Stellenbosch Theological Journal 2020, Vol 6, No 1, 207–227
DOI: http://dx.doi.org/10.17570/stj.2020.v6n1.a12
Online ISSN 2413-9467 | Print ISSN 2413-9459

The ethics of responsibility: Fallibilism, futurity and phronesis

Anton A. van Niekerk
Stellenbosch University
Stellenbosch, South Africa
aavn@sun.ac.za

Abstract

In this article, I deal with the issue of a possible ethics of responsibility (ER) from a philosophical perspective in general, and bioethics in particular. My aim is to explore whether an ER is able to incorporate or integrate some, if not most, of the valid (and valuable) aspects of utilitarianism and deontology, without succumbing to most of the glaring shortcomings of these two famous frameworks. If such an enterprise could be successful, I would venture to infer that the ER could indeed be highly relevant for the time in which we live. I develop three central ideas of the framework of the ethics of responsibility. These three ideas are, firstly, that an appropriate framework for moral decision-making requires us to make room for the possibility of *failure*; secondly, we must see the implications of Jonas' emphasis on the need for an *ethics of futurity* for taking cognisance of the consequences of acts, and, thirdly, that although consequences of actions may be important, as utilitarianism has always insisted, consequences are not enough. Moral actions are also of necessity guided by rules and principles when making moral decisions. It is particularly in this respect that I shall, at the end, draw on the insights of Aristotle in respect of his notion of *phronesis*. The crux of my argument is to be found in what Aristotle identifies as the essence of moral knowledge. Moral knowledge respects and often builds upon the norms and action guides that pervade social life. However, merely drawing on deep-seated norms and conventions is not enough. These norms and conventions require application in a host of practical situations. Exactly how they are to be applied, is far from self-evident. That is something that we learn in the practice of daily life by the deliberation that essentially characterises phronesis or prudence (practical wisdom).

Keywords

Deontology; ethics of responsibility; Emmanuel Levinas; fallibilism; futurity; Hans Jonas; phronesis; utilitarianism

Introduction

In this article, I deal with the issue of a possible ethics of responsibility from a philosophical perspective in general, and bioethics in particular. By the term "bioethics" I simply mean that branch of ethics, initiated by Hippocrates in his famous oath,[1] that concerns itself with moral issues raised in the theory and practice of medicine (including medicine's research on human subjects), as well as the identification and application of moral values in the theory and practice of the sciences. Its origin in the (now greatly obsolete) Hippocratic oath makes medical ethics one of the oldest, if not in fact the oldest, of the intellectual enterprises of Western thinking. Yet, bioethics , in the format in which it emerged in the aftermath of the Second World War, turns out to be, at the same time, one of the newest or youngest disciplines at the university – and a discipline that increasingly threatens to become almost all-pervasive in the medical branch of university activities. Space does not allow me to explore the reasons for this recent adventurous journey that medical or bioethics has made.[2]

I wish to discuss the desirability of a so-called ethics of responsibility (ER) within the ambit of the search for an appropriate broad moral framework

---

1 The complete oath reads: "I swear by Apollo Physician, by Asclepius, by Hygieia, by Panacea, and by all the gods and goddesses, making them my witnesses, that I will carry out, according to my ability and judgment, this oath and this indenture. To hold my teacher in this art equal to my own parents; to make him partner in my livelihood; when he is in need of money to share mine with him; to consider his family as my own brothers, and to teach them this art, if they want to learn it, without fee or indenture; to impart precept, oral instruction, and all other instruction to my own sons, the sons of my teacher, and to indentured pupils who have taken the physician's oath, but to nobody else. I will use treatment to help the sick according to my ability and judgment, but never with a view to injury and wrongdoing. Neither will I administer a poison to anybody when asked to do so, nor will I suggest such a course. Similarly I will not give to a woman a pessary to cause abortion. But I will keep pure and holy both my life and my art. I will not use the knife, not even, verily, on sufferers from stone, but I will give place to such as are craftsmen therein. Into whatsoever houses I enter, I will enter to help the sick, and I will abstain from all intentional wrong-doing and harm, especially from abusing the bodies of man or woman, bond or free. And whatsoever I shall see or hear in the course of my profession, as well as outside my profession in my intercourse with men, if it be what should not be published abroad, I will never divulge, holding such things to be holy secrets. Now if I carry out this oath, and break it not, may I gain for ever reputation among all men for my life and for my art; but if I break it and forswear myself, may the opposite befall me." Translation by W.H.S. Jones. [Online]. Available: https://en.wikipedia.org/wiki/Hippocratic_Oath

2 For an insightful perspective on that history, cf. Jonsen 1990.

for bioethics (I will use the latter term interchangeably with medical ethics). In just about every textbook on bioethics, one is struck by the seemingly pervasive authority of mostly two such frameworks, namely Utilitarianism and (Kantian) deontology. In the second half of the 20th century, virtue ethics has also started to make a come-back in this regard, mainly because of the work of philosophers such as Elizabeth Anscombe (1958) and Alasdair MacIntyre (1982). The fundamental question that I will be raising, is that about the viability and possible efficacy of the ER in the face of the shortcomings of utilitarianism and deontology that have been prominent in the comprehensive literature of both these approaches.

Most influential traditional approaches

The fundamental claim of utilitarianism is widely known: Actions are to be judged right or wrong, not on the basis of their inherent characteristics, but purely on the basis of the desirability of their consequences. In assessing the desirability of consequences, the only thing that matters is the amount of happiness or unhappiness that is created, and the fact that each person's happiness counts the same. Thus, as summarised by James and Stuart Rachels, "[A]n action is right if it produces the greatest overall balance of happiness over unhappiness" (Rachels & Rachels 2019:118).

Deontology is an approach which seemingly promotes the direct opposite. According to this approach, if you will excuse the pun, consequences are of no consequence in assessing the moral status of actions. Actions do indeed have inherent qualities that express their rightness or wrongness, irrespective of the consequences of the act. Acts such as lying, stealing, murdering or torturing are wrong, irrespective of their (sometimes seemingly) acceptable or even positive outcomes.

For someone like Immanuel Kant, moral acts are right, not because of their consequences, but because they adhere to our inalienable and universal sense of duty. This duty is best circumscribed in terms of what is best known as the Kantian categorical imperative, of which Kant famously gave two, to him, interchangeable formulations: 1. "Act only on that maxim through which you can at the same time will that it should become a universal

law" (Kant 1964:88 [52],[3]) and 2. "Act in such a way that you always treat humanity, whether in your own person or in the person of any other, never simply as a means, but always at the same time as an end" (Kant 1964:96 [67]).

Aim of this article

This article is not meant to explore the plethora of criticisms that both these approaches to moral decision-making have raised over the years in an extensive literature.[4] My aim in this article is to explore whether an ER is able to incorporate or integrate some, if not most, of the valid (and valuable) aspects of utilitarianism and deontology, without succumbing to most of the glaring shortcomings of these two famous frameworks. If such an enterprise could be successful, I would venture to infer that the ER could indeed be highly relevant for the time in which we live.

An ethics of responsibility (ER)

Though I fully acknowledge the pivotal role played by Max Weber[5] in founding or originally developing an ER, the sense in which I will mostly be using the term draws more on the work of the German philosopher Hans Jonas as well as Zygmunt Bauman – originally a Polish thinker, although he spent most of his academic career at the University of Leeds.[6]

---

3 The number in square brackets refers to the paragraph or section number in Kant's original text.

4 Cf. Beauchamp et al. 2014:1-32; Beauchamp & Walters (6th edition) 2003:1-38; Mappes & Degrazia (5th edition) (2001: 1-55) and Van Niekerk, in Moodley (ed.) (Second edition) 2017:7-40.

5 Cf. Weber's famous speech "Science as vocation", [Online]. Available: http://www.wisdom.weizmann.ac.il/~oded/X/WeberScienceVocation.pdf. See also the recent book by Etienne de Villiers (De Villiers 2018).

6 Besides the work of Jonas and Bauman, I also draw on the work of the French phenomenologist Emmanuel Levinas (cf., in particular, his 1985). See also the work of Van Niekerk (2002a, 2002b, 2003 and 2006), on which this article sometimes draws. The French thinker André Comte-Sponville also writes movingly about the need for an ER. He states: "Preferable for us to an ethic of conviction is what Max Weber calls an ethic of responsibility (*Verantwortungsethik*) which, without disregarding principles (how could it?), concerns itself as well with foreseeable consequences of action. Good intentions can lead to catastrophe, and purity of motivation has never been able by

The willingness and ability to accept responsibility in morally challenging situations is pivotal for these thinkers. The acceptance of responsibility amounts to being willing to be held accountable for decisions that a moral actor is required to make. To be able to accept responsibility in this sense presupposes that the moral actor is capable of providing reasons for whatever actions he or she took, that the reasons are available, clearly formulated and that these reasons are thoroughly thought through, even if it turns out that they are faulty or unsustainable.

I have, elsewhere, formulated my conception of an ER as follows. It is

> "an approach where, on the basis of recognition of the moral ambivalence associated with most of the phenomena in the social world, the main task of moral judgement is not deemed as consistency within a single paradigm, but the acceptance of responsibility for whatever line of action is recommended. This ethics acknowledges the benefits of a variety of approaches, but also admits the failures that can be identified in most of these approaches. An ethics of responsibility is a form of ethics that makes people – all people, not only health care workers and moral philosophers – accept responsibility for the world in which we live and which we create by means of science and technology. It is an ethics that no longer allows us to accept the idea that morality is exclusively determined by rules, codes and laws behind which people can comfortably hide when justifying the morality of actions in morally complex situations. It is an ethics of responsibility because it demands that we be accountable for everything that we invent and design in our attempts to construct, apply and evaluate our

itself to prevent the worst. Good motives aren't enough, and it would be wrong to act as though they were: hence an ethic of responsibility requires that we answer not just for our intentions or principles but also for the consequences of our acts, to the extent that they can be foreseen. It is an ethic of prudence, and the only valid ethic. Better to lie to the Gestapo than to turn in a Jew or a Resistance fighter. But in the name of what? In the name of prudence which is the apt determination (for man and by man) of what *better* means. This is applied morality, but then what should one make of a morality that cannot be applied? Without prudence, the other virtues are merely good intentions that pave the way to hell" (Comte-Sponville 1996:31). Here is already a suggestion of the relevance of the Aristotelean notion of "phronesis" (prudence) for the understanding of an ER – an idea worked out in the last part of this article.

> life ethos – i.e., the value system according to which we live" (Van Niekerk 2002a:40-41).

Consciously and unconsciously our actions are nowadays affecting environments and circumstances that are hardly reckoned with by the alleged "natural moral impulse" according to which we normally act morally. The morality that we have inherited since modern times has always, according to Jonas, been "a morality of proximity". This morality is significantly inappropriate in a society, such as ours has become, where the actions that really matter no longer are those that only affect people in our observable proximity, but that have significant (and possibly destructive) effects over large distances in time and space. Jonas writes in this regard:

> "The good and evil about which action had to care [traditionally – in pre-modern times] lay close to the act, either in the praxis itself or in its immediate reach and was not a matter of remote planning. The proximity of ends pertained to time as well as space … The ethical universe is composed of contemporaries and neighbours … All this has decisively changed. Modern technology has introduced actions of such novel scale, objects and consequences that the framework of former ethics can no longer contain them" (Jonas 1984:7–8).

Jonas was, in this respect, one of the original thinkers who stressed the importance of an ethics that has to deal with the interests, not only of us here and now, but of future generations.[7] Jonas' thought, according to Arne Vetlesen, demonstrates "the utter inadequacy of any ethics which links responsibility with reciprocity". When future generations come into play, it would, if Jonas is right, be totally immoral to let ethically responsible actions be determined by reciprocally adequate responses. Future generations have an unqualified appeal to our sense of responsibility, irrespective of how they themselves act or neglect to act in their circumstances.

Vetlesen, drawing on Levinas, continues as follows:

> "Unborn individuals cannot stand up and claim their rights; reciprocation is hopelessly beyond their reach. Yet this empirical fact... does not exclude them as addressees of our responsibility.

7 See Bauman's discussion of this point in his 1993:219–222.

> Their basic right is the right to a life on an ecologically inhabitable planet; lest we be careful they will never see the light of day at all" (Vetlesen, as quoted by Bauman 1993:220).

Levinas: The Other as unconditional appeal

This, however, raises an important issue concerning the basis of morality: to whom are we accountable for our actions? Emmanuel Levinas,[8] the French phenomenologist, argues in this regard that at the basis of our humanity rests both the claim that we make upon others, and the claim that they make upon us. Our accountability is to the unconditional claim that other people make on us in space and time to be available to them. This claim implies that, in our response, we will have their interests at heart, irrespective of the question whether they, in their conduct towards us, act reciprocally, i.e. whether they always act morally and take care of the individual's interests. *The other is a claim upon me to which I am morally obliged to respond, without having the right to demand a reciprocal action form him/her.* In this way Levinas argues that accountability towards the other, which also implicates accountability towards the environment within which the other and I must survive, is the only sustainably defensible basis for morality.

This line of argumentation is inspired by Levinas' original argument about the alleged "non-reducibility" and "ungroundability" of morality. I have already suggested that Levinas' idea of the reality of the Self is fully contained in our availability for other people. In a way akin to Descartes' insistence on thinking processes as the ground of subjectivity and thus humanity, Levinas insists that "I am" to the extent that I am there for (the sake of) others. One must first be "for" the other before you can be "with" the other.

> "Being-for-the-Other is the origin rather than the product of all sociality. It precedes all other forms of relatedness to the Other, either through knowledge, evaluation, suffering or action. Moral responsibility therefore does not have any "foundation", no cause or determining factor. The question: 'how is morality possible?',

8 The idea of making Levinas relevant for ER in this regard, is originally that of Bauman; see his 1993:47–52; 69–77 and 84–87.

> cannot be answered if no foundation or grounds can be identified for it. *There is no self that precedes the moral self.* Simply by being there, we are, essentially, there for the Other; by being there, we are responsible for the other" (Levinas 1985:96)

The appeal that the Other makes on me is unconditional. Because of that appeal, I am responsible for the Other, irrespective of the way in which the Other might respond to my taking responsibility of him/her. In Levinas's own words:

> "The intersubjective relation is a non-symmetrical relation. In this sense, I am responsible for the other without waiting for reciprocity, were I to die for it. Reciprocity is *his* affair... I am responsible for a total responsibility, which answers for all in the others, even for their responsibility. The I always has one responsibility *more* than all the others" (Levinas 1985:98–99).

Three key ideas of an ER

Let me now elaborate on the three central ideas of the framework of the ethics of responsibility, as developed above. These three ideas are, firstly, that an appropriate framework for moral decision-making, according to this approach, requires us to make room for the possibility of *failure*; secondly, we must see the implications of Jonas' emphasis on the need for an *ethics of futurity* for taking cognisance of the consequences of acts, and, thirdly, that although consequences of actions may be important, as utilitarianism has always insisted, consequences are not enough. Moral actions are also of necessity guided by rules and principles when making moral decisions. It is particularly in this respect that I shall, at the end, draw on the insights of Aristotle in respect of his notion of *phronesis*, rather than Jonas, Levinas, Bauman or Weber.

(a) ER as fallibilism

To take responsibility for our actions, as demanded by an ER, requires that we shall also carefully reflect upon and openly express our reasons for whatever moral action we take. To be willing and able to provide reasons for our actions, does, however, not mean that the adherent of the ER is

irrevocably committed to those reasons. Rebuttal of the reasons must also be possible in situations where it turns out that the reasons we offered were the outcome of incomplete information or inadequate reasoning.

As framework for moral reasoning, the *ER always admits to the possibility of failure; it incorporates a distinct measure of fallibilism*. But even if the moral agent realises the inadequacy of his/her reasons, he/she continues to accept responsibility for them, in the sense of *accepting blame or even penalties*.

An ER is an approach to moral reasoning where the realisation is taken seriously that *decisions cannot be postponed indefinitely.* At some point we have to make decisions. Yes, we have to make those decisions for good reasons. But we must also be willing to accept the consequences for bad decisions based on invalid reasons and insufficient information. Moral decisions are mostly not made in situations where answers are forthcoming with a comparable measure of certainty or indubitability that we often see in the world of the factual sciences.

What is operative in this sphere, is what Paul Ricoeur meant by the phrase "a logic of validation" where probability is a more realistic goal than certainty. A "logic of validation" must be distinguished from a "logic of verification". In the words of Ricoeur: "Validation is an argumentative discipline comparable to the judicial procedures of legal interpretation. It is a logic of uncertainty and of qualitative probability" (Ricoeur 1981:212). The logic of verification operates in the laboratory, whereas the "logic of validation" is what is operative in a court of law. In the latter, we do not seek final certainty, but we seek truth "beyond reasonable doubt". The analogy with reasoning before a court, rather than verifying theoretical propositions with sense observations, is important here. Judicial reasoning has an intermediary function which shows that procedures of validation have a *polemical* nature, which is also typical of reasoning in bioethics. "In front of the court, the plurivocity common to texts and to actions is exhibited as a verdict to which it is possible to make appeal" (Ricoeur 1981:215). There is, therefore, seldom a "last word" in the decisions about that moral status of possible actions in bioethics.[9]

9 This idea has, drawing on the work of Ricoeur, been worked out more fully in Van Niekerk 1990:1890.

Let's now reflect on the applicability of this idea for bioethics. The point about fallibility in an ER has been worked out in a different, though analogous way by Susanne Gibson in an article about respect for the embryo in *Bioethics* (Gibson 2007). She makes the valid point that when we differ about the measure of respect that an embryo deserves, it is not similar to the situation where we enquire whether a racist deserves respect. There is sufficient consensus in society that racism is abhorrent and ought not to be tolerated. But when we disagree about respect for the embryo, we ought to acknowledge the limitedness of our insights. Gibson writes:

> "… respect between moral agents must be understood as respect between finite moral agents. As moral agents we are able to formulate and act upon moral judgments. As finite moral agents, however, there are limits to our knowledge and understanding such that even ordinarily decent people sometimes do not know what the right thing is, and sometimes make mistakes" (Gibson 2007:377).

The case is different when we start arguing about the moral status of an embryo. Now we find that the scope of uncertainty that exhibits itself in these kinds of disputes is so wide, that, although we might have strong and well-informed views of our own about the topic, we also are morally compelled to have respect for the views of our opponents.

According to Gibson, when arguing about issues such as the moral status of the embryo, *the range of uncertainty that we are working with compels us to have respect, also for opponents of our views*. Both we and they might be mistaken in our moral judgment. Our finitude typically becomes apparent when we are dealing with an issue such as the moral status of the embryo.

Gibson's view becomes clearer in the following passage:

> "Ethically acceptable uses of the embryo have to be worked out in a way that acknowledges that the human embryo is both something that may have considerable moral status and something that may well not have considerable moral status. Just because [of] this, permitting but restricting the use of the human embryo in research can be justified not so much as a compromise between competing positions nor as a balancing of competing interests, but as an acknowledgement of and respect for the seriousness of what is at

> stake in either allowing or preventing its use. *Just as we should approach the use and destruction of the human embryo with 'fear and trembling', so too should we approach the prevention of its use in the same way*. By researching on the human embryo, we may well be destroying something that has considerable moral status; by preventing research on the human embryo we may well be failing to alleviate the suffering of children and adults whom [sic] most certainly do have considerable moral status, for no good reason" (Gibson 2007:377, my italics).

Gibson does not use the phrase "ER" when circumscribing her position. But I think it is justified to do so. ER as an ethics of fallibility becomes clear from her argument. The decision to do research on the embryo is not an issue that can be postponed indefinitely. Yes, it can seriously harm the entity which, for many, is an undeniable human being. At the same time, however, there are those who reject the full human status of the embryo and insist that research must be done on it in order to possibly save thousands of lives. To make the decision could be disastrous, but to refrain from the decision could, in the long run, be equally disastrous. The decision, however, has to be made. Maybe the decision that is made, is wrong. Then they who made the decisions, still have to accept responsibility for it. That "the wrong" decision was made, does not necessarily morally taint them. They acted "in the light available to them" and based on reasons that they are willing and able to articulate.

When thus engaging in an ER, *we have no assurance of correct moral behaviour, but we do have assurance of responsible moral behaviour*. The latter is mostly what can realistically be expected from moral agents.

The question could be asked whether the emphasis on fallibilism is compatible with Levinas' emphasis (see discussion earlier) on the "unconditional appeal" that the other makes on me, and the consequential "groundlessness" of ethics beyond the reality and acknowledgement of that appeal. I would venture to argue that Levinas' position is indeed reconcilable with the fallibilism of the ER. It is true that the Other makes an unconditional appeal to me, and that the sense of human existence has everything to do with my response to that appeal, even up to the point of relinquishing any concern about reciprocity. The point, however, is thát the

other embodies such an appeal. That is not to say that that it is always clear or self-evident whát the nature is of the most appropriate response to that appeal. In the effort to make out what the answer to the latter question is, the moral subject is, in the thinking of both Jonas and Levinas, sometimes unsure and therefore susceptible to failure. Fallibilism is therefore not irreconcilable with the Levinasian understanding of the ER.

(b) An ER as an ethics of "futurity"

The second idea that I want to elaborate on, is the implications of Jonas' emphasis on futurity. We have outgrown an ethics that only considers circumstances and the interests of fellow human beings in the present. Because, in particular, of the unprecedented strides that technology has taken and is taking in our time, we have to consider the future - for Jonas, "future generations" indeed, on whose reciprocity we also have no possible way of relying or considering. Berdinesen, in an article about Jonas' famous book, points out that Jonas' position in this regard amounts to a reformulation of the Kantian categorical imperative. For Jonas, this imperative should be: "Act so that the effects of your action are compatible with the permanence of genuine human life" (Berdinesen 2018. See for Jonas' argument in this regard Jonas 1984:10–12).

The simple point that I would want to re-iterate in this regard is that an ethics of responsibility, because it has to consider the future, *has to consider the consequences of actions*. It is, given both the constructive and destructive potential of technology, at best irresponsible and at worst ludicrous to disregard consequences in moral decision-making. The invocation of the term "responsibility" as the most pivotal moral category in the framework for moral argumentation that has just been developed, inevitably points us as moral agents towards the future. Kant and others retort that the future is too uncertain to base any moral decisions on surmises about future events. But on that score, Kant and his followers are, I think, simply wrong. What the future will be, is no fundamentally uncertain entity, but a time and circumstances that are, to a considerable extent, influenced by what happens today. And what happens today could make that future liveable and better, particularly for those who now suffer terribly, or it could make the future insufferable as such.

We are, in the words of Ernst Bloch, *hoping animals*. Or, to use an expression of Eric Hobsbawm, "we dream forward". And not only do we concern ourselves with the future and live important parts of our lives in the mode of the dream; we can make significant predictions of the future. *Predictions*, of course, should be distinguished from mere *desires*. When one engages in predictions, one must be able to ground it in relevant and accurate analyses of past and current trends, without falling in the trap of historicism.

Hobsbawm also reminds us that to say that we can *predict* the future, is not the same as claiming that we can *know* the future. We can work with the justified assumption that, as Hobsbawm writes,

> "by and large, the future is systematically connected with the past, which in turn is not an arbitrary concatenation of circumstances and events. The structures of human societies, their processes and mechanisms of reproduction, change and transformation, are such to restrict the number of things that can happen, determine some of the things that will happen, and make it possible to assign greater and lesser probabilities to much of the rest. This implies a certain (admittedly limited) range of predictability – but, as we all know, this is by no means the same as successful forecasting."

Hobsbawm continues, in a statement with which I largely agree:

> "… [I]t is desirable, possible and even necessary to forecast the future to some extent. This implies neither that the future is determined nor, even if it were, that it is knowable. It does not imply that there are no alternative choices or outcomes, and even less that forecasters are right. The questions…are rather: How much prediction? Of what kind? How can it be improved?" (Hobsbawm 1998:51).

(c) Phronesis and the ER

This brings us to the last aspect of the framework developed above, namely the fact that, in the actual functioning of an ER, we find an interplay – it could also be called a "dialectic" – between the consideration of consequences and the authority of (and appeal to) moral norms. The argument that I developed earlier hopefully illustrated that it is impossible to ignore the role and relevance of future consequences in an appropriate framework for

moral decision-making. That raises the question as to whether full-fledged consequentialism is not, in the end, the final answer, as has been repeatedly argued by consequentialists like Peter Singer (1993) and Michael Tooley (1983).

My answer partly results from the critique of consequentialism/utilitarianism that I have developed elsewhere and cannot repeat here (Van Niekerk 2017). My position is that it is as unacceptable (and unrealistic) to flatly deny the relevance of consequences in reflecting on the morality of actions, as it is to flatly ignore or disregard moral action guides such as norms, values and principles.[10] To do so would fly in the face of very fundamental moral intuitions that strongly suggest that consequences cannot be ignored. At the same time, it would imply a total disregard for very fundamental moral intuitions captured in values, norms and principles that often express the collective wisdom of our age-old moral education.

Is there, then, a model of moral reasoning that has the potential of adequately accommodating *both* the force of moral rules *and* the responsible consideration of consequences? Or does such an ideal reflect no more than an unrealistic flight of fancy, captured by the nice-sounding phrase "an ethics of responsibility"?

I do think that an appropriate understanding of the ER holds the potential of attaining such an ideal. In developing an ER in this sense and for this purpose, I, however, am not going to draw so much on figures like Weber or even Levinas and Jonas (although they will exert a certain measure of influence on the model that I develop). I am much rather going to draw on the oldest tradition of moral philosophy in the West, viz Aristotelianism, and particularly the ethics of Aristotle as developed in his *Nicomachean Ethics* (Aristotle 1953). Here I am specifically referring to Book 6 of this work where Aristotle deals with the "intellectual virtues" (1953:203–225; resp. 1138b1b–1145111). What I am specifically drawing attention to is Aristotle's view on the virtue of "prudence" or "practical wisdom" – words that best translate Aristotle's forceful notion of *phronesis*. Put differently, I

10 It is, for our purposes, not necessary to engage in an intricate analysis of the possible different meaning of these concepts. For a lucid discussion in this regard, cf. Beauchamp & Childress 1994 (Fourth Edition):14–20.

am interested in exploring a concept drawn from Aristotle's virtue ethics – which, incidentally (following James & Stuart Rachels 2019:182–183) I do not regard as a full-fledged moral theory – for the development of an ER.

For Aristotle, *phronesis* is the kind of practical knowledge that ethics aspires to. *Phronesis* is significantly different from two other kinds of knowledge: *theoria*, which is theoretical knowledge, and *techne* which, like *phronesis*, also is practical knowledge, but of a different kind. In this respect, Aristotle departs radically from Plato, for whom ethical knowledge is not practical, but wholly theoretical (*theoria*). For Plato, we attain ethical knowledge via our recollection (*anamnesis*) of our contemplation, in our pre-existence, of the Idea of the Good as the highest form in Plato's metaphysical realm of the Forms (Plato 1955:265–273).

For Aristotle, however, this is an impoverished idea of moral knowledge. Moral knowledge, for him, is not theoretical, but *practical*. It is *phronesis* – prudence or practical wisdom. *Phronesis* is that kind of knowledge that enables us to exert the required judgment to deal prudently with a host of practical situations in everyday life. *Phronesis* does not remain stuck in the knowledge of what the good is. It is not primarily knowledge *that* … It is much more knowledge of *how* to go about dealing with morally challenging situations in real life – those situations in which the norms and values that we have, actually have to be applied.

There are, however, different kinds of practical knowledge. *Phronesis*, for example, has to be distinguished from *techne* – the knowledge we acquire via the application of technical skills. Although it obviously is not his example, *techne* is the kind of skill exerted by a vehicle mechanic to fix a blown gasket. It is a skill that has to be acquired; it does not "come naturally". The more experienced the mechanic is, the better he can do the job. *However, what the skill entails, does not change; what the mechanic de facto has learned, remains the same.*

Phronesis differs markedly from *techne* in this respect. *Phronesis* is, as I said, also an instance of practical knowledge. But that "practical knowledge" is quite distinct from the kind of knowledge we acquire when we learn to fix motor cars or computers. *Phronesis* is practical knowledge of how to lead what Aristotle calls "the good life". What the good life, is, however, is distinctly different from a working computer or a mobile vehicle. In

fact, the good life, though we all seek it, is *far from the same for everyone*. Compare the good life from the perspectives of the Buddha, Bill Gates, Mother Theresa or Michael Jackson.

What the good life is, as has been indicated by Alasdair MacIntyre, is what we acquire when we strive for the Good Life. MacIntyre, in explicating Aristotle's claim, writes: "the good life for man is the life spent in seeking for the good life for man, and the virtues necessary for the seeking are those which will enable us to understand what more and what else the good life for man is" (MacIntyre 1981:204).

One could therefore also say that the good life is a *knowledge of both means and ends*. It is a knowledge of both in the sense that our choice of an end will strongly influence the means we apply in order to reach that end, and vice versa. If my end in life is, like for Mother Theresa, to relieve the plight of the poorest of the poor, the means she chooses to attain this ideal cannot be the development of Microsoft Software, as in in the case of Bill Gates. In the words of André Comte-Sponville: "Prudence has something modest or instrumental to it: it is enlisted to serve ends that are not its own and is concerned, for its own part, with the choice of means" (1996:32).

The intriguing thing is how the context of *phronesis* can be radically altered by the context of the moral actor. We could, for example, ask (as is often asked in the search for *phronesis*) *what it means to be courageous*. It then turns out that the contents of courage are greatly co-determined by the situation one finds oneself in. Afrikaans-speaking South Africans generally know the story, recently relayed in a film, of the Afrikaner girl-heroine Racheltjie de Beer, a young girl who on an icy cold night in the Eastern Cape got lost in the veld with her young brother, eventually found an empty ant nest where she created cover for the small child against the cold, and eventually also covered him with all her clothes while she herself died from exposure in the process. *For Racheltjie, courage clearly meant the willingness to sacrifice her life for the sake of her young brother.* In other circumstances, courage could mean exactly the opposite, as was demonstrated by Victor Frankl in Auschwitz. For him, courage meant the *determination, at all costs, not to surrender and die*, but to try and find meaning in the simplest things in order to maintain the strength to carry on.

Richard Bernstein explains it as follows:

> "There is a different conceptual relation between means and ends in *techne* and *phronesis*. The end of ethical knowledge [*phronesis*], unlike a technique, is not a 'particular thing or product', but rather 'complete ethical rectitude of a life time'.[11] Even more important, while technical activity does not require that the means which allow it to arrive at an end be weighed anew on each occasion, this is what is required in ethical know-how. In ethical know-how there can be no prior knowledge of the right means by which we realize the end. For the end itself is only concretely specified in deliberating about the means appropriate to *this* particular situation" (Bernstein 1986:100, his emphasis).

Most importantly, also for the topic that concerns us at the moment, *phronesis* (or prudence) is a kind of knowledge where *I try to act in accordance with precepts or action guides that I acknowledge, but in such a way that they are prudently applied to the situation in which I find myself and where I must act in a way that I can live with the consequences*. That application requires *deliberation* – a rational interchange that moves to and fro between the requirement of the norm and the requirements of the situation.

Richard Bernstein formulates it as follows:

> "[P]*hronesis* is a form of reasoning and knowledge that involves a distinctive mediation between the universal and the particular. This mediation is not accomplished by any appeal to technical rules or Method (in the Cartesian sense) or by the subsumption of a pre-given determinate universal to a particular case … *phronesis* is a form of reasoning which yields a typical 'ethical know-how' in which both what is universal and what is particular are co-determined. Furthermore, *phronesis* involves a 'peculiar interlacing of being and knowledge, determination through one's own becoming'.[12] It is not to be identified with or confused with the type of 'objective

11 The quotes are from Hans-Georg Gadamer's *The problem of historical consciousness*. Bernstein's chapter in this instance primarily deals with Gadamer's interpretation and appropriation of Aristotle's idea of ethical knowledge and its analogous function to hermeneutical knowledge.

12 The quote is again from Gadamer.

> knowledge' that is detached from one's own being and becoming" (Bernstein 1986:99).

In this idea lies the genius of Aristotle's insight into the practice of phronesis:

> "But prudence is concerned with human goods, i.e. things about which deliberation is possible; for we hold that it is the function of the prudent man to deliberate well; and nobody deliberates about things that cannot be otherwise, or that are not means to an end, and that end a practical good. And the man who is good at deliberation generally is the one who can aim, by the help of his calculation, at the best of the goods attainable by man. *Again, prudence is not concerned with universals only; it must also take cognisance of particulars, because it is concerned with conduct, and conduct has its sphere in particular circumstances*" (Aristotle 1953:213, my italics).

The crux of my argument is to be found in this last sentence. Here he formulates what we might call the essence of moral knowledge. Moral knowledge respects and often builds upon the norms and action guides that pervade social life. We inherit these action guides from our education, our religion, our conscience and/or the conventions of society. However, merely drawing from deep-seated norms and conventions is not enough. These norms and conventions require application in a host of practical situations. Exactly how they are to be applied, is far from self-evident. That is something that we learn in the practice of daily life. It does not occur overnight; it takes time. We learn it in many ways. The way that Aristotle particularly emphasises, is *deliberation*.

I have, elsewhere, written the following about deliberation in this sense:

> "Deliberation is an argumentative strategy that requires dialogue with ourselves and with others. It implies the careful weighing up of the claim of the norm against the requirement of the situation – bearing in mind, especially, the consequences of what our deeds will have. In this sense, deliberation – the essence of *phronesis* – is a dialectic movement between action guide and the requirements of the practical situation, as well as the possible consequences of the action" (Van Niekerk 2013).

Comte-Sponville in this regard emphasises the element of uncertainty and fallibility that accompanies the exercise of prudence:

> "Prudence presupposes uncertainty, risk, chance and the unknown. A god would have no need of it, but how could a man do without it? Prudence is not a science; rather, it replaces science where science is lacking. One deliberates only when one has a choice to make, in other words, when no proof is possible or adequate – that's when one must want not only good ends, but also good means to achieve them. To be a good father, it is not enough to love one's children, nor is it enough to wish them well for that wish to come true. Love does not excuse a lack of intelligence. The Greeks knew this, perhaps, better than we. *Phronesis* is like practical wisdom: wisdom of action, for action, in action" (1996:32–33).

Although Aristotle did not use the phrase "ethics of responsibility", this, to my mind, is the essence of the ethics of responsibility that I developed as the overarching framework for moral argumentation in this article. It is the ethics that springs from the application of *phronesis*. I conclude with Comte-Sponville's profound formulation of the overarching importance of prudence:

> "Morality without prudence is either futile or dangerous. '*Caute*', says Spinoza: 'Take care'. That is the maxim of prudence. We must watch out for morality as well, when it disregards its limits or uncertainties. Good will is no guarantee, nor is good faith a valid excuse. In short, morality is not sufficient for virtue; virtue also requires intelligence and lucidity. It is something that humour reminds us of and that prudence prescribes. It is imprudent to heed morality alone, and it is immoral to be imprudent" (Comte-Sponville 1996: 37).

References

Aristotle. 1953. *The ethics of Aristotle – The Nicomachean Ethics*. Harmondsworth: Penguin Books.

Bauman, Z. 1993. *Postmodern ethics*. Oxford: Blackwell.

Berdinesen, H. 2018. "On Hans Jonas' 'The imperative of responsibility'". *Philosophia* (E-journal for philosophy and culture). [Online]. Available: https://philosophiajournal.files.wordpress.com/2017/09/16-28_phil_17-2017_hein-berdinesen.pdf

Beauchamp,T.L. & Walters, L-R. 2003. *Contemporary Issues in Bioethics*. (6th edition) Belmont: Wadsworth.

Beauchamp,T.L. et al. 2014. *Contemporary Issues in Bioethics* (8th edition). Belmont: Wadsworth.

Bernstein, R. 1986. *Philosophical profiles*. Cambridge: Polity Press.

Comte-Sponville, A. 1996. *A small treatise on the great virtues* (Tr. Catherine Temerson). New York: Henry Holt and Company.

De Villiers, E. 2018. *Revisiting Max Weber's Ethic of responsibility*. Tübingen: Mohr Siebeck.

Gibson, S. 2007. Uses of respect and uses of the human embryo. *Bioethics*, 21(7):370–378.

Hobsbawm, E. 1998. *On History*. Gloucester: Peter Smith Pub Inc.

Jonas, H. 1984. *The Imperative of Responsibility – In Search of an Ethics for the Technological Age*. Chicago: The University of Chicago Press.

Jonsen, A.R. 1990. *The New Medicine and the Old Ethics*. Cambridge: Harvard University Press.

Kant, I. 1964. *Groundwork of the Metaphysic of Morals*. New York: Harper & Row.

Levinas, E. 1985. *Ethics and Infinity*. Pittsburgh: Duquesne University Press.

MacIntyre, A. 1982. *After Virtue*. London: Duckworth.

Mappes, T.A & Degazia, D. 2001. *Biomedical Ethics*. Boston: McGraw Hill.

Nortjé, N. 2007. *The moral status of embryonic stem cell research in the South African context*. Unpublished doctoral dissertation, Stellenbosch: Stellenbosch University.

Plato. 1955. *The Republic* (translated by H.D.P. Lee). Harmondsworth: Penguin Books.

Rachels, J. & Rachels, S. 2019. *The elements of moral philosophy.* (9th edition) Boston: McGraw Hill.

Ricoeur, P. 1981. *Hermeneutics and the human sciences*. Cambridge: Cambridge University Press.

Singer, Peter. 1993. *Practical ethics*. Cambridge: Cambridge University Press.

Tooley, M. 1973. *Abortion and infanticide*. Oxford: Oxford University Press.

Van Niekerk, A.A. 1990. Textuality and the human sciences. *Scriptura*, S5 (Special Issue).

Van Niekerk, A.A. 2002a. Ethics for medicine and medicine for ethics. *SA Journal of Philosophy,* 21(1):35–43

Van Niekerk, A.A. 2002b. A shift in the ethos of modern medicine. *Cardiovascular Journal of South Africa*, 13(5):225–229

Van Niekerk, A.A. 2003. Te koop: liggaamsdele – armes en weerloses uitgebuit. *Die Burger,* 27 December 2003:15

Van Niekerk, A.A. 2006. The ethics of stem cell research and its clinical application. Unpublished conference paper delivered at the XXIXth International ISBT Conference.

Van Niekerk, A.A. 2013. Phronesis and an ethics of responsibility (with N Nortjé). *South African Journal of Bioethics and Law*, 6(1):28-30.

Van Niekerk, A.A. 2017. Ethics theories and the principlist approach in Bioethics. In: K. Moodley (ed.). *Medical ethics, law and human rights*. Pretoria: Van Schaik.