

LIFE AND ETHICS

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Abstract

In this paper, I will deal with the notion of form of life, specifically in relation to the domains of freedom and autonomy. I will compare and contrast the positions of those who reject the concept of form of life in order to account for freedom and autonomy (e.g. Peter Singer) with those who appeal to a form-of-life-view in order to establish the traditional understanding of the spheres of life (Anscombe). Differing from both kinds of positions, I will suggest that we should appeal to forms of life in order to account for freedom and autonomy: freedom and autonomy have been conceived as formed ways of living, as initiations of living beings into social and cultural spaces (McDowell). Forms of life should not be thought of though as the successful initiation of our natural being in the realm of second nature. Rather, they are best described as the domestication of the vulnerabilities of life which leave their form impressed on the habits and the natural rhythms of life: this is argued especially following Stanley Cavell's lead.

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1. I will start by presenting a contrast about the concept of human life.¹ The origins and development of bioethics as an academic discipline in the 1970s may be read as a confrontation with the remains of the tradition of natural law, a confrontation with, and a criticism of, the moral culture expressed by this tradition – which articulates the idea that nature has an intrinsic order which can be devised through the proper use of reason and that from such an order practical norms and a set of virtues can be derived. This understanding of nature was radically marginalized or actually swept away of the scene by the classics of modern moral and political thought

1 P. Donatelli, *The Politics of Human Life. Rethinking Subjectivity*, Routledge, London 2021 (translation of *La vita umana in prima persona*, Laterza, Rome-Bari 2012); *Manières d'être humain. Une autre philosophie morale*, Vrin, Paris 2015.

in the 17th and 18th centuries starting with Thomas Hobbes (with notable differences among them). Yet the intimacies of human life were very little touched by this radical transformation of paradigms. Women, pregnancy, sexuality and death were generally left out of this transformation in conceptual frameworks. There are minor lines of contestation: much later on John Stuart Mill, for example, argued that the family (comprising issues related to gender, reproduction and child rearing) could not be regarded as providing an exception to the democratic rules which govern the other areas of society (which can be summarized under the two headings of prudence and responsibility). We need to wait though for the birth of academic bioethics in the Seventies for a direct confrontation with the idea that human life has an order of its own which rules out the possibility of moral deliberation and choice. Abortion and euthanasia, along with the other bioethical issues, are treated, especially by utilitarians, but also by defenders of right theories (e.g. Judith Jarvis Thompson), as issues which concern interests, autonomy and freedom and as such they belong to the conceptual space of moral deliberation and choice. The polemical target of such diverse approaches is the conception by which certain areas of life such as birth, death and sexuality are not open to moral deliberation and choice at all, but are rather considered areas which signal the background of choice and deliberation. They shape the contours of human life, what makes human life what it is: we are humans because we are born and die in certain ways and because sexuality is a certain thing and has a certain meaning. We find this view in Aquinas, it may be found in phenomenology which contributed in its own way to the revitalization of the traditional view (say Jaspers and his notion of limit experiences), it is elegantly argued by Elizabeth Anscombe who went back directly to Aquinas, yet also, surprisingly perhaps, by Jürgen Habermas in his book on *The Future of Humanity*. If you'd like a smaller and more compact example of the contrast within the analytic scene in philosophy you may consider Peter Singer and Elizabeth Anscombe.

My way of framing this contrast is the following. On the one side we have those who argue that all areas of human life (and animal life: but I won't discuss this) are amenable to analysis in terms of interests, preferences, pleasure; they can and they need to be treated as internal to the space of personal autonomy and freedom. They argue this in opposition to those who hold that there are areas of life which are not open to this analysis in terms of interests and preferences. According to Anscombe, say, life has an order, understood in teleological terms, which is expressed in emotions, attitudes and norms (characteristically under the form of prohibitions) regulating such areas. The lack of any space of choice in such areas signals

what unites and actually constitutes humanity. Prohibitions in these areas are a safeguard of humanity. So, for example, Anscombe would argue that humans are born from women, sexuality is aimed at reproduction in the appropriate context of marriage, and this comes with the perception of what honors the body seen from the point of view of the virtue of chastity and with absolute prohibitions regarding sexual acts which are not intrinsically aimed at reproduction. Human life is like that, has these limits, and prohibitions against transgressing such limits are a defense of human life itself. We have here an understanding of human life that uncovers a form in it. In Anscombe's view (the traditional Christian view) human life comes with a form illustrated by a number of aspects such as attitudes, say honor, virtues like chastity, prohibitions such as the one against "sodomy". We can either say that the form of life generates social practices and norms or that a form is illustrated by a number of aspects which also comprise social practices and norms. According to the first view, norms are actually derived from a certain understanding of human life (which is the traditional project of deriving ethics from metaphysics). According to the second, form is shown by attending to this host of aspects: this is the Wittgensteinian approach taken by Anscombe and other authors such as Peter Winch. Anscombe presents a form of life approach which explains normativity in terms of minute aspects and details of life. She works in the direction of connecting norms (moral prohibitions especially) to the conceptual organization of life.²

The opponents of this view want to bring such areas of life within the space of moral thought and deliberation – the space of prudence and responsibility, as Mill argues. They do this by rejecting altogether the idea that human life has an order, a form, of its own, and that attitudes and norms can be derived from a proper conceptual understanding of life or be inscribed in it. By freeing human life from a conceptual understanding of this kind they open a space for the operation of other ethical and normative dispositives, those enacted by the notions of interests, preferences and the like. They open a space for freedom, prudence and responsibility by freeing life from what was taken as its form. According to Peter Singer there is nothing in the attitudes, emotions, reactions, and words used in such contexts, say in pregnancy, that informs us of what is right and wrong. By freeing such areas of life and experience from any internal order, normativity can be installed at a different level, where we can account for interests

2 G.E.M. Anscombe, *Contraception and Chastity*, in *Faith in a Hard Ground. Essays on Religion, Philosophy and Ethics*, eds. By M. Geach and L. Gormally, Imprint Academic, Exeter 2008, pp. 170-191.

and their maximization. At this level, removed from life, as it were, we can account for interests and freedom. So we can see how Singer needs the language of preferences, interests and persons, removed from the conceptual dimension of life which makes no room for them, in order to defend a certain set of values.³

This contrast may be properly framed in terms of the appeal to the concept of “form of life”, as I have partially done already. On the one side, life is shown to have a form illustrated by (or capable of generating) the attitudes, emotions, words and norms making up life with reproduction, death, sexuality, intimacy, family, etc. Thus the form of life comes with norms: normativity is inscribed in life. This sort of appeal to the concept of form of life goes together with a criticism of contemporary freedoms in matters of intimate life (assisted reproduction, surrogacy, euthanasia, LGBT+ themes). Such freedoms, which require the idea that the relevant areas of life are open to deliberation and choice, are considered as attacks on humanity, as Anscombe argues; freedom here jeopardizes human life. On the other side, we have those who wish to defend contemporary freedoms and the search for happiness and in order to do so they reject altogether the appeal to the concept of form of life. Life has no form at all: the various aspects tied to notions such as giving birth, say, form no conceptual unity, nothing conceptual hangs together around these diverse aspects. Normativity is placed somewhere else, removed from life.

2. I have introduced this contrast in order to show how both horns are inadequate and how the contrast itself can be redescribed. On the one side, we have views such as Anscombe’s that appeal to the form of humanity and in doing so they cancel from the scene the inventiveness and freedom which belong to these areas of life and especially those earned in our recent history with the discovery of new ways of giving birth, new ways of facing death, new ways of loving each other which are good and exemplary of new ways of being (new ways of being human).⁴ On the other side, we have the views that reject such an appeal to the intrinsic form of life in order to claim inventiveness and freedom, though placed away from the conceptual dimension of life, away from the motley of attitudes, responses, and sentiments entangled in ordinary language and thought. There can be

3 P. Singer, *Rethinking Life and Death: The Collapse of Our Traditional Ethics*, St. Martin’s Griffin, New York 1996.

4 Cf. P. Donatelli, *Manières d’être humain*, cit.

room though for a different view which argues that life has a form, life has a conceptual articulation, which hosts inventiveness and freedom.

One way to overcome the opposition between the two horns at play in the contrast is to argue that the space of autonomy and freedom is natural to us, that it belongs to the natural form of human life.⁵ According to this view, freedom and autonomy should not be conceived in opposition to human nature, they are rather the result of the education of human nature which brings into view its proper form. The human form of life is shown in its educated condition. We have two theses here: autonomy and freedom are natural to human beings; human nature is shown in the form it takes in its educated condition. This view is an elaboration of Aristotelian ideas and is defended by John McDowell. The crucial idea here is that life has a form which is the result of an activity of formation, of education, *Bildung*. The human form of life is formed through education and culture, the logical form of culture is the form of nature or, as we can also say, the logical form of human nature is the form acquired as second nature. The appropriate human shape is instilled into lives by cultural upbringing (ethical upbringing in Aristotle).⁶

McDowell offers a significant example of a view of human nature which presents it as endowed with a form. The logical form of reasons is not remote from life, it is actually the proper form of human life: “we need to see ourselves as animals whose natural being is permeated with rationality”.⁷ His argument is helpful in order to keep in view the position that sees that education and culture are natural to humans and that the shape of what is human is actually the shape of culture (the space of reasons). This can be argued against the views such as Singer’s who do not want to read the nat-

5 I have elaborated more on what follows in my *Moral Perfectionism and Virtue*, in “Critical Inquiry”, 45, 2019, n. 2, pp. 332-350; *Wittgenstein, l’etica e la filosofia antica*, in “Giornale di metafisica”, n.s., 41, 2019, n. 2, pp. 540-552.

6 McDowell is interested in arguing that the space of reasons, the space of human intelligibility, is natural to humans. As he writes: “Such initiation is a normal part of what it is for a human being to come to maturity, and that is why, although the structure of the space of reasons is alien to the layout of nature conceived as the realm of law, it does not take on the remoteness from the human that rampant Platonism envisages. If we generalize the way Aristotle conceives the moulding of ethical character, we arrive at the notion of having one’s eyes opened to reason at large by acquiring a second nature. I cannot think of a good short English expression for this, but it is what figures in German philosophy as *Bildung*”. J. McDowell, *Mind and World*, Harvard University Press, Cambridge, Mass. 1984, p. 84.

7 J. McDowell, *Mind and World*, cit., p. 85.

ural in terms of human forms of intelligibility and leave it to the sciences to say what human nature amounts to. It can also be argued against the views such as Anscombe's which do not wish to place the human form in their upbringing, as she rather argues that upbringing needs to reflect the human form (even though she also holds that this can be seen only in its properly educated condition).

I am interested in taking McDowell's view as an example of a family of views which insist on the idea that the human form is a matter of human formation. I want to lay emphasis on two features, tied to this approach: the criticism of transcendental views, and the criticism of the value-conferring model. They are both interesting in order to see the stakes of appealing to forms of life in the perspective which understands form as formation. As for the first feature, the emphasis on formation goes in the direction of showing that normativity is inscribed in the attitudes, practices and activities that describe a certain area of life. Normativity is found in the ways in which forms of living are shaped culturally and socially. We need to attend to this web of practices in order to uncover normativity. We need to understand how children are educated (following Aristotle) and this requires an attention to the details of life, not only to general patterns and rules.

This is argued against the idea that normative criteria are required to operate over the materials offered by ways of living. The latter is the idea defended by Peter Singer and shared by a conception of philosophical ethics conceived as theory. A "theory" in this sense offers the grounds of moral thought which are measured against ordinary thought which is treated as naïve, intuitive, as merely habitual. This view originates perhaps in Henry Sidgwick's *The Methods of Ethics*. A criticism of this notion of philosophical ethics conceived of as theory may be found in John Dewey, as when he writes: "Confusion ensues when appeal to rational principles is treated as if it were merely a substitute for custom, transferring the authority of moral commands from one source to another". Moral theory "does not offer a table of commandments in a catechism [...]. It can render personal choice more intelligent, but it cannot take the place of personal decisions, which must be made in every case of moral perplexity".⁸ The point Dewey makes is that theory, in his use of the notion, does not offer the grounds of moral thought as a set of normative criteria placed in its special and isolated sphere, rather it offers instruments in order to enrich and enlighten moral thought which are based on one's response to problems. According

8 J. Dewey, *Ethics*, in *The Later Works, 1925-1953*, Vol. 7, eds. By J. A. Boydstone and B. Levine, Southern Illinois Press, Carbondale, Ill. 1985, pp. 165-166.

to Dewey normativity is internal to how life is shaped in habits, personal sensibility, and modes of reflection. The source of moral problems and of moral thought is internal to forms of life so conceived. This is argued against the thesis according to which normative criteria transcend ordinary moral sensibility and thought, as is claimed in the tradition that goes from Sidgwick to Singer. On the contrary, normativity is internal to forms of life. This means that normativity is reconstructed bottom-up as a family of moves which belong to a determinate set of activities and modes of living. This is an anti-transcendental thesis.⁹

The second feature of this view is that the rejection of the transcendental point of view helps to dismantle a very powerful picture connected to the notion of theory operating in the no-forms-of-life approaches such as Singer's. It is an influential picture tied to the modern view according to which the world bears no human, or more specifically moral, features, whereas human and moral features in the form of secondary qualities and values are projected on, or conferred to, the world. The view is explicitly advanced by important authors in moral theory such as Sidgwick, G.E. Moore and Thomas Nagel, and it is responsible for a familiar shape taken by discussions on the issues related to life in which the philosophical point is to confer value on states of affairs according to criteria which are presented as independent from the description of such states of affairs: say, conferring value on organisms in environmental ethics, conferring value on unprivileged situations in political philosophy. Against this view, the form of life approach suggests we work within the bundle of relations of dependency, coexistence and meaning and from this point of view work toward earning a critical response. This view has been tied to strands in the ethics of care by Sandra Laugier who has developed it fruitfully, also showing its connection to Wittgenstein's anti-transcendentalism.¹⁰

We find here a general view that may be specified in different directions. It helps to recover the possibility of conceiving of forms of life as internally shaped by thought and reflection. There is a Wittgensteinian point, shared by pragmatism (say in Dewey), which is relevant for our argument. Reflection belongs to ordinary activities. The logic of language, as Wittgenstein writes, does not reside in a super-luminescent sphere separate and remote from ordinary activities: "Giving orders, asking questions, telling stories, having a

9 I am using the term in the sense worked out by Amartya Sen in his *The Idea of Justice*, Allen Lane, London 2009.

10 S. Laugier, *The Vulnerability of Forms of Life*, in "Raisons politiques", 57 (2015), n. 1, pp. 65-80; Ead., *Care, environnement et éthique globale*, in "Cahiers du Genre", 59 (2015), n. 2, pp. 127-152.

chat, are as much a part of our natural history as walking, eating, drinking, playing".¹¹ Normativity, that is the potential for critical moves, is found in the concrete space of bonds of dependence, in the network of forces (to echo Michel Foucault), in the whirl of organism, as Cavell calls it, that attunes aspects of life into a whole where recurrent patterns can be detected.¹²

To go back to the initial contrast: the rationality we show when we reflect on, and criticize, a circumstance requires attention to the concrete life contexts. Attention to the detail is required in order to detect a pattern, a form: form is not imposed, it is part of the form of life. With McDowell and Aristotle, it is only by understanding how one can be educated and learn to go on autonomously that we can get a sense of how virtue works: the virtuous person is someone initiated into a specific form of life. There is no access to the form of virtue and more generally to the form of life sideways-on, we need to pay attention to the details of the initiation into a form of living. Therefore, the issues of education, formation and *Bildung* also shed light on the importance of detail, nuance, on the large variety of critical instruments, on the shifting borders of rich human description and criticism, matters which tie normativity in this perspective to the humanistic disciplines and to the issue of a specificity of the humanities (the importance of imaginative literature, film, and tv series).

This view sides with the Wittgensteinian moment of Anscombe when she argues that the form of life is to be detected in a host of minor aspects, in the subtle life with our concepts. The form is not remote from life as Singer argues. Yet this form hosts critical reflection. The form, that is, the patterns we may read into the host of aspects, does not respond to some lower immutable stratum, it responds to us, though in a way which may go deep into the vertical dimensions of life, a depth Anscombe sometimes calls mystical (as in the example of the kind of attack on humanity carried out by imagining disposing of corpses by leaving them with the garbage). This sense of depth though lies on the surface of our activities, which can bear this gravity and this density. This is something which poetry can teach and show: the incredible depth which may lie on the surface of a few lines on the page. This is the depth that may strike us (not every time) in the issues of life and death, of sexuality, of human bonding and separation.

11 L. Wittgenstein, *Philosophical Investigations*, ed. by P.M.S. Hacker and J. Schulte, Wiley-Blackwell, Oxford 2009, § 25.

12 S. Cavell, *The Availability of Wittgenstein's Later Philosophy*, in Id., *Must We Mean What we Say? A Book of Essays*, Cambridge University Press, Cambridge 1976, p. 52.

The Wittgensteinian lesson is that the form of this depth is our form, the form of our words and attitudes, which is mobile, as are human activities. Against Anscombe's revival of natural law, though, we need to recover the capacity to take turns and make moves conceived of as internal potentialities of words and attitudes. So the idea here is that form is not remote from us: it is not remote from life, it is not remote from us.

3. I now want to point to one aspect and introduce a further perspective. The second-nature conception of form of life conceives of freedom and autonomy as the achievements of a successful transformation of first nature. We can think of freedom, or, as we might say, of human mobility in thought, vision and action, as what is available from within a space of perception and reason shaped by second nature. The Aristotelian and McDowellian line insists that we need to be properly placed in second nature in order to be considered as proper agents and human beings. Mobility is the sign of a well-formed space of reasons, of a functioning habitat. A form of life is conceived thus as a successful life experiment. This is also close to the view put forward by Rahel Jaeggi.

Another perspective can be developed if we criticize the idea of successful transformation. We can do this following Cavell's lead. The notion of successful transformation serves the purpose of defending an anti-transcendental position, a position which argues that internal resources are all that we have and that we need. In McDowell's view, if we think of first nature as a kind of material that can be successfully transformed into second nature, the skeptical worries concerning the standpoint of reason dissolve and we see how reason comes naturally to human beings, and thus we do not need to posit an external perspective for reason, we do not need to transcend what comes naturally to human beings. Yet this idea of naturalness comes at a price, as it assumes the achievement of our proper place in the space of reason and autonomy, the achievement of what is properly home to human beings. We can question this, we can question this ideal conception of home and argue that we never inhabit a space of reasons in such a way, that we are never at home in such a way, that home is always a place of rejection and crisis: because we deny it and because we are denied by it; home is a place of estrangement as well. Let me develop this briefly. We can try to show how life is both familiar and strange to us. Our body, words, emotions, attitudes have a power to express, to say, to put us in relation with others, we can count on them, we can count on ourselves, – because they can also fail us: our confidence in ourselves

can fail us.¹³ Their power lies in connections, bonds, and attunements that are intrinsically open to failure and crisis. It relies on a confidence in ourselves that may be lost and on a trust in others that can be put into jeopardy, and this belongs to the fact the attunements in language, gesture and understanding are not a given, they are experimental, they try out situations. Concepts are projected onto new situations, as Cavell argues, and this implies experiment and adventure which comes with the possibility of failure and loss of orientation.¹⁴

We should think of human language and culture as a way of dealing with such crises and failures. Life is difficult; mortality, otherness, interiority and expression are all both natural and difficult. Giving form to life is a matter of formation which encounters such a resistance. The form of life is shaped by the encounter with the resistance our life opposes to its being molded in habits, relations, commerce, exchanges, loves. The second-nature conception thinks of forms of life as habitual (from Aristotle to Dewey and McDowell) and argues that habits host reflection and criticism. Whereas I want to say that such habits can turn into something which is unnatural, uneasy, extraneous. In crucial experiences – the body in illness, the breaking of personal communication and understanding, foreignness in one's community or in an actual foreign community, yet also in the many kinds of minor and repetitive losses of the intimate contact and confidence with life which shape the texture of everyday life – life faces us as something foreign and distant, it comes to us from some other place, from elsewhere.¹⁵ This experience of extraneity is the place for reflection and criticism, it encourages a specific form of thought about our needs which may call into question an entire form of life. Reflection does not operate as a merely internal activity as in Aristotle, McDowell and Dewey. Reflection is prompted and nurtured by the experience of being forced away from life, pushed to its margins. Naturality and homeness are thus thought of as the domestication of such episodes of crisis; naturality is never merely habitual because it is the result of having to a certain extent and only temporarily

13 P. Donatelli, *Il lato ordinario della vita*, il Mulino, Bologna 2018.

14 S. Cavell, *The Claim of Reason: Wittgenstein, Skepticism, Morality, and Tragedy*, Oxford University Press, New York 1979, pp. 180-190.

15 On the importance of locating crisis in the minute nuances of the everyday see S. Cavell, *The Wittgensteinian Event*, in *Philosophy the Day after Tomorrow*, Harvard University Press, Cambridge, Mass. 2005, pp. 192-212; V. Das, *Textures of the Ordinary. Doing Anthropology after Wittgenstein*, Fordham University Press, New York 2020; P. Donatelli, *Perfectionist Returns to the Ordinary*, in "Modern Languages Notes", 130 (2015), n. 5, pp. 1023-1039.

overcome foreignness and crisis. What I have described in general terms is Stanley Cavell's understanding of forms of life which draws on a reading of Wittgenstein and on other intellectual episodes, and which was pursued by a number of authors such as Veena Das and Sandra Laugier.

This has consequences for the problem I have presented. I have started with the contrast between those who reject the concept of form of life in order to account for freedom and autonomy and those who appeal to a form-of-life-view in order to establish the traditional understanding of the intimate spheres of life. I have then suggested that we should appeal to forms of life in order to account for freedom and autonomy: freedom and autonomy are formed ways of living, initiations of living creatures into social and cultural spaces. That freedom and autonomy are formed modes of living accounts for depth against thinness of normativity. As a last move I have argued for a different conception of freedom and autonomy as formed modes of living. Formation cannot be accounted for in terms of habits and naturality, as the successful initiation and formation of our natural beings in the realm of second nature. Rather it is a different kind of formation, it is best described not as the stability and reliability of second nature (form of life as the successful initiation into second-nature) but as the domestication of the vulnerabilities of life which leave their form impressed on the habits and the natural rhythms of life.

I have started with the issues of human life tied to bioethics. We can appreciate the contribution of this distinctive perspective to such debates. Intimate spheres of life are areas of human formation and the polemical target is not only the two horns, metaphysical views which steal from us freedom and creativity on the one side and thin conceptions which steal from us depth and personality on the other. The polemical target is also with second-nature views which don't see the space of failure, crisis and loss as crucial moments in order to elaborate what counts as living well, what counts as happiness. Failure and crisis are fundamental in order to elaborate critical postures.

Life's naturality in this perspective lies in this vulnerability to loss and crisis and in its power to recover, compensate and make room for ruptures in the natural rhythms accommodating loss. It is thus not a model of perfect formation, of successful initiation. As Cavell shows, it requires a repetitive domestication of what eludes intimacy and naturalness. This can help us to think of the array of various issues in question around the re-emergence of the question of life in our societies. We need to look at the concrete rhythms of life, how life endures embedded in forms of coexistence and social relations. Freedom is also found in the power to recover and accom-

moderate, to take turns and persist. Normativity is seen at work in the forms of life (anti-transcendentalism), that is, in the ways habits and naturalities are reconstituted, re-earned. The critical task is that of earning an authority over one's life against life's departing from us. Stanley Cavell's lesson is that we should educate our experience sufficiently so that it is worthy of trust.¹⁶ We need to be able to take an interest in our experience, to find words for it, in order to have an authority in one's experience. What I have been arguing is that this authority is best thought of not as the successful formation of character which installs the authority of the self in animal first nature but as the learning to take an interest in one's life, to find words for it and gain an authority from within the crises and losses that disrupt its rhythms and naturalities.¹⁷

16 S. Cavell, *Pursuits of Happiness. The Hollywood Comedy of Remarriage*, Harvard University Press, Cambridge, Mass. 1981, p. 12 along with the entire "Introduction. Words for a Conversation".

17 The present article is part of a larger chapter titled "Ethics and the Details of Life" to be published in a collection edited by Veena Das and Perig Pitrou.