothingness, but nihilism as a psychological⁸ state, in which man is subconsciously controlled by reactive forces, when a person falls into a passive state (Nietzsche, 1992, p. 635).

An important element in nihilism perceived in this way is thus the lack of affirmation, which we see as self-realization, self-confirmation. It is part of the individual sense of happiness that man achieves when engaged in unbridled self-realization. We are of the opinion that environmental ethics should always include such an individualistic eudaimonist dimension, so as not to slip into “merely” protection of the environment, nature, the human species, or culture. We assume that the founder of EO, Šmajs, sees this significant individualistic dimension in a similar light, as he writes, for example, about the meaningless and unnatural work that people do in the modern technical age (Šmajs & Buchtová, 2013). Later in the text Nietzschean affirmation serves partly as a means of achieving the individual dimension of ethics, and partly

⁵ “Ethical rationality, which traditionally dealt only with the moral relationships between people and other elements of society, must come to terms with the fact that the supreme moral entity becomes unjustly theoretically deadened nature” (Šmajs, 2013b, p. 807). With regard to the sacredness of the Earth Šmajs again writes: “in other words, how to use evolutionary ontology, art, and new cultural sciences to make the Earth sacred again...” (Šmajs, 2013b, p. 811).

⁶ “How can important moral regulations ... be derived directly from ethical arguments ... so that the new morals precede reality ... to enable them to emerge from general ontologically learned theory” (Šmajs, 2013b, p. 807).

⁷ “It seems that we must proceed from the evolutionary ontology of culture to the new morality in a roundabout way through the deliberate change of the spiritual paradigm, through the change in the rules for the creation of culture as an artificial system that is existentially subordinate to the biosphere. Evidently it is only in the process of the physical transformation of anti-nature culture into a biophilic culture that people can take a new attitude to the world, a new pro-nature morality” (Šmajs, 2013b, p. 812).

⁸ “Nihilism as a psychological state ... emerges if a man has postulated integrity, systematicity, even organisation in all events” (Nietzsche, 1992, p. 635).

as a means of preventing the rejection of totalitarian ideological structures, the absence of which again is a symptom of nihilism.

Contemporary nihilist elements of society

Elements of the nihilism described above can also be seen in contemporary society: a. An imaginary moral entity is daily employed in a program of extraneous objectives (which do not have to be in any way meaningful) – in Frommian terms – that entity's self-realization is low, deprived of activity; taking power over one's own life may occur in the form of ignoring, rejecting or sabotaging meaningless work activities, orders, motivational events, etc.;

b. From the viewpoint of the reflection of anti-nature culture and life – the moral entity is aware of this character, but is unable to overcome this prevailing paradigm, so becomes reconciled and resigned to a day-to-day anti-biophilic system;

c. A moral entity has become or is in the process of becoming an object of technology (Jonas, 1985);

d. The last element is when a moral entity is affected by the forces of bodily and spiritual hedonism – consumerism, entertainment and experience instead of self-realization and affirmation.

Problematic application of EO in the Constitution for the Earth

The challenge of the philosophical concept of the Constitution for the Earth is intended to be ratified by individual states – this assumes the existence of biophilic parliamentary⁹ majorities and electoral majorities. The main dilemma voters face before “donning biophilic attire” will be the question of whether the protection of nature and culture will be enough of a reason for a change of life, if it is not just present comfort that is at stake, but if there is also the risk of political instability and a consequent threat to life.

Moral entities should consider recognising the values that are outside of them – the Earth as an entity, accept the value of culture as such and its potential for continuation, then acknowledge the limits on the value of well-being and self-realization anti-nature activities.

Individual moral choice for biophilic culture therefore does not have to mean a major shift away from the elements of contemporary nihilism: the individual is expected to exchange his or her faith in the positive elements of contemporary spiritual culture (e.g. science which will eventually save us from disaster) for faith in the new biophilic¹⁰ spiritual framework of culture (e.g. science which will eventually save our well-being).

And what is meant by setting nature as the supreme moral entity? That nature has the exclusive right to make decisions about itself,¹¹ or that it is a higher entity creating moral standards as a person (in the man – nature relationship)? Does the ontological, systemic superiority of nature have anything in common with moral superiority?

It is known that deriving the right action from ontology after postmodern is somewhat out of fashion – “The tree and root inspire a sad image of thought that is forever imitating the multiple on the basis of a cantered or segmented higher unity”, write Deleuze and Guattari in their book *A Thousand Plateaus* (Deleuze & Guattari, 2010, p. 24). On the other hand, we might say that the ecological crisis is a fact that shows humanity and the planet that “they are in one and the same boat”, meaning that the boat needs to be looked after. It is therefore evident that

⁹ Due to time constraints we will not be discussing all possible types of accession to international treaties; we will be using ratification by Parliament to cover all forms.

¹⁰ The term “biophilic culture” is in itself an oxymoron, being a utopia of life that does not destroy other life.

¹¹ *Constitution for the Earth*: “Aware of our responsibilities to future generations we declare the Earth to have a unique ontological creativity and subjectivity – with a value higher than man or culture. We consider the natural creativity of the Earth, which gave life to man and has enabled culture and human rights, to be superior to human creativity and the rights of people” (Šmajš, 2015, p. 6).

the postmodern refusal to draw conclusions from ontology has its limits, while on the other hand – favouring a living person over protecting inanimate ideas has no such limits, since “metaphysical categories... care as much about life as an SS officer’s boot” (Bělohradský, 1997, p. 10)

However, EO does not want to protect nature and culture because they are “categories”, but because they have value in themselves, are unique, and, moreover, nature is a living “organism”. What is more important is the question of placing them above human life: should the life of a particular person be forfeited in the event of a conflict? An individual human life is unique and never to be repeated; the evolution of nature, however, will continue without humans. It therefore seems that the supreme moral entity should not be nature, and should remain man himself: the EO eco-centrism therefore does not seem to be a suitable ethical concept, even if it is systemically supported.

The principle of favouring the value of nature over the value of an individual person’s life would lead to the real non-existence of that person (and whole groups of people) and to a non-existence of values – devaluation of the value of an individual’s life (compared to nature as the supreme moral entity) and thus to nothingness as a value basis. As Deleuze writes: “life acquires the value of nothingness to the extent to which it is denied and denigrated. Denigration always assumes fiction: denigration and distortion occur through fiction; it is through fiction that something opposes life. Life as a whole thus becomes unreal, is represented as a dream, it acquires in its totality the value of nothingness” (Deleuze, 2016, p. 255). Is the acceptance of the idea of a biophilic culture by convinced individuals such a fiction, one which separates them from the real world of themselves and from the value of other people’s lives?

However, nowadays the denigration of life on the basis of fiction is not only promoted by advocates of biophilic culture, just the opposite in fact: it is common to deny and denigrate the lives of people suffering from an ecological crisis due to the continuation of prosperity, or due to faith in the idea of a self-operating market (this denigration is also directed at one’s own life). However, what principal meaning would there be in the exchange of one type of denigration of life (on the basis of contemporary fiction) for the denigration of life on the basis of the fiction of biophilic culture?

So, if Šmajš’s “nature as the supreme moral entity” (Šmajš, 2013, p. 807) means in practice recognising action that does not disrupt the evolution of nature as being correct, with regard to the above we propose adding that and also, what is more correct is action that not only does not disrupt the evolution of nature, but also does not threaten or degrade the life of any particular person.

Change of morality conditional “in a roundabout way”

“For a society which has no inner guards, all the police in the world are not enough to make it a civic society,” stated an American philosopher of Slovak origin in his talk entitled *Awakening from Nihilism* (Novak, 1994, p. 9). Also, in order to change constitutions and laws, EO will need biophilic-oriented citizens literate in ontology to enforce that change: “as a highly technologically advanced civilization we paradoxically need education to help people understand the absolute priority of life”, writes Šmajš (Šmajš, 2008, p. 244).

The incorporation of the evolutionary-ontological view of the world into education (the division of the world into constantly evolving nature and culture, their interconnectedness, the dependence of culture on nature, the integration of another view of science and every human activity) could not only lead to greater plurality, but would also fulfil what has now become a very chaotic and unsystematic view of nature and culture. In an ideal case scenario, including EO in the syllabus would gradually incite enthusiasm for evolutionary ontology in pupils,

students and even in voters, giving them a better eco-system vision of the world.¹² However, there would be no need to follow up on the controversial proposals contained in *Constitution for the Earth*: “We pledge to protect the Earth from the selfish expansion of predatory culture. We intend to promote its value, claims and rights, which are superior to those of man and nature, by all means possible” (Šmajs, 2015, p. 6).

While we do not consider ontological education to be “roundabout”, but instead as the functional enrichment of our view of the world, the conjunction “all means” in the constitution are. The conjunction in itself involves the undemocratic seizure of power on the planet, violence, manipulation, the principle of leadership, terrorism, etc. The use of “all means” for the higher interest, so typical for modernist¹³ projects are a step back for EO (or for the application of EO). The text in the constitution is reminiscent of how supporters of EO are seen as the “vanguard” of biophilic culture, which, by establishing it, change the conditions for other people to enable their old anti-nature morality to “die” and allow them to finally adopt a new, evolutionary-ontological morality with new conditions. It is also hard to imagine that non-biophilic “all means” could lead to a biophilic culture;¹⁴ rather, history shows they are directed towards a practical and value nothingness.¹⁵

We assume that the non-anthropocentric application of EO “in a roundabout way” in *Constitution for the Earth* is used due to the lack of the value of man at its centre, which is already occupied by other, “higher” values. In fact, this incriminated text of *Constitution for the Earth* shows that it makes sense to revise EO from the perspective of postmodern philosophy and ethics; otherwise, instead of avoiding nihilism EO directs itself towards it.

In the discussion concerning the “freezing” of evolutionary ontology this view shows that ethics is not merely an unnecessary “extension” of EO. We believe that this “reverse” is possible for EO due to the fact that the evolutionary-ontological picture also contains contradictory ontic elements such as man and his product – culture.¹⁶

The “threat” of change based on the application of EO?

The application of EO to action as outlined above may lead to what in the introduction to our article we called the nihilistic paralysis of a moral entity. That paralysis is also explored by the authors of *Environmental Ethics and Behavioural Change* (Franks, Hanscomb & Johnston, 2018). The barriers that the authors see to people’s environmental behaviour are uncertainty over the evidence of climate change (the problem of denial,¹⁷ the complexity of the

¹² Do we belief in miracles? Konrad P. Liessmann writes about education as a new religion (Liessmann, 2018).

¹³ Radim Šíp drew attention to the modernism of certain EO ideas: “The strong anthropocentrism that lay behind the Promethean myth of the bearer of Truth, and which evolutionary ontology inherited from early modern thinking, may be exchanged by Professor Šmajs for a far more balanced position. For a position of weak anthropocentrism – anthropocentrism which, although it acknowledges its roots, place and origin in culture, can on the other hand work far more boldly and creatively with meanings and values that extend beyond previous findings and ways of thinking. This type of anthropocentrism does not make the mistake made by all those who consider themselves to be non-anthropocentric, biocentric, zoocentric or ecocentric” (Šíp, 2014a, p. 441).

¹⁴ “All means” would mean the worst mostly for women. Wendy Lynne Lee writes about the consequences of radical ecocentrism in her book *Eco-Nihilism. The philosophical geopolitics of the climate change apocalypse* (Lee, 2017, pp. 31–36).

¹⁵ Which does not mean that such a text and the tools it calls for cannot become a terrifying reality at a time of ecological disaster.

¹⁶ We see no problem in the claim that ethical contexts as part of the “artificial” and the description of that world could also correct the actual evolutionary-ontological concept. This may cause a shift from the “freeze” of evolutionary ontology “without attributes” to ontology linked to other social sciences.

¹⁷ TV debates tend to take on a dual form, where most of the scientists supporting evidence of climate change hold an equal position to those who deny it. In addition to disproportion, the absence of (meaningful) conclusions to the discussion is also a mistake, inciting the public to “flee” from such an unpleasant topic (Franks, Hanscomb & Johnston, 2018, p. 114).

information¹⁸), the evil nature¹⁹ of the change, failure to effectively respond to known dangers (habit), existing habits, values and desires, psychological denial (Franks, Hanscomb & Johnston, 2018, pp. 114–144).

From this perspective we might also see the roundabout approach in *Constitution for the Earth* as the horrific nature of the change – not only do ecological crisis and disaster sound terrible in themselves, but also the changes proposed by EO seem risky, which may be the reason for hesitation on the part of moral entities. This is another reason why we do not see the evolutionary-ontological background in the perception of correct action to be a determinant of correct action, but as a context that gives the EO school of ethics an advantage over other ecological concepts.

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¹⁸ While postmodern authors reject simple truths, the directness of knowledge, certainty and truth, the social psychologist O. Payne sees the human mind as preferring situations that are simple, local, immediate and direct. However, the nature of climate change is precisely the opposite, which complicates its acceptance by the public (Franks, Hanscomb & Johnston, 2018, p. 117).

¹⁹ According to the authors of the work the incredible nature of information about climate change goes as far as seeming to be sci-fi, leading people to see climate change as a conspiracy, a plot hatched by scientists.

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Animalization of language, therefore death of a man

Tomasz Turowski¹

Abstract

In the article, I try to emphasize that our way of using language affects moral decisions and attitudes. As we think as we speak and simultaneously, we act. By using chauvinistic language, first of all, we simplify our reality; secondly, we push those beings that we define in the language to the margins. I think that our language is homocentric and therefore leads us to speciesism.

Keywords: language, ethics, morality, animal rights, animal welfare, interest, speciesism, acts of speech, performatives

From Nietzsche's time, one can speak about the idea of *killing the idols* in philosophy. After all, no one, other than the author of *Zarathustra* announced *the death of God*, which in fact was not only the first unveiling of a nihilistic vision of a new way of valuing, but was supposed to have a global dimension above all else. Nietzsche, ultimately, was not just about removing ethics from the concept and sense of sanctity, but above all about setting free morality from fossilized, traditional patterns that drove man down *like the debris of conventional expressions*. As we know, Nietzsche first used the slogan of *the death of God* in his *Gay science* (1882) in the opinion of many scholars and interpreters and this work immediately preceded *Zarathustra* (1883–1885) and gave a new character to Nietzsche's philosophy. Almost all readers of the author of *The birth of tragedy* know the famous article 125 about the madman who, in the broad daylight of the market, announces *the death of God* and the fall of ideals which mankind has believed in so far and to whom and to which he entrusted his fate. However, it is worth emphasizing that the earlier passage, fragment number 108, where we find it is important: "God is dead: but given the way of men, there may still be caves for thousands of years in which his shadow will be shown. – And we – we still have to vanquish his shadow, too" (Nietzsche, 1974, p. 167). The essence of the fragment is to emphasize the fact that with the degradation of the *eidolon*, the universal and species belief in its duration is not lost. That is why the question: "When will all these shadows of God cease to darken our minds? When will we complete our de-deification of nature? When may we begin to *naturalize* humanity in terms of a pure, newly discovered, newly redeemed nature?" (Nietzsche, 1974, pp. 168–169) is very legitimate.

Nietzsche's problem in *The gay science*, and at that time was that the death of the deity alone was not enough to establish a new way of valuing to go *beyond good and evil*. Nietzsche saw this critical consequence a year after the publication of *The gay science*, while working on his *opus vitae*: *Thus spoke Zarathustra*. It is in this work that the author noticed that in order to the fulfill his plan besides the death of a god, a man's death is still needed, or at least his transgression, the revaluation of his previous forms. Hence, *Zarathustra* in many places instructs recipients about the necessity of transformation, about transgression. For example, we read: "When *Zarathustra* came into the next town, which lies on the edge of the forest, he found many people gathered together in the market place; for it had been promised that there would be a tightrope walker. And *Zarathustra* spoke thus to the people: "I teach you

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the overman. Man is something that shall be overcome. What have you done to overcome him? All beings so far have created something beyond themselves; and do you want to be ebb of this great flood and even go back to the beasts rather than overcome man? What is the ape to man? A laughingstock or a painful embarrassment. You have made your way from worm to man, and much in you is still worm” (Nietzsche, 1982, p. 124).

I began my paper with a short history of reminding us how the concept of the death of values and the forces merging them came to appear in philosophy. Nietzsche's genealogy of values has survived in the writings of thinkers that are normally included in postmodernism, such as Jacques Derrida, and this is particularly evident in the works of Michel Foucault, whose statements about the “death of man” became slogans of the second half of the twentieth century. Foucault and his conviction “that man is only a recent invention” (Foucault, 2005, p. xxv) and now we are dealing with the exhaustion of its essential capabilities, although drawn from the thought of the author of *Zarathustra*, it made a rapid and dizzying career.

So, Foucault, and the previously mentioned Nietzsche, as well as Wittgenstein and Heidegger saw a change in anthropocentrism in a different way of using language. In his *Treatise*, Ludwig Wittgenstein emphasized that the rules of language are correlated with reality, in such a way that they order discourse on what and how to express it. According to Wittgenstein, problems of philosophy in general come from the fact that the “logic of our language is misunderstood. The whole sense of the book might be summed up in the following words: what can be said at all can be said clearly, and what we cannot talk about we must pass over in silence” (Wittgenstein, 2001, p. 3). Any philosophical problem can be reduced to a language problem, to that; how to use a language. In a similar way thought the young Heidegger², which in the period preceding *Sein und Zeit* saw that language and its rules refer to being, in such a way that they *speak*, that is, express the discourse that Heidegger says must *reveal* the meaning of being. Understanding is one of the ways of being and therefore “are characterized equiprimordially by discourse” (Heidegger, 2001, p. 172). Discourse for Heidegger is not just the use of language, verbalization and articulation, but it is “existentially equiprimordial with state-of-mind and understanding. [...] Discourse is the Articulation of intelligibility. Therefore it underlies both interpretation and assertion” (Heidegger, 2001, pp. 203–204).

Since Nietzsche's time and his discovery of the “lie of words” by Wittgenstein, Heidegger and Foucault, most philosophers have agreed that discourse and language are not just a way of expressing and communicating thoughts, but their role is fundamental in philosophy in general. I think that this phenomenon was aptly described by the author of the *Logico-philosophical treatise*: “The limits of my language mean the limits of my world” (Wittgenstein, 2001, p. 68, thesis 5.6). What's more, language does not only affect modern epistemology or ontology, but also moral philosophy, in ethics particular.

The death of man in my perspective, therefore in conviction, that the philosophy of morals is oriented towards the ethics of animal rights or animal welfare, and thus referring to pro-animal philosophy, takes the form of a twilight of anthropocentrism or simply the exhaustion of the possibilities of traditional ethics and its anthropological foundations. The twilight of anthropocentric ethics is a phenomenon noticeable on the horizon of a certain inadequacy of traditional life ethics, abusing abstract absolutism, which is the source of a hypocrisy not too aware of traditional ethics, pushed into unconscious inconsistency. Ethics for now is too general and abstract if it is applied in the form of institutionalized codes.

The issue for me here is important in the matter of fundamental linguistic reorientation. On the one hand, the above-mentioned *philosophers of discourse* led to the release of language from the power of metaphysics, and on the other hand led to a new way of understanding

² The biographical-philosophical division of Heidegger's thinking derives from Theodore Kisiel's book *The Genesis of Heidegger's "Being and Time"* (Kisiel, 1993, p. xiii; see also Leśniewski, 2010, p. 8).

anthropology. Nietzsche taught the demise of every value, thus revealing omnipresent nihilism, besides *the death of God*, we have the death of the current form of being a human being. For Foucault, man turns out to be dead, residual and recent. In all of this, working with discourse as an all-powerful interpretation of the human and non-human world. There is no doubt that nowadays in moral philosophy is not only about what we say, but above all how. The language not only operates with valuative semantics but, above all, it defines and justifies it.

Therefore the problem, concerns the language of value-making articulation and its impact on the practical aspect: as we speak, this is how we behave and how we act in the world. We often hear animated terms in relation to our species, which aim to depreciate the concept of man and, in general, the importance being of human. For example if we want to offend someone, we use the words: “you’re a pig”; “a wolf in sheep’s clothing”; “as blind as a bat”; “at snail’s pace”; “fight like cat and dog”; “a snake in the grass”; “a lame duck”; “you eat like a pig”; “you looks like a pig”; “you fat cow”; “porcine snout”; “you lie like a dog”; “you stupid donkey”; “stubborn as a mule”; “free as a bird”; “fake like a fox”, and *primum inter pares*: “you act like an animal”. Of course, next to invective, we have terms considered ennobling, or higher rank compliments: “healthy as a fish”; “hard-working like an ant”; “smart as a fox”; “as faithful as a dog”; “agile like a cat”; “mild as a lamb”, etc. In both cases (pejorative and positive terms) the list is long, but the bottom line is that both lists have an influence on anthropology as such, projecting into a dictionary (everyday language). The point is that the transfer of concepts referring to the animal world leads to the fact that these concepts become pejorative.

In pro-animals philosophy it was noticed relatively late and by a circuitous route: through linguistic deconstruction³, nevertheless, if I were to attempt what is a common feature or even a paradigm in a fairly antagonized pro-animal philosophy, then it is definitely a deconstruction, or weakening the anthropocentric option in ethics. From Peter Singer to the proposal of Francione, the whole moral philosophy, in the interest of which is animal ethics, regardless of whether it is a welfarist (reformist) or legal (abolitionistic) option, is convinced of the necessity of abolition or rejection of anthropocentrism.

It should be noted that anthropocentrism itself is relatively often simplified and criticized in pro-animal philosophy. The authors usually show the negative implications of the practicality of adopting anthropocentrism, which shaped the moral tradition of the West. In the writings of Singer, Regan, Ryder, or Francione, they are rife with interpreting anthropocentrism in a value spirit: by elevating the value (for example: legal and natural dignity) of man and only this species, species of *homo sapiens*, other – different species were depreciated in value (Bekoff, 1998, pp. 66–68). In itself, this is not wrong, such interpretations of traditional Western philosophy are valuable and for the subject of pro-animal philosophy itself, it is important. However, I cannot fail to notice that the understanding of anthropocentrism (and also the interpretation of the all anthropological criterion) within “homocentrism, human chauvinism, speciesism, and human-centered ethics” (Bekoff, 1998, p. 66), is basically too sketchy. In my opinion, in this way, the positive aspects of anthropocentrism are blurred, which often results in unnecessary equating of incomparable beings. Therefore, it is important to emphasize significant interspecies differences, the recognition of which leads to the beauty of the human point of view of nature and non-human beings, therefore we do not have “the basics to expect that human relationships with other animals can duplicate the interpersonal dimension. These are not just interpersonal relationships. This is their special value. Trying to treat them in the same way would be flattening and not using their potential” (Gzyra, 2018, p. 29). Anthropocentrism can have many positive implications, such as defining interspecies

³ For an example please look at J. Derrida’s *L’animal que donc je suis (à suivre)* from 1999. I used the English translation *The animal that therefore I am (More to follow)*, from: *The animal that therefore I am*, transl. D. Fordham, New York University Press, New York 2008.

relationships when adopting the anthropological criterion as a starting point for the way they are determined and, consequently, capturing the moral status of non-human beings.

Pro-animal philosophy often uses the anthropological criterion, and contemporary propagators of animal rights and interests, including Alasdair Cochrane who in his *Animal Rights Without Liberation*, confirms a fairly well-known fact that the starting point for determining the rights and interests of animals is the somehow understood anthropological criterion. “In this sense, then, animal rights are often considered to be analogous to human rights. For human rights do not demand that we stop beating our slaves, or that we regulate the ways woman are trafficked more humanely; instead they demand that such forms of exploitation be abolished and victims liberated” (Cochrane, 2012, p. 3). Of course this is no new point of view, because in the theory of animal rights it was formulated in 1983 by Tom Regan, whereas in the trend of respecting interests (equal consideration of interests) in the 1970s by Peter Singer. Regardless of the difference between Tom Regan, and the author of *Animal liberation* one thing is common – to emphasize the existence of rights (Regan), interests (Singer), these philosophers refer to some vision of man and his moral status. Regan carries out an analysis of moral powers, emphasizing the commonality of natural rights, which as such are not available only to representatives of *homo sapiens*. Peter Singer, while delineating the principle of equal consideration of interests in *Animal liberation*, proposed the rejection (or weakening) of anthropocentrism, in favor of pathocentrism, while maintaining a weak version of the anthropological criterion.

The problem is the language of animal rights ethics, which, in the opinion of many opponents of this, leads to the “animalization” of philosophical discourse. Of course, in such a formulation you can find elements that defy the concept of *homo sapiens*, and it will be offensive. It is often said about the *animalization of man*, that is, his extremely amoral behavior. For example, the concept of *animalization* was used in the context of the Holocaust. Meanwhile, *animalization* in animal philosophy may be twofold: on the one hand, to refer linguistically to a fundamental change in value articulation, and on the other hand to attempt to develop a new animalistic language in the context of the death of man, in this case in the face of the collapse of traditional anthropology. Let us pay attention to the fact of the feminization of language, which served a better understanding of women’s rights. In *gender studies*, the necessity of linguistic changes in relation to women has often been stressed. The main task of this linguistic reform was to lead to the evolution of thinking about women as those that even in men’s language. To animalize language in pro-animal philosophy means to get rid of those terms deprecating us and the non-us. Human and non-human beings. Therefore, the departure from anthropocentrism must take place in the linguistic layer. Our ordinary, colloquial discourse everyday emphasizes the fundamental differences between people and animals. An animal is always an “it”, it is neuter, devoid of sex and social function, it is beyond “he” and “she”, it is not a personal pronoun, “it” is a thing. Our language “denies the similarity between human and non-human beings. We are not animals, primates or monkeys” (Dunayer, 2013, p. 9). Language enforces our anthropocentric attitude towards animals, causing our species to become accustomed to the fact that we are species-honored. A man dies, an animal *only dies*. Death of man is sanctity but this is only for human beings. Animals kick the bucket and that’s all. Man passes away, animals only die. The main thing is that: our “language practice, promotes a false dichotomy between human and non-human beings. Separate vocabulary suggest opposing behaviors and attributes” (Dunayer, 2013, p. 9). Our language practice affects the normativity of the language, the assessment and implies behavior, often contempt for others. Such terms are of a performative character, because they have a causative role. These language usages accustomed us to hidden, subconscious assessments that play a role in our practice: we act as we think, think as we speak. In a sense, we act by means of words, and how we make them – we use it, it has meaning in our way of dealing with the world.

The processes of animalization of language are inevitable as it was in the case of language feminization. When it was implemented it seemed linguistically clumsy and artificial, meanwhile we have already got used to these terms of the feminizing of language. This is, because human language – this Nietzschean *tool of lies* – has an amazing ability to update and assimilate changes in the dynamics of discourse, both colloquial and philosophical discourse. I think that interpretation is the main feature of our language, so perhaps a new hermeneutics of language should be developed, the task of which will be to create performatives for the ethics of animal rights. The language actualization here, is related to the evolution of moral principles and is a tool for social change.

By animalization and updating our language habits, we reflect on our attitudes towards animals in general. “Reflective self-referral of someone, who speaks or writes, to their *own* language is a component of research work in animal studies, more broadly – participation in a cultural animal return. New ways of making a language game, by creating statements related to animals arise, among others, as a result of this reflection” (Łagodzka, 2015, pp. 171–172).

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Transhumanism and the issue of death

Peter Kyslan¹

Abstract

The human issue with the concept of finality constitutes a fundamental platform for the philosophical concept of transhumanism. This paper addresses the historical-philosophical perspective of transhumanism with emphasis put on the 18th and 19th centuries, whereby possible anticipatory actions with respect to transhumanist thought are analyzed. In this sense, the need for a philosophical reflection on transhumanism is justified. The main part of this paper is aimed at philosophical and ethical questions related to cryonics as being one of the most dominant and feasible transhumanist practices. The characteristics and critical analysis of cryonics focuses on the problem of understanding death from a philosophical standpoint.

Keywords: transhumanism, death, culture, Enlightenment, history of philosophy, cryonics

Introduction

The present study provides insight into the broader topic of transhumanism. Transhumanist tendencies imply a number of serious philosophical issues; from issues of human nature and consciousness, through to issues of religion and ethics, to the area of the foundations of culture and science and philosophy itself. The text offers first a short historical-philosophical background of the futuristic concept of transhumanism. In the next part, the issue of death is approached from the perspective of the hypothesis that most transhumanist perspectives and projects are based on the need to delay, redefine or confront the problem of human death.

Historical-philosophical perspectives of cryonics

To define the philosophical assumptions and philosophically grasp the concept of transhumanism is a rather contradictory activity. To name the personas and ideas of the history of thought that has implied and anticipated transhumanist ideas is an effort to characterize and incorporate transhumanism into philosophy and give it an academic dimension. Transhumanism as a philosophy (or set of philosophies) is addressed by Nick Bostrom (2005), Max More (2013), Anders Sandberg (2014), among others. But many in the field of philosophical disciplines, because of the sectarian, mystical, fantastic, and futuristic nature of transhumanist concepts, reject transhumanism as a philosophy and do not subject it to research. “However, its philosophical aspects cannot be removed from transhumanism, as it seeks to find answers to the basis of philosophical questions” (Sitarčíková, 2012, p. 23). Common transhumanist questions such as what is a human?, what is death?, is progress possible?, what is human nature? have serious philosophical parameters. I believe that transhumanism is neither a science (even if it emerges from it), nor a religion, lifestyle, or philosophy, even though it possesses its own philosophy. Transhumanism is a set of ideas and expectations about the future of humanity based on the optimistic technological advancement of science (biotechnology, genetic engineering, nanotechnology, cryonics, uploading, and others). Transhumanism is a class of philosophies of life that seek the continuation and acceleration of the evolution of intelligent life, beyond its current human form and human limitations, by means of science and technology, guided by life-promoting principles and values (More, 2013). Despite the search for a particular philosophical point of view, the study does not seek to defend these tendencies. Conversely, transhumanism needs to be approached skeptically and with vigilance. Among other things, skepticism stems from the (un)scientific nature of transhumanism, and vigilance

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also comes from the history of the invasive efforts to modify human nature (e.g. in Nazism and Communism).

The issues of transhumanism and cryonics can be approached from multiple positions, e.g. from the perspective of the philosophy of science, philosophy of life, ethics, social philosophy, philosophy of religion, philosophical anthropology, etc. In such a case, the future philosophy of man and culture should anticipate and reflect on elements and segments of their possible impact on the ethical, social and religious domains of human beings.

The following passage offers an outline of the history of philosophy and possible related relationships to the concept of transhumanism and cryonics with the emphasis put on the 18th and 19th centuries. In the history of philosophy, we have no thinkers that would optimistically assume a change in human nature. On the contrary, the vast majority of philosophical concepts in the history of thought are based on the paradigm of human nature as a fixed fundament. The death and the finality of human life – death as a biological necessity – are dominant cultural phenomena. We usually learn about the thinking and behavior of people of prehistoric times from burials, rituals, and so on. Death and mortality is the primary question of the oldest story in the *Epic of Gilgamesh*, as a man who yearns for immortality. Every mythology and religion rely on the issue of finality and human nature. We know the Greek story about Icarus and Daedalus of overcoming human abilities. In antiquity, the boundaries between myth and science, and also between alchemy and technology, are often overstepped. It is as if the human desire for immortality has always been here, only its tools are changing. In his *Republic*, Plato also criticizes the negative interpretation of death.

Even in the philosophy of the Middle Ages, there was no consensus in recognizing eternal life efforts. For Christian medieval philosophy, eternal life was a fundamental dogma. On the contrary, the efforts of the alchemists were based on achieving eternal life on earth.

Proto-transhumanist Condorcet and others

Ideas that people themselves can develop through the application of science had been surfacing throughout the 18th and 19th century. One of the main representatives of Humanity+,² George Dvorsky, called the French philosopher Marquis de Condorcet (1744–1794) a proto-transhumanist and claimed that he was the first to plant the seeds of transhumanism (Dvorsky, 2008). Condorcet's work was not very significant in terms of philosophy, nor science. Being a contemporary of Voltaire, Rousseau and Turgot, his legacy was not sufficiently recognized. He is known as the author of the *Sketch for a Historical Image of the Progress of the Human Mind* (1795),³ and as a figure of French politics and the French Revolution. His philosophy of history does not constitute a great system, paradoxically it is incorporated within the ten periods of the *Sketch*. Condorcet's work is at the heart of the French Enlightenment, synthesizing a line of encyclopedists and physiocrats, philosophers and politicians, theorists, and practitioners.

It can be argued that Condorcet did not come up with his own revolutionary or new idea, but subsumed Montesquieu's historical-philosophical assumptions, Voltaire's criticism, Diderot's mathematical constructivism, and especially Turgot's idea of unstoppable progress and unrestricted improvement of humanity. Thanks to this Enlightenment "leaven" could

² Humanity Plus (also Humanity+, Inc. formerly the World Transhumanist Association) is an international organization which advocates the ethical use of emerging technologies to enhance human capacities. In 2008, as part of a rebranding effort, the WTA changed its name to "Humanity+" in order to project a more humane image. Its Articles of Incorporation were amended in 2011. The objectives of Humanity+ are: to support discussion and public awareness of emerging technologies; to defend the right of individuals in free and democratic societies to adopt technologies that expand human capacities; to anticipate and propose solutions for the potential consequences of emerging technologies; to actively encourage and support the development of emerging technologies judged to have sufficiently probable positive benefit (Humanity+ – What We Do, 2018, ¶ 2).

³ Condorcet wrote the work in seclusion, in the shade of the guillotine and in a bad psychological state, but still believed in the progress of mankind. The official work was released after his death.

Condorcet's concept become modern, secular, historical, universal, cosmopolitan, and in a certain sense, transhumanist.

In the Sketch, Condorcet advocated a liberal economy, free and public education, and constitutionalism. He also emphasized the superiority of reason as a way of liberating humanity from the Church, authoritarianism, and nature. Despite his utopianism, and naive speculative optimism, some of Condorcet's attitudes need to be taken seriously in the light of contemporary theoretical-scientific discourse. From a methodological point of view, it is important to mention Condorcet's effort to use mathematical principles and methods to study social sciences effectively. He was convinced that ethical, political, and social issues could be addressed through mathematical methods and prognostics.

In Condorcet's Tenth period, there are claims such as universal language, application of combinatorics, unrestricted development, life extension, and others. In this context, Condorcet's question could be mentioned: "Well, is [the] human race destined to become better, whether under the influence of new scientific and technical discoveries that will bring new sources of private well-being and public prosperity, or under more advanced principles of behavior and practical morality, or ultimately because there will be a genuine improvement in intellectual, moral, and physical abilities that can also be the consequence of improving the devices escalating and directing the use of these abilities as a result of the improvement of human natural organization?" (Condorcet, 1968, p. 163). In the second part of the paper, I will also mention Condorcet's anticipatory tendency to prolong life.

The rise of scientific physicalism in the 18th century could also help the belief that technology could improve the human body by helping it develop. A kind of materialistic perspective (which rejects Cartesian dualism) was boldly designed in 1748 by the French doctor and materialist philosopher Julien Offray de La Mettrie in *L'Homme Machine*, arguing that "man is a machine so complex that it is impossible to make a clear idea about it and subsequently, as a result, to define him" (La Mettrie, 1958, p. 55). La Mettrie rejects theology, metaphysics, and the notion of the soul, and instead believes that a human being is a machine of matter that can be recognized and, thanks to this possible and growing knowledge can man become happy. "To be a machine, to feel, to think, to be able to distinguish between good and evil as well as blue and yellow, to be born with intelligence and with a safe moral instinct and yet to be an ordinary animal" (La Mettrie, 1958, p. 57). This statement is a lively starting point for transhumanist ideas and for cryonics.

Another proto-transhumanist, according to Borstom and More, was the naturalist C. Darwin, who came up with the groundbreaking evolutionary theory summarized in two key points in his book called *The Origin of Species* (1859): first, we can think of all biological organisms as manifestations and results of creation, without having to postulate a divine artist; and secondly, it effectively negates the notion of what was then called the fixed human species. Darwin has encouraged science and philosophy to ask whether a human being is just another level, another link in the chain of evolution, thus questioning whether he is the endpoint of evolution at all. The transhumanist answer is obvious, even some futuristic thinkers are talking about the next post-humanist evolutionary level.

After a brief attempt to outline the philosophical and historical-philosophical aspects and possible assumptions of transhumanism, we have nothing to boast about. Transhumanism, as an effort to transform a person, and also as, effectively, a battle against death, does not have philosophical support in the history of thought. However, it should be mentioned that technological tendencies do not primarily need philosophy, even its conservatism and metaphysics do not sufficiently suit it. One transhumanist theorist, M. More, contemptibly answers classical philosophers that they will become romantic partisans.

Transhumanist thought has, at its disposal, methodological and terminological elements and tools from philosophy. Even the transhumanist thinker Mark Walker in *Prolegomena to any*

future philosophy (2002) suggests that rather than developing stupid small questions, the thinker himself needs to develop. In his words, “The idea ... is that we are not who should leave philosophy, but philosophy should leave us” (Walker, 2002). It suggests that soon – very soon – we will have the technological means to try to create beings that could usurp our position as the most intelligent beings on earth, and that these beings, with their excellent intellect, may prove to be better thinkers and better philosophers (Moravec, 1998; 1999).

For the future, the problem of the end of philosophy and the clichéd question of *what is philosophy* becomes a serious meta-philosophical issue. According to Walker, philosophy has eliminated its ambitions and has become a deflationary initiative by pragmatists, positivists, and naturalists, and therefore, in the future, it should be inflationary, i.e. ambitious like Nietzsche (Walker, 2002). What philosophy needed and anticipated from the Enlightenment was a higher intelligence than man himself. God, the absolute spirit, nature, providence was able to define and determine the possibilities of man. But in today’s secular and positivist world of thinking, such “higher intelligence” is absent. Probably the complete philosophical expression of our epistemic constraints is not something we can formulate ourselves. According to transhumanist theorists, it is likely that only creatures, such as artificial intelligence, can provide the appropriate kind of philosophical theory on the subject – at least in terms of people.

In conclusion, I would like to express my belief that philosophy has a specific position between academic disciplines and culture itself so it is necessary to reflect on the possible technological and human revolution mentioned above. As such, philosophy has a particular responsibility to deal with the kinds of issues that are addressed here, with some urgency. According to the author of this paper, the philosophy of transhumanist tendencies in contemporary theoretical science should be the philosophy of responding to not-so-coherent evaluation concepts, but to gradually prepare an epistemological, methodological, and linguistic basis for future theoretical challenges.

Death in Plural (Cryonics and the Transhumanist Battle with Death)

The so-called (illusory) philosopher of proto-transhumanism, Condorcet, said in his Sketch: “It would be even absurd to assume that this improvement of the human species will continue indefinitely; but is there a presumption that a day will come when death will be the result of an extraordinary misfortune or an ever slower wear of life functions, and that in the end even the average interval between birth and the end of man cannot be determined?” (Condorcet, 1968, p. 185). For example, the Russian thinker Nikolai Fyodorov (1829–1903) was convinced that man, as the culmination of creation or evolution, has the task of perfecting himself, and in particular to get rid of his mortality. Science must strive for the immortality of man, and thus ultimately the unification of all mankind, even with those who have already died. Those will have to be resurrected. Fyodorov speaks of “immanent resurrection” (Zeňkovskij, 1991, p. 145).

The second part of the study is an attempt at a philosophical view of the issue of death in relation to cryonics. The futuristic concept of cryonics – the freezing of the human body (or the brain) with the prospect of so-called revival in the future is a scientific-futuristic concept, although in its early stages, but it is firmly correlated with current science and its ambitions. The Enlightenment belief that scientific progress will continue at the same or accelerating pace, and that everything that is not excluded from the laws of physics will become possible in the future, is the fundamental idea of the scientific optimism of cryonics. Science’s meliorism also responds to human destiny and the fundamental fear of death. I believe that everything we do, beyond our natural predestination, is done to preserve, improve, and extend our lives. Perhaps it is a bold statement, but by deconstructing the nuances of human activity, we can come to that conclusion. The Neolithic discovery of agriculture, society, scripture, law, art, religion, medicine, science, the Internet, and other human inventions, arose out of the need to live better, which is at the level of humanity, but living at an individual level means living longer. Religion

(and not only that) as one of the most expressive manifestations of human cultural activity arose because of the awareness of death and the resulting fear. Religious belief as a “calming attitude of confused instinct” (Geertz, 2000, p. 51) creates hope. Reincarnation, eternal life, or ghosts and the afterlife, do not need nature because they are purely human cultural constructs. The dominant absence of religious ideas about God, life after death, eternal life, etc., in contemporary science and transhumanism, is committed to culture to rely on itself and not to support the old biological heritage.

We all know we have to die. But immortalists say it is no longer true. Science has advanced so far that we are morally compelled to seek solutions, just as we would be morally bound to prevent a real tsunami if we knew how (Appleyard, 2008, pp. 22–23). The transhumanist M. More argues that there is no scientifically insurmountable physical boundary in how to reconstruct tissues, as he claims, “it’s not like traveling in time” (Eveleth, 2014, ¶ 10).

Nanotechnology, biomedicine, biotechnology, and uploading are currently a part of life extension procedures. It does not save all life or consciousness, but (only) heals and repairs the human body. Cryonics has a special position – it faces the situation of death – it records it, redefines it and wants to overcome it. In a presentation to the most significant cryonics organization, Alcor Life Extension Foundation: Cryonics, it says: “Dying is a process, not an event. The purpose of cryonics is to intercept and stop this dying process within the window of time that it may be reversible in the future. The first few minutes of clinical death are certainly reversible, even today. There are good reasons to believe that this window will extend further in the future. That is why cryonics is sometimes implemented even long after the heart stops. Cryonics is not a belief that the dead can be revived. Cryonics is a belief that no one is really dead until the information content of the brain is lost, and that low temperatures can prevent this loss” (Cryonics Myths, 2018, ¶ 11).

What is Cryonics? What is Cryo-Conservation?

Cryonics is an experimental medical procedure that seeks to restore life to the person. A person who can no longer be treated with current medical procedures and who has been declared legally dead is placed in low-temperature storage hoping that technological progress will eventually allow him to be revived.⁴

For today’s cryonic phase, it is not necessary for us to be able to restore cryopreserved patients (which we cannot). All that is needed is that cryonics can preserve patients in an inviolable state so that some of the possible technologies developed in the future can at once repair frost damage and reverse the original cause of death.

The patient, as cryonics refers to a dead person, is stabilized by cooling in liquid nitrogen (–196°C). The freezing process causes a significant amount of cell damage. This damage can be minimized by the following suspension procedures, which include replenishing the body with cryoprotectants. The formation of harmful ice crystals can be completely suppressed by a

⁴ Once a person is declared dead, the process of preserving it can begin and it is an intense process. First, the emergency team will move the patient from the hospital bed to an ice bed and cover him with ice mash. Then Alcor uses a heart and lung resuscitator to move the blood through the body again. They then give the body 16 different medicines to protect the cells from deterioration after death. Because patients are legally dead, Alcor can use methods that are not yet approved for routine medical purposes. When the patient is frozen and treated, they move him to the surgery site. The next step is to empty as much blood and body fluids from the person as possible and replace them with a solution that will not form ice crystals – essentially the same kind of antifreeze used to preserve organs during transplants. Thereafter, the surgeon opens the chest to gain access to the major blood vessels and attach them to a system that essentially rinses the remaining blood and changes it with medical frost resistance. As the patient will be deep-frozen, much preparatory work involves trying to ensure that ice crystals do not form inside the cells of the body. Once a patient is full of this antifreeze, Alcor can begin to cool the body by about one degree Celsius every hour, and finally approach the temperature to –196 ° C after about two weeks. Finally, the body will find its ultimate home in the foreseeable future: upside down in the freezer, often along three others.

process known as vitrification, in which the patient's body turns into a type of glass. The purpose of cryonics is to preserve life more importantly than life processes, because life processes can, in principle, be re-launched if information encoded in the structural features of the body, especially the brain, is sufficiently preserved.

Many experts⁵ in the field of molecular nanotechnology believe that nanotechnologies at their advanced stage will enable patients to recover from "cryonic sleep". Therefore, it is possible that the patient could be "revived" within a span of a few decades. The uncertainty of the final technical feasibility of the revival is huge, and the amount of skeptical arguments is far bigger than the optimistic ones; yet, these operations and processes are being carried out. Cryonic "trade" between the cryosphere and man (patient) is still far from guaranteeing implementation today. But as the cryonists say, "cryonics is the second worst thing that can happen to you".

If we consider the practices and advances of science that are proven today and how they could be seen in the 18th century, we have to admit that it is quite difficult to argue with the certainty that future medical technologies will not be able to reverse the injuries that occur during cryonic suspension. In contrast, our chances of a return to this world if we choose one of the popular alternative adjustments – such as cremation or funeral – are zero. However, becoming a cryonaut requires courage, the courage to oppose the possibility of one's own death, and the courage to resist great pressure from a large part of the population (Merkle, 1994).

Since 2011, the cost of cryopreservation in the US has been between \$28,000 and \$ 200,000 and is often financed through life insurance. KrioRus charges \$12,000 to \$36,000. Some patients choose to cryopreserve only their head and not the whole body. Since 2016, there have been four cryopreserved storage facilities in the world; three are in the US and one is in Russia. From 2018, there has also been a facility for cryopreservation in India.

Recent research has so far revitalized and partially reconstructed a rabbit brain, but neurologically speaking, a rabbit brain is far simpler than a human brain. Some even believe that cryogenic recovery could sometimes be as common as treating the flu or repairing a broken arm.

Cryonics brings with it several serious and interesting theoretical issues. Some are related to today's freezing, but some have to do with "fantastic" future thawing. I will just mention several such issues which may certainly raise considerations and questions: e.g. the future loneliness of the cryonaut (a new life without a family after recovery); unimaginable, in the literature, the feeling of boredom of immortality; limitless possibility for the elite; the legal status of a revived person and issues of inheritance; risk of recurrent diagnosis; the risk of climatic or other disasters for cryopreservation status; the ethical problem of premature cryonization – premature suicide and euthanasia, cryothanasia (Minerva, 2018) and etc. Additional issues may emerge: What moral standing does the cryopreserved individual now have? What is the legal and moral status of individuals who end up technically alive but with severe neurological damage? And finally, who should be responsible for the care of a thawed patient who requires complex medical care? (Doyle, 2018). I, however, would like to focus on cryonics' issue connected to death, its definition and redefinition.

⁵ The signatories of Scientists' Open Letter on Cryonics, speaking for themselves, include leading scientists from institutes such as MIT, Harvard, NASA and Cambridge University to name a few. "To whom it may concern, Cryonics is a legitimate science-based endeavor that seeks to preserve human beings, especially the human brain, by the best technology available. Future technologies for resuscitation can be envisioned that involve molecular repair by nanomedicine, highly advanced computation, detailed control of cell growth, and tissue regeneration. With a view toward these developments, there is a credible possibility that cryonics performed under the best conditions achievable today can preserve sufficient neurological information to permit eventual restoration of a person to full health. The rights of people who choose cryonics are important and should be respected. Sincerely (68 Signatories)" (Scientists' Open Letter on Cryonics, ¶ 3–7).

Cryonics is a technology that challenges and redefines life and death. Since the 1960s, medical science has continually expanded in the so-called gray area between life and death. A life-saving and stabilizing process that brings people back to life through medical action, has been scientifically and practically deepening over the recent years. Indeed, technologies have not created this gray area, but have expanded and presented it.

In this sense, a transhumanist perspective is simply another type of medical intervention, such as contemporary medical support and life-saving. In fact, it is rather a different kind of resuscitation when the patient is very close to death, but is back. Ettinger (author of the so-called cryonics manifesto *The Prospect of Immortality*) and other cryonists have argued that the frozen are not corpses, but should be seen as those awaiting treatment (Ettinger, 1964).

The development of medical intervention technology in the brain has progressed, and increasing controversy has emerged about the definition and state of death that cryonics works with. Leading brain death theorists have recently concluded that efforts to define the ultimate death standard should be abandoned in favor of a more pragmatic set of questions. The advancement of biotechnology forces Western societies to finally repudiate outdated modern images of the body and soul, and rather prioritize the medical optics of tiered consciousness rather than accept old static rights and values. The relevance of these questions is also confirmed by the impulses to overcome the dualism of death and life, and prenatal discussions on genomes, the beginning of life, and of the viability or non-viability of the fetus. The near future of biotechnologists regarding the normal holistic process of fertilization and gestation in non-mothers can be realized within a few years. Even these more realistic processes open up similar ethical and philosophical issues of the beginning and end of life, as in the case of the more-distant cryonization.

Both classical and current definitions of death (clinical⁶ and biological⁷) will need to be modified. Some theorists promote one “death” as a single indicator of the human condition, while others emphasize multiple “deaths” and emphasize the necessary need to recognize new brain death standards. The future will be represented by a shift towards personality-based consciousness and ethics as a means of addressing not only brain death, but also with ectopic pregnancies, intelligent systems, cyborgs – human machines, and other new forms of life that we create with the help of science and technology.

The struggle between anthropocentrists and biofundamentalists on the one hand and transhumanists on the other will be wild. Any proposal for extending human capabilities beyond our “natural” and “God-given” predestination will have ethical, political, and legal consequences. It is nothing new, history and the history of thought often show the political legitimacy of human life norms – norms like nature, humanity, civilization, culture, morality – which become norms that are political and discursive. So, given the growing secularization of human life, the tangible benefits of new technologies and the intrinsic logic of Enlightenment values, transhumanism is developing a new bioethics that relativizes old bases and platforms. From a religious point of view, this issue is probably the most difficult. For atheists who do not believe in the afterlife, cryonics represent the only chance of life after “death” (Shaw, 2009, p. 519), if they are interested in it. Transhumanism can act as a philosophy of life that fulfills some of the same functions as religion possesses, without any reference to *force majeure*, supernatural subject, faith, and without other essential features of religion (More, 2013, p. 11). Those who have strong religious views may tend to consider transhumanism to compete with their faith.

⁶ Clinical death is the medical term for cessation of blood circulation and breathing, the two necessary criteria to sustain human and many other organisms’ lives.

⁷ Biological death is permanent and incompatible damage to brain tissue due to oxygen deficiency and / or mechanically. Ultimate, irreversible state.

Transhumanism and cryonics speak of yet another kind of death – the information-theoretic death – which changes the view and previous ideas, while building a new metaphysics of man and his death. Information-theoretic death is related to the above-mentioned uploading (uploading brain information to computer systems) and this process is one of the resurrecting processes of cryonics. The information-theoretic death in futurist ideas overcomes clinical and biological death in a way that is more mortal than death in the classical sense. After it, there is no turning back, but if it is prevented, a way back may be possible. For cryonists, digital immortality is a very seductive and important topic: “Cryonic preservation of other people and even animals may be useful – my personal digital immortality, as they have memories about me” (Turchin, 2018, p. 31).

Ralph Merkle defined information-theoretic death as follows: “A person is dead according to the information theoretic criterion if their memories, personality, hopes, dreams, etc. have been destroyed in the information theoretic sense. That is, if the structures in the brain that encode memory and personality have been so disrupted that it is no longer possible in principle to restore them to an appropriate functional state then the person is dead. If the structures that encode memory and personality are sufficiently intact that inference of the memory and personality are feasible in principle, and therefore restoration to an appropriate functional state is likewise feasible in principle, then the person is not dead” (Merkle, 1994, p. 9). The defeat of old dualism simply says that if we can stabilize the brain, freeze, not clone, upload, and so on, we are never completely dead.

In socio-cultural evolution, the role of genes is played by cognitive systems – meme⁸ that are incorporated into individual brains or social organizations or are stored in books, computers, and other information media. However, most of the knowledge gained by one person will disappear when it is biologically dead. Only a small part of this knowledge is stored outside the brain or transmitted to others. Further development of humanity under transhumanism would be much more effective if all the lessons learned through experience could be edited and preserved.

This requires the effective immortality of cognitive systems that define individual and collective ideas: what survives is not material (body or brain) but has a cybernetic and information-theoretic organizational structure. We can call it “cyber-immortality” (Turchin, 1991). We could imagine our realization by means of a very advanced human-machine system, where the boundary between organic (brain) and artificially organic, or electronic, media (computers) becomes irrelevant. The death of the biological component of the system would no longer mean the death of the entire system.

Cyber-immortality can be understood by transhumanist thought as the ultimate goal or value, capable of motivating long-term scientific and cultural activity. Similar memetical references to the future would remain in full form with mankind at all times. Campbell, by analogy, connects with the *metaphysical immortality* of the “soul” in heaven in a traditional religions sense to motivate an individual to live morally (Campbell, 1979). Similarly, Turchin talks about a similar *creative immortality* (Turchin, 1991), which is the driving force of artists, authors, or scientists hoping to survive “forever” in their works that leave offspring. But the futuristic idea of uploading reason and its autonomy in cyberspace overcomes all the notions and inscriptions of information to the present and raises ethical, legal, and other philosophical issues and concerns.

Molecular reconstruction of the brain cannot be spoken of today, but some human brain simulation in this sense is possible. A computer, robot, based on information, voice color, attitudes, and photography can simulate a particular person. From the anthropological point of

⁸ Meme – the term for a cultural equivalent of a gene – a replicating unit of cultural information. This term was first used in 1976 by Richard Dawkins in his book *The Selfish Gene*. The word meme is derived from the Greek mimema – imitating.

view, anthropology and human definitions can be deconstructed. We can say that death is the basis of consciousness, normative law, and human existence. The loss of death is likely to radically change who or what is human or creation. The philosopher of consciousness, Paul Churchland, claims: "If machines come to simulate all our inner cognitive activities, to the last calculation details, denying them the status of real persons would be nothing but a new form of racism" (Churchland, 1998, p. 120).

Conclusion

The presented considerations had two areas and roles, firstly to suggest controversy over the philosophical and historical-philosophical foundations of transhumanism, with the emphasis put on cryonics, and to ask a meta-reflexive question about the future nature of philosophy and, secondly, to think about the problems of cryonics and its redefinition of death. The present research and theoretical optics represent only a basic and a partial engagement with respect to the given issue.

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Brain death: A response to the commentaries

Peter Singer¹

Abstract

My recent article, “The challenge of brain death for the sanctity of life ethic” (*Ethics & Bioethics (in Central Europe)*, 2018, 8 (3–4), pp. 153–165) elicited five commentaries. In this brief response, I clarify my own position in the light of some misunderstandings, and discuss whether the definition of death is best thought of as an ethical question, or as a matter of fact. I also comment on the suggestion that we should allow people to choose the criteria by which they wish their own death to be determined, or their organs removed to be donated to others.

Keywords: definition of death, brain death, sanctity of life, organ transplantation, Jahi McMath, Ireneusz Ziemiński, Piotr Grzegorz Nowak, Katarína Komenská, Ján Kalajtšidis, Vilius Dranseika and Ivars Neiders.

In my original article in this journal, I suggested that the concept of brain death poses a challenge for the traditional ethic of the sanctity of human life. In the light of our current knowledge about the continued functioning of the human organism after the brain itself has irreversibly ceased to function, we must either abandon the sanctity of life view, with its rule that a donor must be dead before vital organs such as the heart can be removed, or cease to take vital organs from patients who are declared dead because their brains have irreversibly ceased to function. None of the five Central European scholars who commented on my argument sought to defend the traditional sanctity of life view. Nor did any of them give serious consideration to the possibility that it is wrong to remove hearts and other organs from brain dead donors with beating hearts. One cannot generalize from so small a sample, but I cannot avoid wondering if this can be seen as a sign that, in a region in which the traditional view has long had powerful religious support, that view is no longer as universally accepted as it once was.

Before offering some brief comments on just a few of the many interesting points made in the papers I will clarify the view I am defending, because in some of the papers there appears to be some misunderstanding about that. Ireneusz Ziemiński provides an example of this misunderstanding when he states: “Singer defines human death as the death of the upper brain” (Ziemiński, 2018, p.189). I do not do that. I discuss two positions about when death occurs, both of which seem to me to have some plausibility. On the view that I spend most time discussing, I suggest that we could:

... draw on the present criteria for ascertaining total brain failure in order to determine, not that a patient is dead, but that the patient is eligible to be an organ donor. Such patients would be eligible because ... their lives are over, not as organisms, but as conscious beings. They will never again experience anything. In these very specific circumstances, continuing their lives beyond this point is of no further benefit to them (Singer, 2018, p. 159).

I hope it is clear that I am not saying that human beings whose brains have totally ceased to function are dead. If I were saying that, I would not say that “continuing their lives beyond this point is of no further benefit to them” because one cannot continue the life of someone who is

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already dead. If I don't think that people with no brain function at all are dead, then I am further still from thinking that people with no higher brain function are dead. My point is rather that we could return to a traditional view of death, but still say that once consciousness has been irreversibly lost, continued life has ceased to be a benefit to the subject of the life, and so it is ethically permissible to remove vital organs.

Ziemiński shows more accurate insight into my position when he writes: "Singer's goal was not necessarily to formulate a new criterion of death, but rather settling whether a living person can become an organ donor" (Ziemiński, 2018, p. 190). He then states my view as that "the end of upper brain function resulting in irreversible loss of consciousness is a necessary and sufficient condition of a patient becoming an organ donor" (Ziemiński, 2018, p. 190). That statement is broadly correct, but not entirely so. I do mention, more than once, the requirement of prior consent to organ donation (for example, Singer, 2018, pp. 161, 164) as a necessary condition, so the irreversible loss of consciousness is not a sufficient condition and of course, I accept voluntary organ donation – for example of a kidney – from a healthy living donor, so I do not regard the irreversible loss of consciousness as a necessary condition for organ donation either.

The second position I discuss may be responsible for some confusion about my account of the death of a human being. This second position is Jeff McMahan's defense of a higher brain account of the death of a human being, based on the view that we are not essentially human organisms, but rather minds or persons. It is possible to say that the irreversible loss of consciousness is the death of the person, that is, the end of the existence of the person we knew and loved, but it is a further step to say that it is the death of the human being, because this requires us to say that human beings are essentially minds or persons, and not organisms. That is not an easy step to take, because it requires us to say that anencephalic infants, who will never be conscious and so have no minds, are not human beings – even though they are the offspring of human parents, and have a normal human genome. As I have argued in my book *Practical Ethics*, in the context of the abortion debate, "human being" is a loose term that sometimes is used as if it means no more than "member of the species *Homo sapiens*" and sometimes is used as if it is equivalent to "person" or even to a being with certain moral qualities (Singer, 2011, pp. 71–75, 134–135).

Although I am willing to say that anencephalic infants are living human beings, I am also prepared to say that they fulfill the criteria for becoming organ donors (at least, with the consent of their parents). Ziemiński suggests that this is "problematic" (Ziemiński, 2018, p. 191) but I am not sure why he thinks this, given that he agrees with me that "it should be possible to harvest organs from people who are irreversibly deprived of consciousness, in order to save the lives of others" (Ziemiński, 2018, p. 194). His difficulties with my position are more ones of implementation, and as other writers also raise this point, I shall come back to it shortly.

In fact, as I have said, although I consider McMahan's view, with its insistence that we are minds and not organisms, is philosophically defensible, I think that the view most conducive to clear thinking about these issues is to stick with the traditional definition of death, in terms of the irreversible cessation of heartbeat and of the circulation of blood, and leave all the other issues – when one may turn off respirators, or remove the heart and other organs – as ethical questions, with the best answer not determined solely by whether the patient is alive or dead. Virtually everyone now agrees that the decision to turn off a respirator is not dependent on a decision that the patient is dead. Few are yet prepared to take a similar view on the removal of organs.

Piotr Grzegorz Nowak says that "the fundamental meaning of 'death' is ethical" (Nowak, 2018, pp. 169, 175). Katarína Komenská appears to take a similar view when she advocates an "ethics of social consequences" and says that on this view, we "would determine the patient to be dead as

a moral agent because of the protection of patient's life, quality of life and dying, and, last but not least, to protect his/her dignity" (Komenská, 2018, p. 206). Komenská adds that this approach puts the focus on "what is good for the patient," promoting "moral right, humanity, and dignity in the final moments of this patient's life" (Komenská, 2018, p. 206).

If in the spring a birch tree in my garden has not put out any leaves, I may wonder whether it is dead. This is a factual question, not an ethical one. Over the next few months, if I leave the tree in the ground, either green shoots will start to appear, or the branches and trunk will dry out, become brittle, and eventually, if I still do not remove it, start to rot. That will answer, beyond any possible dispute, my question about whether the tree is alive or dead. Should we believe, then, that the word "dead" has completely different meanings when I say "The birch tree is dead" and when a doctor says: "the patient is dead"?

We might, as McMahan suggests, identify a human patient – let's say it is my mother – with the person I loved and cared about, and so, if my mother should irreversibly lose consciousness, I could say that she is dead, because the person I loved and cared about has ceased to exist. There are benefits in thinking of beings with minds in this way, but it can create confusion, because my mother is also an organism, more specifically an animal of the species *Homo sapiens*, and this organism can continue to live even when the person I loved has ceased to exist. Ziemiński appears to recognize this when he acknowledges that "If they breathe on their own (and fulfill other physiological functions) then they can hardly be declared dead; loss of consciousness alone is not enough for a pronouncement of death" (Ziemiński, 2018, p. 197). He is surely right that most people would find it very difficult to think of someone who is breathing on their own, not connected to any machine, as dead. That is one reason why it may be better to use the same criteria for deciding when death has occurred whether the death is that of a tree, an oyster, a cat, an anencephalic infant, or a human being who has lived in full consciousness for many decades.

Ján Kalajtšidis appears to be making a similar point when he writes: "When a being has lost its ability to be a moral agent ... it dies as a person. However, the human being still exists and is labelled as a moral object" (Kalajtšidis, 2018, p. 216). This is, as Kalajtšidis suggests, an implication that might be drawn from McMahan's view, and it implies that a moral agent can cease to exist, "deathlessly." If the ceasing to exist of the moral agent does not involve a death, then this implies that we are restricting the use of the term "dead" to organisms, and not using it for the ceasing to exist of minds or persons. That seems a reasonable linguistic suggestion. On this view, we can say that moral agents, or persons, cease to exist, but we should not say that they die. So the irreversible loss of consciousness in a human organism in which the heart is still beating and the blood is circulating, is not a death but a ceasing to exist of the person. Once again, that opens the way for the ethical question of whether organs may then be removed from the living human organism. Kalajtšidis argues, on the basis of an ethic of social consequences, that they may be, because on this ethical view humanity and human dignity are primary values for such an ethic, and taking organs for transplantation from a human organism that is not a moral agent promotes these values. This argument shows that the ethics of social consequences is truly a consequentialist ethic. In this an ethic of social consequences contrasts with an ethic of the sanctity of human life, which will not permit the removal of vital organs from one human organism, even one with no prospect of consciousness, in order to save the lives of several other human organisms with good prospects of living rich and fulfilling lives.

Several authors raise practical objections to implementing the idea of permitting organs to be removed from patients who have irretrievably lost all capacity for consciousness. For example, Nowak and Ziemiński raise doubts about whether it would be possible to determine, with sufficient

certainty, that the loss of consciousness is irreversible (Nowak, 2018, p. 170; Ziemiński, 2018, p. 197). In many cases, this would indeed be difficult; but in some instances, where we have a clear image of the brain showing that the entire cortex has turned to fluid, and there is no remaining brain structure other than the brain stem, the judgment can be made without any reasonable doubt.

Moreover, the argument from the difficulty of determining irreversible loss of consciousness in cases of higher brain death or persistent vegetative state does not necessarily lead to the conclusion that we should accept whole brain death, at least not as long as the determination of whole brain death is made by the medical tests now used all over the world. The case of Jahi McMath, described in my initial article (Singer, 2018, p. 158), shows that these tests, even when properly carried out in the most expert hands, can fail to detect the condition known as global ischemic penumbra. In this condition, the flow of blood inside the cranium is too low to support synaptic function, but is nevertheless sufficient to prevent the death of the cells. It seems that this happened with McMath, and her brain cells then recovered sufficient function so that she could, on request from her mother, move her right or left hand or foot. She cannot, it therefore appears, have irreversibly lost all consciousness. Is this a reason for halting the removal of organs from patients who have been certified as dead in accordance with the standard tests? None of the respondents to my original essay took up this issue, but it should not be ignored.

Vilius Dranseika and Ivars Neiders offer an interesting solution to the question of what criteria we should use for declaring someone dead, or for allowing vital organs to be removed. They argue that reasonable people may have different conceptions of what it is to be dead. They therefore propose that we leave the definition of death up to individuals, choosing between a range of options that include higher brain death, total brain death, and the traditional definition of death based on the cessation of heartbeat and circulation. They support this with the results of an online Lithuanian survey (Dranseika & Neiders, 2018, pp. 182–185) showing that there was significant support for each of the three most plausible options -- higher brain death, whole brain death, and cardiopulmonary death -- both for determining death and for determining the point at which vital organs may be removed. Whole brain death had more support, both for determining death and for when organs could be removed, than either of the other plausible options, but when asked to make a decision for their own case, more of those surveyed chose higher brain death than cardiopulmonary death. When the respondents were asked to make the choice for a relative, more chose cardiopulmonary death than higher brain death. This indicates that people did not value their own life, once consciousness had irreversibly been lost, but were reluctant to make such a decision for a third party. (Whole brain death still had more support than either of the alternatives, irrespective of whether the choice was for oneself or for a relative.)

Dranseika and Neiders urge that their survey provides evidence supporting the view that the most practicable way to reform existing laws on the definition of death and the criteria for removing organs is to allow people to make their own choice (Dranseika & Neiders, 2018, pp. 186–187). I accept that this is, for the foreseeable future, more likely to be acceptable to the general public than either of the options that I propose. The argument has some parallels with other issues in bioethics, for example, the fact that, at least in the United States, there is broader public support for legislation to permit physician aid in dying – that is, to allow a physician, on the request of a patient, to prescribe a lethal substance that the patient may take to end her or his life – rather than for legislation to permit active voluntary euthanasia. I do not really see any significant ethical difference between physician aid in dying and active voluntary euthanasia, but the former, rightly or wrongly, appeals more to respect for autonomy, and so, at least in the US, has received wider public support.

Dranseika and Neiders' proposal resembles current law in the state of New Jersey, where McMath was taken after being diagnosed with brain death in California, except that New Jersey law only allows patients to object to being declared dead on the basis of whole brain death. So it effectively allows patients to choose between whole brain death and cardiopulmonary death, but it does not allow the choice of higher brain death. Nevertheless, as the McMath case shows, even such a limited law raises the question of who will pay for the extra life support required for those who choose the cardiopulmonary definition of death. In the case of McMath, this support was required for almost 4 years after she had been declared brain dead.

Should such costs be paid for from public funds, even though the costs are the result of a choice to reject whole brain death, and there is no prospect of any recovery of consciousness? If Dranseika and Neiders' proposal were implemented, those who think that the higher brain death criterion is the most reasonable point at which to declare death and thus withdraw life support and allow organs to be taken, might ask the same question about the cost of maintaining patients who can be ascertained to have irreversibly lost consciousness, but still have some brain stem function and so are not dead by the whole brain death criterion. This is a debate we would still need to have if we allow people autonomy in their choice of criteria for being declared dead, or for having machines turned off and organs removed.

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Different approaches to the relationship of life & death (review of articles)

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*The aim of health care
“is not to add years to life, but life to years”
(Campbell et al., 1997, p. 138).*

Abstract

The paper presents different approaches to the relationship of life and death among selected authors as a review of their articles within the last volume of the *Ethics & Bioethics (in Central Europe)* journal. The resource of the review is an article by Peter Singer *The challenge of brain death for the sanctity of life ethics*. Firstly, I try to analyze the issue when death occurs and when we can talk about death as a phenomenon that each and every living human being must come to terms within the course of their lives. Ethics of social consequences is used to analyze different approaches and states a conclusion defending the principles of humanity and human dignity within the scope of this ethical theory applied to various problem cases. I strive to support the question of the quality of life through the paternalistic approach of physicians influenced by their humane and dignified understanding of their relationship towards the patients. Ethics of social consequences offers many solutions to the discussed issues throughout the reviewed articles.

Keywords: death, humanity, dignity, ethics of social consequences, quality of life

Introduction

The main idea of this paper is to present death in relationship to life within my scope of perspective directly confronted, reviewed and analyzed with different viewpoints of those authors found in the last issue of the journal *Ethics & Bioethics (in Central Europe)*. The methodological scope I used is the theory of ethics of social consequences compared to other views within the field of bioethics and medical ethics. I reviewed and compared several positions and standpoints of authors contributing to and analyzing Peter Singer's article on the challenge of brain death understood within different perspectives and methodological approaches. Those standpoints include those of Piotr Grzegorz Nowak (stating the role of the physician in relationship to the patient and explaining death in his understanding), Ireneusz Ziemiński (time and processuality of declaring death), Mariusz Wojewoda (the value of death) and Katarína Komenská (quality of life and dignified death). I refer, as well, to Singer himself who compared his development of ideas within the topic throughout history. Analyzing the papers and confronting them with my position within ethics of social consequences brings about other interesting questions to the problem issues I tried to answer and defend my position towards.

When does death occur?

As death is ambiguous, we would be able to talk about death as a human, or inhuman, process within ethics of social consequences. Death would be the manifestation of humanity in the case of escaping suffering when terrible pain is born by a terminally ill patient. On the contrary, death is the manifestation of inhumanity when killing as a crime in its proper meaning happens. When searching for the answer to the question “What is death?”, I found several types of answers or cases bringing death. The death of a human being can be pronounced at the time death of the brain stem occurs. In such a case, the physician can diagnose brain death if certain criteria are fulfilled, according to which we must conclude the coma is not caused by any other reasons

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(Herring, 2006, p. 409). Singer defines brain death as the death of the human organism using the President's Commission's definition because, without brain function, the body is no longer an integrated whole, but just a collection of cells and organs. Singer adds that brain death is defined as the *irreversible* cessation of all brain functions (Singer, 2018, p. 155). We must definitely complete this idea by thinking in a way that, when talking about the death of our cells, as Komenská states in her paper, we are no different from all of the other organisms on earth condemned to die as a condition of birth. [...] we normally think of death in the terms of death of the person – the integrated whole composed of personality, will, memory, passion, and the hundreds of other things that make each of us unique [...] and the loss of “personhood” [...] is increasingly viewed as one of the most important aspects of human death” (Clark, 1996, pp. x–xi; Komenská, 2018, p. 204). Additionally, Alan Shewmon writes, the diagnosis of brain death is nearly always “a self-fulfilling prophecy” as it is followed by organ harvesting or the discontinuation of support. Occasionally, however, a family will insist on support being maintained even after a diagnosis of brain death (Shewmon, 1998, p. 1543; Singer, 2018, p. 156). Death can occur when respiration has (been) stopped at the moment the patient's heart has stopped circulating blood and respiration has consequently stopped. However, medical development made this definition even more problematic. Presently, it is clear the cessation of the heart does not bring the cessation of brain activity (Mason, 2012, p. 97; McCall Smith, 1997, p. 23; Laurie, 1997, p. 120). The argument against such an opinion is when through the ventilation of the body we stop the physician's activity terminating the life of patient using a respiratory unit or electric stimulation in case there was a heart attack that can possibly save the patient being close to death.

Nowak states that, within everyday life, determining whether someone is alive or not is of great importance for us. The attitudes and behaviors which we present towards the living differ radically from those which are manifested towards the deceased (Nowak, 2018, p. 169). I have to ask the question “Why?” Why does it differ? Is it only within our common sense understanding of life or are we, humans, only compassionate to those in need or danger? I believe we should treat everybody equally, no matter the health conditions, mental state, etc. As per the criteria of ethics of social consequences, until that time we meet the criteria of sentient human beings, ethically, and even biologically, we are still human beings possessing the capacities to live our lives. On the other hand, according to ethics of social consequences, we need to question positive social consequences and bring them to terms in order to assess the lives of human beings themselves or the benefits that human beings in the stake are bringing to society.

As Nowak states, one of the main reasons for this is the widespread belief that only the living might be helped or harmed (Nowak, 2018, p. 169). In my opinion, that is highly disputable. Yes, I definitely agree that the attitudes and behaviors we present differ radically, but I think the other way. Who has made such a decision or based on what social issues can we say that? I think, predominantly, those in danger or towards the end of their lives are mostly compassionately helped as their family relatives are afraid of their lives and are actually trying to save them (sometimes for the sake of their own feelings, their inability to relieve their engagement in the case of their family member and being too involved and afraid of losing somebody close, not considering the health conditions and the state of, e.g., a terminally ill patient – not mentioning the wishes and desires of said terminally ill patient, the moral agent meeting the criteria for moral agency). However, Nowak claims, it is clear that the word “life” appears in this context in an ethical sense, not in a biological one, because biological life itself may have nothing to do with experiencing harms or benefits (Lizza, 2018, p. 13; Veatch, 2015, p. 299; Nowak, 2018, p. 169).

Based on the ethics of social consequences, we should care about positive social consequences throughout the entire life of human beings. No matter what is the moral status of the agent, we should rather look at both principles of dignity and humanity of the life of an individual. Vitalism, similarly to the religious point of view, holds the view that human life has an absolute value. Therefore, we are never obliged to kill another human being. Physicians should undertake all the possible precautions to keep people alive. That is the reason the physician is not allowed to commit acts harming the patient and causing death or to fail to execute the proper precautions in an effort to keep a person alive. That is in direct agreement with the words of Pope John Paul II in *Evangelium Vitae*: “As far as the right to life is concerned, every innocent human being is absolutely equal to all others...” For those who take this view, if brain dead human beings can be kept alive for many years without the use of scarce medical resources, the distinction between “ordinary” and “extraordinary” or between “proportionate” and “disproportionate” means of care cannot be used to justify withdrawing medical support from them (Singer, 2018, p. 163). The concept of the sanctity of life insists human life is an important essential good. This movement holds the view man ought not to be killed willingly. This approach is quite close to the Christian understanding of the relationship between life and death and its general standpoint towards euthanasia. However, advocates of the quality of life conclude life should be assessed upon its quality and make a further decision regarding life itself consequently. It is about the essential approach of quality of life which is responsible for achieving the value of a patient’s life. Personally, I believe artificially keeping a man alive is the manifestation of inhumanity, in spite of the social death of the human being itself.

Similarly, Singer in his *Challenge of brain death for the sanctity of life ethic* states the existence, over the past three or four decades, of the definition of death in terms of brain death has, quite literally, made it possible for Christians to get away with what would, under the earlier traditional definition of death, have been murder – and without abandoning their support for the sanctity of all human life. Moreover, if brain death is not the death of the human organism, it is hard to see how defenders of the equal value of all human life can support the removal of ventilators from brain-dead patients with beating hearts. Roman Catholic teaching holds that extraordinary treatment is not obligatory when it imposes a disproportionate burden on the patient or others – disproportionate, that is, in terms of the benefits gained. This doctrine allows Christians to discontinue extraordinary means of life-support that are burdensome to a patient or demand scarce medical resources, and the burden on the patient or the use of resources is disproportionate to the benefit that will be achieved. This may be the case when the patient is suffering and will, in any case, live for only a short time, or when the medical resources could save other patients who will live much longer (Singer, 2018, p. 163). In terms of ethics of social consequences, I would rather oppose such a rigid standpoint of the will to keep a patient alive at any cost, just not to damage the sanctity of life and the common understanding of being alive. We should rather look at the quality of life from the perspective of the principles of humanity and dignity, in which case the patient (up to the conditions he/she can be considered as a moral agent fulfilling certain conditions) must be the one to make that decision, fully supported by his/her family members and other relatives. Analyzing the moral judgments, quality of life should be the primary condition in order not to suffer before questioning whether to extend the patient’s life or discontinue treatment.

Analyzing Vasil Gluchman’s opinion on our effort to save and maintain human life, we must be careful not to return to inhumanity, thus the effort to preserve this life by all means. If human life doesn’t resemble the content of humanity in its minimal extent, only its biological survival of a human body, then the protection of the care of such human life is not a moral value because such

life exists only in its natural-biological form. That is the reason we need to approach it in the same way. Animals do not prolong the life of their relatives and let them die. We could possibly say and apply it within the human kind, as a natural-biological form of showing respect to humanity. However, it doesn't mean we let a man die without any care because it deserves at least minimal care as a form of human life. We don't provide other medical care limiting the natural process of the existence of the organism, thus prolonging its survival. It is absolutely not inhuman or immoral to let a human life living at the level of the biological survival of the human organism die (Gluchman, 2005, p. 617). Therefore, it is significant to understand the broader extent of the term humanity and to not reduce humanity to the protection of life only or keeping any form of life blindly by all means.

Death is awful and generally painful. To defend and pretend it is not and request from physicians a perfect painless death is a supreme refutation of the fact of death (Herring, 2006, p. 449). I would like to support my ideas opposing this belief with a very apt comparison as Nowak compares the scientific concept of death² with the meaning of "death" which occurs in ordinary language. He realizes that they are not congruent. This might be easily discernible in the case of the sentence "His death was a great tragedy" which would be incomprehensible if we meant the biological meaning of "death" in this case. Death is commonly seen as bad for the person whose life ends (particularly if someone young dies who would otherwise have had many years of healthy life left, see for example McMahan, 2012, pp. 95–145; Nagel, 1970; Nowak, 2018, p. 169). Based on the ethics of social consequences and my position towards death, I have to argue against a statement like "Death is commonly seen as bad". Why would it be bad even for the person whose life ends? If I am terminally ill in terrible pain, I would love the relief and consider death as a positive outcome. In such a case I am trying to find my way out of pain and to escape the torture it causes and is related to my unrelenting suffering. Yet it is rather unclear why for any kind of being that *the mere fact* that it ceases to be a system which is capable of resisting entropy might be bad. Above of all, Nowak comes to the conclusion that the definition proposed by Nair-Collins also does not explain why death might provide the loved ones with a reason to start mourning, although it widely believed that it really does (Nowak, 2018, p. 169).

In my opinion, I highly believe that the term dignified death is only a socially constructed ideal which we strive to cover and hide the reality and inevitability of death which, sooner or later, happens. However, we still can "simplify" the process of a patient's dying; make it easier and more pleasant. I think it all is only about helping the patient to mitigate his/her suffering, although to a minimal extent. Consequently, it could mean a lot for the patient in his/her painful state, up to the stage we would realize that death itself is a dignified fact we can easily face as we understand the core basis of the principles of humanity and human dignity of life. We must consider the humanity of this process as well as the positive social consequences which might come about because of our assistance. Therefore, I think we definitely need to keep the principles of ethics of social consequences in mind before we commit any possible deeds in order to help or do no harm within the reflection or our role in relation to dying or terminally ill patients.

² "Death" in its biological meaning might be defined as follows (...) [it] is the irreversible cessation of the organismic capacity to maintain homeostasis of the extracellular fluid and thereby resist entropy. Extending the homeostasis concept of aging, death is the limit beyond which homeostasis cannot be restored, when physiologic reserves are spent (...). It is a thermodynamic point of no return, a state-discontinuous point beyond which entropy and disintegration take over" (Nair-Collins, 2018, p. 33).

In contrast to these statements, Nowak, quoting Michael Nair-Collins, points out that the view which admits organ donation associated with killing living humans has a major drawback: it is associated with a misleading concept of death. Nowak argues that the right concept of death associates the end of human life with the irreversible loss of consciousness and also defends such a view against the latest criticism developed by Nair-Collins (2017) (Nowak, 2018, p. 167). But my question is “What is the right concept of death?” I believe there is no right or wrong explanation and understanding of what death is or the question when does one come to terms with death within the scope of the dignity of human life itself. On the contrary, it is related to the moral values of those human beings who were respected during their life and what moral good they brought to society during their life at all based on their deeds, thus, generally speaking, positive social consequences.

But Nowak builds his opinion on the basis of such a position that we can understand why death can be considered as bad for humans (because when humans lose their moral status, at the same time they lose the prospect of further good which might be available for them if they did not die, see McMahan, 2012, pp. 95–145; Nagel, 1970), and why death gives reasons for mourning (Nowak, 2018, p. 170). On the contrary, I think that in spite of humans losing their moral status, I do not agree they necessarily lose their hope and prospect for achieving further good. I am aware of the criteria and determinants considering the moral status of the moral agent. But it does not predominantly mean only a bad presumption towards the future of such individuals. I think there still is a chance and hope for good in terms of the question of euthanasia in the case of terminally ill patients striving to end their fulfilled and satisfied lives happily according to their wishes, even though not morally acceptable within society in general considering good as something bringing positive social consequences only to them or society at all. We must deal with such cases individually and consider them from a higher moral perspective.

Quality of life of a dying human being

The awareness of mortality in the context of terminal illness has a high level of perception among humans. This inevitable and indescribable relationship between the fact of mortality and the thoughts of “good living” in the case of palliative care supports the significance of the equality of life of patients and their families. When it is clear that life is coming to an end and we cannot compensate it with our deeds in the future, the patients and all those around them are focusing on achieving the ideal of the best possible quality of remaining life. However, it is more important to ask the question “What do we think by improving the quality of life?”³

Within the theory of humans as beings with the ability of self-reflection and acting, we can find the position related to the quality of life. The theory presents the significance of the quality of life of human beings rather in terms of the standards of individual well-being than in terms of social moral value (Cohen, 1983, p. 114). Life, as defined by ethics of social consequences, as a moral value must be protected and supported as long as it is at least about life in a minimal extent related to the quality criteria of human life. It is fully related to humanity as a moral attribute as a solely human expression of behavior and acting. Another situation arises in the case of human life not meeting the minimum quality criteria related to a human life (either from its beginning or in the process of its existence), as Katarína Komenská and Ján Kalajtzidis mentioned in their papers (for

³ The term of “quality of life” became a part of literacy and is commonly used even in a health care as well as a daily life (Randall & Downie, 2006, p. 27). “The quality” can simply mean the attribute, value, characteristics or nature of somebody or something. In this sense, the term “quality” is purely descriptive, describing some fact or identifiable situation, therefore it is neutral in its value.

further details see Komenská, 2018, p. 204; Kalajtzidis, 2018, p. 213; Švaňa, 2016; Klembarová, 2015; Lešková Blahová, 2010) and there is no hope for change in the future, meaning this form of human life cannot exceed the level of the biological existence of an organism. In such a case, we need to approach this form of life as a natural-biological value and possibly let it die. Therefore, ethics of social consequences holds the view not to prolong the suffering of a human being as well as its relatives (Gluchman, 2005, p. 617).

We face a dilemma of undefinable nature of the best interests, lack of interest and the term where there is no absolute claim for attempting to prolong life by all means. Singer, defending the non-voluntary euthanasia of severely disabled infants, wrote:

“Arguments presume the life is better with no disability than with it and it is not the form of presumption dominant in the lives of disabled humans. It is not difficult to find a mistake in this argument. It proves the men suffering from various disabilities willing to live their lives fully should be helped as much as we can. It is different to argue if we are in a position we can choose whether our next child begins its life with or without a disability. It is only prejudice or subjectivity leading us to choose the child without a disability. If the magical medicine helping the disabled people on a wheelchair had been offered to use their legs fully without any side effects, how many of them would have refused it reasoning the life without a disability is not worse than living with a disability? When searching for the medical treatment to overcome and eliminate disability, the disabled ones possibly show the advantage of the life without a disability is not only a pure prejudice” (Singer, 1993, p. 395).

Singer is structuring his thoughts in the same direction even after a certain period of time as he develops his moral permission in the case of organ retrieval towards organ donation in the case of terminally ill patients defending his point of view claiming “[the] meaning of terms such as “life” or “death” in the context of human beings is not just biological – [C]onscious beings die when they irreversibly lose consciousness”. Exactly this kind of “person’s” death might make organ retrieval from the consenting donor morally permissible (Singer, 2018, p. 164).

From the point of view of ethics of social consequences, every single human life human deserves dignified treatment for the reason of being a living human. The question of fulfilling the qualitative criteria of human life itself of disabled human individuals is a controversial issue. As I stated my position analyzing the case mentioned above, based on these qualitative criteria, we would look at the prospective growth and development of the individuality of man, either he/she is or will be able to lead a valuable and dignified life in the future. A mentally disabled individual deserves respect for his/her life, as being a human being. But man cannot contribute to society solely by his/her actions and behavior, therefore, life cannot be considered (depending on mental disability) as dignified (if dignified at all), or as high-quality as the life of healthy individuals. Hence, a seriously disabled individual has the right to free will or the decision to end life. If men are so seriously disabled as to be free of their rights, their family relatives have the right to allow euthanasia considering there is no further chance to improve their health conditions and their lives are undignified. Other criteria for their decision-making to terminate the life of an individual are undignified, even inhuman conditions incompatible with good and quality life. The decision to terminate the life of a seriously disabled man (executed by himself or a legal representative) must be approved and medically treated by the physician in charge of the patient’s conditions, who can consider the prospective health condition of the particular patient.

Above all, Singer is answering my question *Why is it beneficial and profitable to help the patient to die or assist him/her with suicide and bring him/her to death?* by claiming “We would be able to relieve the burden on families, hospitals and those in need of hospital beds, not only

when the patient's brain has wholly ceased to function, but also when the patient's higher brain has irreversibly ceased to function. We would be able to do this without having had to finesse the definition of death in order to achieve our objective" (Singer, 2018, p. 163).

However, it is crucial to distinguish the quality of life from the value of life. The quality of life can be used to increase the value of respect towards the others as a part of a moral society (Small, Froggatt & Downs, 2007, p. 147). On the other hand, Cohen proves a study of the quality of life striving to possess a larger or smaller value depending on the circumstances. The danger of being involved in the discussion on the quality of life is a misleading rationalization because "the idea of the quality of life is changing to the opinion on the value of human life. (The incorrect line of reasoning follows: "The life of very poor quality is not worthy of living. If the life had not been worth of living, it would not have had any value") (Jennings, 2004, p. 198). Wojewoda thinks the relationship to death is a test of our humanity. When referring to one's own and the mortality of others, we can check to what extent we are on the side of those values whose implementation requires from us personal courage, such as honesty, justice, openness, or the ability to work uncompromisingly, in situations posing a threat to other people's life or health (Wojewoda, 2018, p. 225).

The issue we deal with is a typical dilemma in most of the questions, whether euthanasia or not. The paternalistic approach of physicians supported by their experiences and scientific knowledge proves that the patient has no chance for a better life, indirectly claiming there is very low quality of life in such a case (Gluchman, 2014b, p. 76). Their paternalistic approach is opposed by parents, greatly influenced by their emotions and relationship to a child. Otherwise, ethics of social consequences primarily respects and attributes the value to the life of a child, but secondarily, fulfills the qualitative criteria of life in a natural-biological way only. From the moral point of view, it even doesn't aspire for the status of a potential moral agent capable of independent existence, decision-making, acting, and behavior. The theory agrees with the opinion of physicians to enable a patient to die. What defines the quality of life depends on the position we see a particular life in. Designing the measure of the value of quality of life can clearly presuppose the focus on the quality to be human, able to argue that some lives do not possess quality. In case it is an issue, we can consider the possibility to terminate life, but it depends on particular circumstances.

Regarding the paternalistic approach of physicians, I agree with Nowak as he states "physicians are not biologists or scientists engaged solely in describing natural phenomena or constructing scientific theories which might investigate whether they are witnessing biological life or death" (Nowak, 2018, p. 169). Afterward, Nowak continues defending his standpoint that "Physicians are first and foremost therapists, and their main task is to promote the wellbeing of a patient in accordance with medical knowledge. For this reason, physicians should be interested in whether the patient is alive or has died in the fundamental meaning of this world – that is in the ethical sense" (Nowak, 2018, p. 169). I cannot express my agreement with this statement fully, because that is definitely not the ethical sense of being a physician. Yes, I agree physicians primarily have to care whether the patient is alive or has died. But on the other hand, I would rather call it a biological function and the purpose of the role of a physician as his/her occupation. But, additionally, I also understand the ethical role within his/her deeper involvement into a behavioral issue, namely the mental and emotional state of a patient, the physician-patient relationship of understanding not only the "biological state" of a patient but even the patient's moral status within the society. That means how well a patient is dealing with the information or knowledge the physician shared with him/her so far.

Ziemiński sees the obstacle in defining and declaring death in its processuality which makes it harder to point to a specific event which turns a living person into a dead one. While it is obvious that if all of somebody's cells died then they too are dead, but it would also be a mistake to wait until the last cell dies in order to declare somebody dead. Searching for a specific event that makes the process of dying irreversible is equally problematic because it is not clear that such an event exists (Ziemiński, 2018, p. 191). Yes, of course, it would be a mistake. Generally, there is no need to wait until the "right" moment, until the last body cell dies because there is an option when a patient, or a physician, within the approval of an informed consent can perform/proceed with the assisted suicide or just inform the patient on the possibilities within their health conditions and future treatment or the cessation of the nutrition of the patient's dying body. Another condition then comes into the equation and we have to question whether the moral subject is morally competent to make such vital decisions.

A physician deciding whether to continue treatment or let the patient die is a similar situation, each decision like this is based not only on medical data but also on moral beliefs. This suggests that the pronouncement of death can be as arbitrary⁴ as declaring someone to be an adult because it is affected by various factors (including an understanding of the value of life) (Ziemiński, 2018, p. 191). I would add an additional condition to the physician's decision-making process regarding the future treatment of a patient, that is equally as vital as Ziemiński's proposed moral beliefs that in some cases could easily be not enough – last but not least we have to think of the choice and preference of patient, as "a stakeholder" in his/her own life. The patient is the one who needs to be asked regarding such important and vital questions considering his/her life. It is all about the patient's autonomy and his/her freedom of choice.

For the sake of all the practical decisions that are made in everyday life, it is of great importance whether they concern the living or the dead. Facing someone's premature death in Nowak's opinion (Nowak, 2018, p. 175), he thinks we are overwhelmed with grief, and death is seen as bad for the person who has died. Based on my knowledge of the issue, there is no distinction between "a premature death" and "a regular death" from the perspective of ethics of social consequences. Death is a death with no further positive consequences but the relief, the end of the harm the patient suffered from, his/her remaining moral status as a former moral agent's status of being a capable human moral being. On the other hand, Nowak concludes his string of thoughts emphasizing the dead is not cared for by physicians, unlike the living. He believes that the dead cannot be helped anyhow (only humans in an atemporal sense might be helped if we pursue their will, but we cannot help the dead, that is we cannot help the body which presently constitutes the remains of a once living person) (Nowak, 2018, p. 175). I would like to oppose Nowak's opinion that the dead cannot be helped anyhow. We have to think in terms of the principles of dignity and humanity as even the dead have (eventually *had*) the moral right to die in a dignified way. Physicians have the obligation to treat their patients until the last moment of their lives and provide the best care possible. Even in the case of terminally ill patients, as there is no hope or way to save the life of the patient (either brain dead or in a vegetative state), the Hippocratic Oath drives them to do their best to provide all their knowledge and skills towards ensuring their dignified deaths.

A dignified death is something we, as the representatives of the human race, are entitled to within our profound humanity and are determined to decision-making depending on our beliefs, judgments, and understanding of our needs towards the end of our lives. Komenská presents a possible understanding of death with dignity in the ethics of social consequences. Patients, who

⁴ It is definitely not as arbitrary as declaring to be an adult as there are many other conditions the physician cannot miss in order to pronounce someone's life to be over (Kalajtidis, 2012).

fulfill the criteria of moral agency (Kalajtzidis, 2012), might relate death to the question of quality of life. In these cases, moral agents are able to understand their life with their purpose and they are able to set their own vital goals. The wishes and goals of moral agents should be of the highest importance in making any decision regarding their death. Therefore, she comes to the conclusion that dying with dignity might be for them an eligible answer to ethical dilemmas, mostly if they cannot fulfill their goals and if they consider their life to be irreversibly bad and full of suffering (Komenská, 2018, pp. 205–206).

Similarly, it is applied in my book *Problém humánnosti a ľudskej dôstojnosti v bioetike* [*The Problem of Humanity and Human Dignity in Bioethics*] where I differentiate assisted suicide from euthanasia by the role of the physician in conducting particular actions, or the patients' wishes and requests. In assisting a patient's suicide, the physician is only a passive observer joining the process by providing professional advice, means of death and supervision. Whereas, in the case of euthanasia, the physician actively helps the moral agent to commit the act of killing for the sake of achieving a dignified death or the death without humiliation the patient has chosen for himself/herself as they did not see any escape from a deadly terminal illness. Freedom in decision making plays a very important role in both cases, as well as the present health condition of the patient and his mental state necessarily influencing the process of decision-making. In both cases, the motivation of individual decisions is dignity to the end of their lives and the vision of relief, certain assistance in their present painful suffering (Gluchman, 2014a, pp. 62–63; Gluchman, 2013).

Conclusion

To conclude, I definitely have to declare that ethics of social consequences must be related to its primary principles, goals, and values of humanity and human dignity within the crucial role of the decision-making related to such an important dilemma as death itself. As Kalajtzidis states, both crucial values are understood in connection to the protection, support and development of human life meeting the criteria of the theory towards the questions of life and death (Kalajtzidis, 2018, p. 216). No matter what bioethical dilemma we deal with, either harvesting the organs of dying/already dead people or any case of euthanasia, we definitely need to bear in mind the value of human life itself not just at the beginning but even at the very end, in its finale. We have to think of life coming closer towards death generally, considering its full length, not only the final moments when the suffering of a patient and the mourning of compassionate family members are extensive and can easily influence the decision-making of an individual. There are interesting approaches defending their own positions presented in the last issue of *Ethics & Bioethics (in Central Europe)*, differing from the rigid religious standpoint not allowing any non-traditional solutions up to more benevolent offerings of a progressive way to deal with these issues. In such cases, we must be egoists and individuals in order to provide the best possible solution to be done due to our good will and knowledge/awareness. We are the ones responsible for our lives, parts of the body and deeds throughout our entire lives until the very end. Therefore, applying the principles of ethics of social consequences, we must protect, control and support our compassion with suffering ones and our need to help, protect and support life itself until the moment life is morally valuable. Consequently, the role and the purpose of the physician within the physician-patient relationship is to guide a patient through the process of death until the very end. Promote the knowledge, provide efficient support and flourish the principles of humanity and human dignity in case of the dead the same way as the living.

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