Ethics and the anthropology of modern reason

Andrew Lakoff
University of California, San Diego, USA

Stephen J. Collier
New School University, New York, USA

Abstract

In recent years, anthropologists have shown increasing interest in scientific, technical and administrative systems and their political regulation. In what follows, we suggest that a major concern in much of this work is a common interest in how, in relationship to these technical and political developments, 'living' has been rendered problematic. In the first part of this article, we suggest that these strands of anthropological investigation can be fruitfully analyzed by engaging the work of Alasdair MacIntyre, whose distinctive neo-Aristotelian approach has had an important influence on recent discussions of ethics in philosophy. In the second part of the article, we propose that the significance of this anthropological work lies not only in its descriptions of the specificities of local ethical formations, but also in its contribution to a broader understanding of what we propose to call 'regimes of living'.

Key Words

Alasdair MacIntyre • biopolitics • ethics • moral philosophy • rationality • technology

In recent years, anthropologists have shown increasing interest in scientific, technical and administrative systems and their political regulation. They have examined developments such as innovations in the life sciences, new threats to environmental health, the role of information technologies in financial decision-making, and the implications for social welfare of new techniques of political administration. But it is clear that the goal of these anthropological investigations is not to understand technical developments *per se*. What, then, draws them together? In what follows, we suggest that one major concern in much of this work is a common interest in how, in relationship to these technical and political developments, 'living' has been rendered problematic. This research examines situations that provoke reflection on questions such as: 'what is human life

becoming? What conventions define virtuous conduct in different contexts?' We argue that the interest of this anthropological work lies not only in its descriptions of the specificities of local response to global forms of politics and technology, but also in its contribution to a broader understanding of contemporary configurations of ethical reflection and practice: what we propose to call 'regimes of living'.

In the first part of this article, we suggest that these strands of anthropological investigation can be fruitfully analyzed by engaging a set of discussions on ethics in philosophy and critical theory. Specifically, we focus on the work of Alasdair MacIntyre, a communitarian philosopher whose distinctive neo-Aristotelian approach has been influential on moral philosophy in recent years. MacIntyre follows the classical tradition in understanding ethics not simply as the adjudication of values but as the response to the question 'how should one live?' (Williams, 1985). Ethics, in this sense, involves a certain idea of practice ('how'), a notion of the subject of ethical reflection ('one'), and questions of norms or values ('should') related to a certain form of life in a given domain of living. MacIntyre's work provides an analysis of the relationship between ethics and two elements of contemporary social life – biopolitics and technology – that feature centrally in the anthropological research we consider here. As such, this philosophical discourse on ethics offers a useful vantage on the connection of technical and political transformations to 'anthropological' problems – that is, problems related to forms of human life and the constitution of human subjects (Rabinow, 2003; Collier and Ong, 2005).

However, our goal is different from that of moral philosophers such as MacIntyre. The philosophical discourse on ethics is often oriented to explaining the inadequacies of contemporary ethics through reference to the loss of a past in which ethics was coherent, based on a common tradition and a shared vision of human nature. Its diagnosis of the pathologies of the present is part of a quest to define a more coherent ethics. In contrast, as anthropologists, we seek to analyze configurations of ethical reflection and practice in diverse contexts in the present. Thus, we examine how this philosophical discourse might be redirected toward an *analytics* of contemporary ethics rather than a diagnosis of their incoherence. Following Michel Foucault's (1997b) method in his genealogy of ethics, this approach seeks to identify the elements – techniques, subjects, norms – through which the question of 'how to live' is posed.[1]

In the second part of the article, we explore the concept of the 'regime of living' as a tool for mapping specific sites of ethical problematization. We define regimes of living as congeries of moral reasoning and practice that emerge in situations that present ethical problems – that is, situations in which the question of how to live is at stake. Methodologically, the regime of living is abstract: a given regime of living can identify common ethical configurations in diverse situations, and, thus, takes diverse actual forms. Substantively, regimes of living describe ethical configurations formed in relationship to technology and biopolitics. Thus, the word *regime* suggests a 'manner, method, or system of rule or government',[2] characteristic of political regimes, systems of administration, or modes of techno-scientific intervention. To say that such regimes relate to questions of *living* indicates that they concern the social and biological life of individuals and collectivities.

In developing our analysis we draw on a number of illustrations from recent anthropological work: Marilyn Strathern on ethical regulation in Canada; Teresa Caldeira and James Holston on development and urbanism in Brazil; and Lawrence Cohen on the

organ trade in India. In these cases, ethical problematizations are related specifically to forms of technology and politics – audit techniques, social welfare institutions, organ transplant technologies – that have a 'global' quality, in the sense that they are abstractable and mobile.[3] In each case certain actors – whether bureaucrats or ethicists, shantytown dwellers or potential organ sellers – must find guides to moral reasoning linked to modes of practical activity.

These cases not only describe local responses to ethical problems presented by global forms of politics and technology. More broadly, they present configurations of reasoning and practice that occur across a range of sites. By using detailed analyses of specific situations to identify more general ethical configurations, our approach suggests an alternative both to broad, epochal diagnoses of 'the present' and to an insistence on 'locality' as the only relevant site of anthropological inquiry. Thus, it is possible to treat each case as an exemplar of a more general regime of living: 'social audit' in the case of Strathern; a 'counter-politics of sheer life' in the case of Caldeira and Holston; and 'operability' in the case of Cohen. In examining these cases through a common analytic frame, we seek to clarify a form of inquiry shared by disparate trajectories of anthropological inquiry, and to make explicit some strategies for defining shared objects and concepts.

TECHNOLOGICAL REASON AND BIOPOLITICS AS ETHICAL PROBLEMS

As an initial illustration of anthropological work at the intersection of technology, politics and ethics, we turn to Marilyn Strathern's study of the Canadian Royal Commission on New Reproductive Technologies, formed to make policy recommendations to the Canadian Government. Strathern's account begins from a problematic situation involving the manipulation of human life: the invention of new technologies poses questions concerning the regulation of human reproduction. Notably, it is the state, and specifically this Royal Commission, that is identified as the appropriate agent to respond. The Commission employs a distinctive form of reasoning that rests on the 'liberal' principle that it should act on behalf of the values 'of Canadian society as a whole' (Strathern, 2005). This principle, in turn, presents a technical challenge: how to make 'society' register its opinion? How, as Strathern puts it, to 'set in motion social processes which would yield information attributable to this society'? The Commission's answer is the appropriation and deployment of an ethical technology – a survey – that aims to capture the diversity of opinion of Canadian society. This procedure constitutes what she calls a *social audit*, whose purpose is to analyze not financial values and flows but the values of society. These values are supposed to form the basis of policy, allowing the Canadian Government to claim that its action reflects and is accountable to the 'will' of the Canadian people.

The Commission understands the problem in this situation as involving competing values about the morality of the use of reproductive technologies.[4] Accordingly, it sees its task as the resolution of conflicts among these values through an appeal to a *universal* value – liberality. This approach places the Commission's activities within the domain of 'ethics' in the term's narrow contemporary usage indicating the application of values or moral rules to specific situations. But it also presents an ethical response in the classical sense: it is a form of reflection and practice concerned with the question of how a particular kind of ethical subject, society, should live.

Ethics and Rationality

An important claim in Strathern's work is that the activity of the Commission on New Reproductive Technologies is inadequate to the challenge of reflecting upon the ethical problems raised by new reproductive technologies. Ultimately, she suggests, the point of the exercise was simply to *have gone through* the process of the audit, to *have recorded* society's opinion. This opinion was not meaningfully reflected in policy and, indeed, the recommendations that resulted from the social audit seem to have been determined in advance by the very value upon which the Commission's work was premised: liberality. Would the recommendations have been different, Strathern asks provocatively, if 'society' was deemed to be illiberal?

Strathern's analysis recalls the concern of some contemporary moral philosophers and critical analysts that, as ethical discourses have proliferated, they are increasingly inadequate to the problems with which they grapple.[5] As Alasdair MacIntyre argues in *After Virtue*, 'moral countenance can now be given to far too many causes . . . the form of moral utterance provides a possible mask for almost any face' (MacIntyre, 1984: 110). MacIntyre's diagnosis proceeds from the suggestion that contemporary ethical discourse 'can only be understood as a series of fragmented survivals from an older past' when ethics was 'at home in larger totalities of theory and practice in which they enjoyed a role and function supplied by contexts of which they have now been deprived' (1984: 110–111, 10). The 'older past' MacIntyre has in mind is that of classical Greece, which serves as a model of coherence in comparison to what he sees as the disorder of contemporary ethical discourse. In his reading of the classical tradition, practical reason, the institution of citizenship, and conceptions of the virtues were rationally organized on the basis of a common understanding of human ends and a cosmos or tradition. In this context, individuals could conduct their lives with respect to a stable understanding of the good. For MacIntyre, contemporary ethical discourse lacks such a stable cosmos or a teleological understanding of human nature to guide ethical reasoning. Consequently, he argues, contemporary ethics has devolved into empty debates about incommensurable values that are not amenable to rational resolution.

In contrast to MacIntyre, our goal is not to diagnose the malaise of contemporary ethical discourse; nor is it to propose a means of rectifying our ethics. None the less, the comparison between contemporary and classical ethics that MacIntyre and others have undertaken proves useful for the present analysis. Whatever one makes of his account of the classical tradition, MacIntyre's discussion brings into view distinguishing features of the way the question 'how should one live?' is posed today.

Thus, in the case of the Canadian Commission, the 'how' includes technical means – reproductive technology, the survey, focus groups – that stand in uncertain relationship to values or ethical principles. The 'should' does not refer to virtues derived from an understanding of human nature or to a common tradition – indeed, the ethical norm is in formation: the very phenomenon that the Commission seeks to reflect is the 'diversity' of Canadian society. And the ethical subject – the 'one' – is not an individual reflecting on the conduct of life but a collection of experts adjudicating among values. Their charge, moreover, is to act in the name of an entity that would have been foreign to the classical ethical formation – society. The life in question is collective, and it is not only the life of citizens but of biological and social beings, insofar as they are engaged in reproductive behavior.

These distinctive features of contemporary ethics can be understood through two broad contrasts highlighted by MacIntyre and others. The first is between the 'practical reason' of the classical tradition and modern 'technological reason'. The second is between the classical account of the *polis* as a domain in which reasoning citizens meet as equals, and a pivotal dimension of the modern polity – biopolitics. For a range of critical observers the rise of biopolitics and technology are key moments in a narrative about the loss of coherence of ethical reason in modernity. However, we read the centrality of biopolitics and technology to modern social life in a different light: as sources of dynamism that are critical to understanding how the constitution of ethical subjects, forms of ethical reasoning, and practices of living with respect to the good are at stake today.

Moral philosophy's 'classical tradition'

In MacIntyre's account, the key feature of classical ethics was that it rested upon a shared view of human nature – what Charles Taylor (1994) calls a 'specific anthropology'.[6] As MacIntyre (1984: 148) describes this ethical configuration, 'human beings, like the members of all other species, have a specific nature; and that nature is such that they have certain aims and goals, such that they move by nature toward a specific *telos*'. Living life with respect to one's *telos* was the basic task of ethical self-formation.[7] From this starting point, MacIntyre paints a picture of a coherent ethical configuration that rests on two elements: practical wisdom as a basis for rational action and the *polis* as a context of ethical reasoning. As we will see, both are central to his diagnosis of the disarray of contemporary ethics.

According to this account of ethical action in the classical tradition, to live a good life an individual had to possess a certain kind of discernment in determining what actions were appropriate, good, or virtuous (MacIntyre, 1984: 150). Such discernment did not involve knowledge of a fixed set of moral rules, nor was it a purely abstract form of rationality. It was, rather, a capacity for reasoned choice – a practical wisdom – that allowed an individual to act on the basis of 'the requirements of virtue in each fresh context' (Taylor, 1994: 28). The ability to make such practical choices was an excellence of character that was itself the product of work on the self or a process of ethical self-formation. As MacIntyre (1984: 162) summarizes it: 'The education of the passions into conformity with pursuit of what theoretical reasoning identifies as the *telos* and practical reasoning as the right action to do in each particular time and place is what ethics is all about.' Practical wisdom, thus, was always linked to the character of the person who was engaged in reasoning. In contrast to the modern situation, MacIntyre argues, practical wisdom could only be exercised by a good person; and conversely, goodness required intelligence.

A second important feature of the classical tradition in MacIntyre's discussion relates to the context in which practical wisdom could be exercised and the good life situated. Classical ethics was necessarily pursued in the distinctive space of the *polis* and through the conduct of a political life (1984: 150).[8] Correspondingly, the contemporary absence of a structured domain like the *polis* frames his analysis of the inadequacies of ethics today.

This analysis is shared by other critical thinkers, such as Hannah Arendt, who makes a similar argument in *The Human Condition*. She describes the classical *polis* as a space

of freedom in which an ethics based on speech and action of citizens was possible. In analyzing this space she draws a critical distinction between the *polis* – the space of politics in which citizens met as equals – and the *oikos* or household – the space of mutual interdependence for the sake of sheer life (Arendt, 1958). It was only upon entering the *polis* and leaving behind the cares of the *oikos*, upon freeing oneself from the cares of sheer life, that the citizen could pursue the good life. As Arendt notes,

> [t]he 'good life', as Aristotle called the life of the citizen, therefore was not merely better, more carefree or nobler than ordinary life, but of an altogether different quality. It was good to the extent that by having mastered the necessities of sheer life, by being freed from labor and work, and by overcoming the innate urge of all living creatures for their own survival, it was no longer bound to the biological life process. (1958: 36–7)[9]

As we will see, Arendt contrasts this configuration to the centrality of 'the biological life process' in modern politics.

For MacIntyre, the context of the *polis* is significant in another respect that is crucial to his diagnosis of contemporary ethics – namely, that it provided a common tradition in relation to which ethical problems were posed. Answers to such problems were not to be discovered through moral rules that applied everywhere to all human beings. Rather, the good could be understood only in relation to the context-dependent and always embedded problems, mores, and conventions of a given human community. The *polis* defined the horizon or common tradition of such a community. The preoccupation of practical wisdom was to grasp the requirements of virtue, not as strict rules or moral laws but as a relatively flexible and critical engagement with a tradition (MacIntyre, 1984: 133). Thus, for MacIntyre, classical ethics assumed both an embeddedness in a certain tradition and a critical distance from the tradition's specific dictates.[10]

How does MacIntyre's reconstruction of the classical tradition inform his diagnosis of contemporary ethics? And what elements of his diagnosis might be usefully redirected toward an analytics of ethical problematizations today?

Technological reason

According to MacIntyre, a key problem with contemporary moral reflection is that it assumes a separation between ethics and rationality. In this sense it precludes a structure of practical wisdom akin to that of classical ethics. As Charles Taylor (1994: 19) summarizes MacIntyre's argument, reason is not 'defined substantively, in terms of a vision of the cosmic order, but formally, in terms of the procedures that thought ought to follow, and especially those involved in fitting means to ends, instrumental reason'.[11] This instrumental or *technological* reason has a disembedded character: it is not wedded to a specific social or cultural context, to an understanding of the good, or to a stable understanding of a human nature that grounds action.[12] Questions of fact are decoupled from questions of value. The result, for MacIntyre, is an incapacity to conceive ethics as a form of reasoned action, and a tendency to frame ethical problems in terms of incommensurable values that cannot be rationally debated.

Moreover, MacIntyre argues, the exercise of modern reason is dissociated from ethical self-formation and from a specific subject of reason. 'For Kant', he notes, 'one can be

both good and stupid; but for Aristotle stupidity of a certain kind precludes goodness' (1984: 155). Thus, a number of problematic ethical figures in modernity – the technocratic expert who is concerned only with facts and not with values, or, we might add, the contemporary ethicist, whose 'expertise' or authority lies purely in questions of value rather than in questions of fact – would not have been conceivable for classical ethics. Modern technological reason raises the possibility that one can be both good and stupid; or, for that matter, bad and smart.

For MacIntyre, the disjuncture between ethics and rationality in modernity is the product of an historical process through which the moral subject has been deprived of a social milieu and *telos* that could rationally ground moral judgments. But the emergence and spread of modern forms of rationality need not be seen solely in terms of the 'decline' of an ethical cosmos and the eclipse of a coherent ethics. As Max Weber argued, techniques of instrumental reason are of increasingly broad ethical significance across the life worlds. The extension of such techniques can be understood as constantly provoking new ethical questions as concrete forms of technological reason enter into dynamic, productive, and often problematic relations with values.[13] Moreover, as recent anthropological research has shown, technological reason is continually involved in constituting human nature and diverse ethical subjects. Vivid examples can be found in the debates swirling around reproductive technology and associated questions concerning definitions of the beginning of life – and, thus, the definition of life itself – or in political battles over technologies of administration that redefine human collectivities.[14]

Biopolitics

Parallel to their analysis of the distinction between practical wisdom and a disembedded technological reason, MacIntyre and Arendt use a contrast between the classical *polis* and the modern polity to criticize contemporary ethical discourse. As we have seen, in Arendt's understanding of the classical tradition, ethical self-formation required a space of freedom from the mundane concerns of biological and social existence.[15] In the modern polity, by contrast, biological and social processes for sustaining and reproducing human life are central problems. Arendt associates this feature of the modern polity with the domain of 'society'. Society here is neither the state nor the individual household – the two spaces whose opposition organized classical ethics – but a third term: a 'national *oikos*', or national household, in which 'the fact of mutual dependence for the sake of life and nothing else assumes public significance and where the activities connected with sheer survival are permitted to appear in public' (1958: 46).[16] Relatedly, fostering the ordinary life of a population the most important basis for the legitimacy of modern states and a primary goal of regulating collective life.[17]

For Arendt, one implication of the rise of the social is the erosion of the *polis* as a context for a coherent and rational ethics.[18] She links the emergence of life itself as the central problem of the modern polity to the rise of a mass society geared to the satisfaction of the basic wants of the population rather than the political life of citizens. In turn, she argues, the mass character of contemporary politics means that behavior displaces action in the public sphere, which is not a space of reason and freedom but a space of conformity and statistical regularity. In a distinct but parallel fashion, MacIntyre argues that the modern polity does not define a common tradition in relation to which rational citizens can fashion an ethical way of living.

But the centrality of social and biological life in the modern polity – leading to a situation Foucault called 'biopolitical' – need not be seen only in terms of a loss of a common point of reference for ethical reasoning. As Strathern's case demonstrates, 'society' emerges as a new kind of ethical subject in modernity. At the same time, 'politics' is reconfigured in more partial and provisional forms around problems of collective existence related to sheer life.

Here it is useful to introduce the second of our three examples, which illustrates how 'the social' can be a domain of positive ethical identification and practice. This point is illustrated in Teresa Caldeira and James Holston's research on state planning and urban reform in Brazil, which examines neoliberalism, social welfare, and popular politics in São Paulo squatter settlements (2005). The authors' point of departure is the emergence of modern urbanism in the post-Second World War project of state-led developmentalism in Brazil. This form of urbanism, which defined the totality of social relationships as a possible object of state intervention, constituted society as both a field of technical manipulation and as an ethical substance through which certain ideals – equality, modernity – could be realized for the entire Brazilian nation. In so doing, it created a political space in which Brazilians appeared not only as holders of juridical rights but as members of a population with social and biological needs.

However, as Caldeira and Holston note, the actual operation of total planning contradicted the core principles of Brazilian social modernity in important ways. Large portions of the urban population that were incorporated into plans as laborers were excluded from the basic institutions of social and political citizenship, and could only inhabit modern cities by means of illegal or irregular settlements. However, this disenfranchisement did not prevent the formation of expectations among the residents of such settlements that the state would deliver core social goods and services. The resulting clash between an inclusive national ideology and the actual facts of exclusion from Brazilian social modernity led these marginal subjects to craft a distinctive strategy for making claims on the state. This strategy did not reject the project of social modernity; rather, it was a form of 'counter-politics' that articulated claims to inclusion or citizenship in the Brazilian nation precisely on the basis of demands for service delivery, infrastructure provision, and participation in planning decisions.[19] In this regime of living, we can see how the entrance of life into the polity – in the form of modern society – structures a novel conjecture of ethics, technical rationality and political action.

REGIMES OF LIVING

As we have seen, the philosophical engagement with classical ethics is useful in understanding ethical reflection not in terms of moral rules or values but as configurations of reason, technique, and institutions of collective life. Its analysis of biopolitics and modern reason also highlights distinctive features of contemporary sites of ethical problematization. Ethical reflection is not limited to the self-forming individual's quest to find a rational form of acting with respect to the good. Moreover, the range of situations in which ethical problems arise is much broader than those considered in philosophical discussion, and such situations do not provide a stable milieu for ethical reasoning. Rather, they provoke partial and provisional reconfigurations of ethical reflection and action.

As MacIntyre demonstrates, one way to proceed from these observations would be to analyze the absence of certain elements – a common tradition, a *telos* of ethical

self-formation, or a stable anthropology – as the key to understanding the incoherence of contemporary ethics. But the anthropological work we have considered thus far suggests a different approach. This work shows that we should understand technological reason and biopolitics not only as sources of loss but also as sites of dynamism. Those modern forms provoke uncertain situations in which the very terms of ethical activity – the subject in the name of whom action takes place, the values that guide ethics, and the relevant forms of ethical reason and practice – are in question. This approach reframes the question for a contemporary investigation of problems of living: how, today, is our anthropology at stake in our ethics?

In the remainder of this article, we examine regimes of living as configurations of ethical elements – forms of practice, norms, modes of reasoning – that recur in diverse situations. We also consider how, as a methodological tool, the concept of regimes of living may help draw diverse trajectories of anthropological investigation into a field of common inquiry by establishing interconnections among sites of analysis.

Regimes of living, as we have noted, are configurations of normative, technical, and political elements that are brought into alignment in problematic or uncertain situations. A given regime provides one possible means, and always only one among various possible means, for organizing, reasoning about, and living ethically – that is, with respect to a specific understanding of the good. Regimes of living have a certain systematicity or regularity – like a diet, a medical regimen, or a set of exercises – that give them a provisional consistency or coherence. But they do not necessarily have the stability or concrete institutionalization of a political regime. Rather, they may be conceived as abstract congeries of ethical reasoning and practice that emerge in a range of situations, taking diverse actual forms.

To illustrate, we draw on a familiar and classic example – Max Weber's description of Benjamin Franklin's ethic of self-conduct. Weber shows that this ethic was organized around a strange and unprecedented principle: the duty to accumulate rather than consume capital. It endowed a range of practices crucial to the development of modern capitalism that had no intrinsic value with 'ethical sanction'. Weber explores this ethic by examining Franklin's dicta on how to live a good life: 'a penny saved is a penny earned'; '*time* is money'; '*credit* is money'; '*the good paymaster is lord of another man's purse*' (Weber, 1992: 75).[20]

Beyond the specific examination of Franklin's principles of self-conduct, the interest of these dicta for Weber is that they exemplify a more abstract configuration of ethical elements – what we call a regime of living. This regime, which Weber calls *this-worldly asceticism*, proves to be significant in a diversity of circumstances, from Protestant doctrine, to Franklin's reflections on the virtues of economic living, to capital accounting in a large industrial enterprise. Although these situations are incredibly diverse, it is possible to observe in them common features: underlying norms (such as austerity and self-denial), techniques (such as self-observation and careful record keeping), and forms of rationality (calculation). These techniques and norms are not only ethical in the sense of morally correct. They are also modes of working on the self, for constituting the self – whether that self is a Protestant, a virtuous early post-revolutionary American, or a capitalist enterprise – as a certain kind of subject. Thus, this-worldly asceticism can be seen to provide a 'foundation and justification' for related but distinct ethical practices in diverse sites (Weber, 1992: 75).

In a similar manner, the exemplars we have already examined – the Canadian Royal Commission and urban reform in Brazil – present specific ethical problems that lend themselves to the identification of regimes of living with broader significance. Thus, Strathern describes the social audit as a specific procedure undertaken by the Canadian Commission. But the social audit combines elements that may be found across a range of contexts.[21] Thus, we may refer to *social audit* as a regime of living defined by a normative orientation to political action guided by public opinion and the technological mechanisms involved in registering that opinion. Regimes of living in which audit techniques play a central role can be identified in a range of domains, such as the use of participatory mechanisms in development projects.

Likewise, Caldeira and Holston's case deals with a specific situation in Brazil in which residents of squatter settlements constitute themselves as active citizens through a strategic reversal that appropriates the values of a biopolitical regime from which they were excluded – urban social welfare (Gordon, 1991). But parallel situations abound. For example, the anthropologist Akhil Gupta (1998) has examined how social movements have mobilized against the urban bias of post-Second World War developmental strategies by making claims on precisely those services promised by, but not delivered to, much of rural India. In these cases a type of citizenship, a certain set of technologies related to the satisfaction of daily needs (i.e. welfare systems), and a set of values concerning expectations of state administration are configured in a regime of living that we propose to call a *counter-politics of sheer life*.

The emergence of regimes of living that are common to diverse sites may result from various kinds of connections among these sites. One such type of connection results from the movement of technological or biopolitical forms that are global – in the sense that they are abstractable or mobile – through the efforts of concrete individuals or through institutional or organizational relationships. For example, the technologies of social audit that Strathern describes circulate in global expert communities, shaping distinctive ethical and technical responses in diverse situations. A second type of connection among sites can be identified in the case of structurally similar socio-historical or techno-political situations. Thus, the counter-politics of sheer life takes form in sites whose common feature is a disjuncture between membership in a polity and access to social welfare benefits.

Emergent forms

As we have seen, existing regimes of living may be invoked by actors (whether individual or collective) in problematic or uncertain situations in order to give such situations a certain moral or ethical structure. At the same time, a regime of living may be reshaped or reworked in relation to the exigencies of a given situation, creating new forms of ethical practice and reflection.

As an illustration of how a regime of living may be reshaped in relation to a problematic situation, creating a new form of ethical practice, we turn to a third exemplar, Lawrence Cohen's (forthcoming) work on the regulation of the organ trade in India. The backdrop to Cohen's case is the combination of developments in the life sciences (in organ extraction, grafting, donor screening and matching, and in immuno-suppressant drugs), advances in communications and transport technology, and changing conceptions of the 'end of life' that together have vastly expanded the

bioavailable population; that is, the population whose biomatter – here kidneys – is 'available for selective disaggregation'.

Following scandals in Bombay and Bangalore in 1994, the Parliament of India passed the Transplantation of Human Organs Act (THOA), whose provisions were imitated in similar acts at the local level in many Indian states. The Act drew a distinction between sold and gifted organs, deeming transplantation from living donors ethical only when spurred by familial love. But the law also allowed exceptions to be granted by medical–bureaucratic structures called Authorization Committees. The resulting situation reflects a complex ethical logic. As Cohen writes:

> The sovereign state protects persons from practices deemed exploitative and un-civilized. Out of love, family members and friends may desire to give a kidney to one who needs it. To prevent the moral economy of the latter from degenerating into the uncivil economy of the former, only four permitted classes of kin are constituted as *normal* donors. To prevent state protection from shutting down other life-saving circuits of love and flesh, the formal logic of exception is set up.

After a period of strict prohibition, Cohen notes, most Authorization Committees tended to allow the exception to the ban on organ sales to become the rule, placing organ sales in a structure of formal legality. An 'ethics of the exception' is forged through a specific relationship between state practice, biomedicine, transplant doctors, and the committees that regulate them.

But frequently buried in the noisy public and political discussions around the organ trade, as Cohen shows, a different ethical position may be identified among those who decide to sell an organ. These sellers may act 'out of love', felt not for the recipient of the organ but for the beneficiary of money gained from its sale. For such individuals, the problem of how to act in this situation is structured in part by the twin techno-political situations of bioavailability and the exception in the national law on organ transplant. Cohen discovered a central element of this ethical configuration almost accidentally, when he found that *all* of the 30 women he interviewed concerning organ sales had undergone previous sterilization surgeries. The surgeries were connected to state-based developmental strategies that sought to control population growth among the 'lower classes', whose unruly passions could not, it was presumed, be tamed by other means. Cohen suggests that in this context sterilization surgeries became one 'form through which constitutively marginal, pre-modern subjects secure some form of modern participation in the nation-state'. The result is the crystallization of a regime of living, *operability*, through which invasive surgery becomes part of a repertoire of ethical possibilities that are weighed in making a decision about selling one's kidney.

Cohen's case also underscores a point made earlier concerning the elements that are involved in the dynamics of regimes of living. In contrast to classical ethics, the operation of regimes of living does not necessarily involve an individual's capacity for insightful understanding; and the life in question is not necessarily that of a reasoning citizen. Rather, the life at stake in a given regime of living may be collective as well as individual; and problems of ordinary life – sheer biological existence – are central to regimes of living. What is more, the life in question is not characterized by an internal logic or higher coherence that could be derived through abstract reflection. And regimes of living

do not provide definitive resolutions to problematic situations by recourse to a politics, a space of universal rationality, or a tradition. They do not produce, as MacIntyre (1984) summarizes the classical position, 'a cosmic order which dictates the place of each virtue in a total harmonious scheme of human life'.

Indeed, as we see in the exemplars we have considered, the invocation of a regime of living may raise as many ethical problems as it resolves; its relation to a good life is strained. Consider: Strathern's observation that society's 'illiberal' values may undermine the very principle in the name of which social audit emerged and was deployed; Weber's gloomy conclusion that the Protestant ethic may turn out to be an iron cage; or, in Cohen's case, the Pyrrhic victory of a form of citizenship based on an ethos that brings the sale of body parts into a desperate calculation concerning basic survival. These are not, certainly, identities to be celebrated, and the situated and provisional understanding of the good established in them does not provide an integrated, consistent, and rationally justifiable ground for the good life. And yet, the regimes of living we have discussed provide, in uncertain situations, contingent means for organizing, reasoning about, and living ethically. They define situated understandings of the good, modes of possible action, and techniques for working on or forming subjects.

A field of common problems

Our use of the concept of regimes of living exemplifies a mode of analytic work that is neither theoretical nor strictly empirical but methodological. Although it takes much from critical theorists and moral philosophers like MacIntyre and Arendt, this analytic stance also contains an implicit critique of attempts in moral philosophy to theorize a generalized ethical condition of the present. But its purpose is not simply to deny the universality of normative philosophical claims by reaching to detailed knowledge of local specificity and a cogent understanding of actors' contexts and motives. At one level, the cases we have examined exemplify a classic ethnographic imperative: to avoid universal generalization, to attend to practices, local histories, and contexts, and to actors' own understandings of what they are doing. But the concept of the regime of living points to a set of more substantive connections among ethical problems in different sites. These connections do not rest on a common cultural field or a common social logic. To say that regimes of living such as this-worldly asceticism, a counter-politics of sheer life, or social audit, can be identified in diverse situations is not to say that actors in them face the same issues, or have recourse to the same range of responses. The space of inquiry defined by a regime of living is not delimited by boundaries of common culture, territory, political structure, language group, or experience. Rather, it is shaped by more heterogeneous and provisional linkages. As such, the regime of living can serve as a tool to map a field of inquiry by grasping both empirical connections among sites and conceptual interconnections among problems (Weber, 1949).

The methodological approach suggested by an analysis of regimes of living also points to a distinctive critical stance. The position articulated by a range of moral philosophers and critical theorists identifies the absence of a shared vision of the *telos* of human life in modernity as central to a diagnosis of the disarray of contemporary ethics. In contrast, the exemplars we have considered here do not try to define the conditions for a rational ethics; nor do they reject, as such, the terms and values of ethical discourse today. This approach does not indicate the absence of a critical position, but rather points to a more

specific analysis of the implications of concrete situations for the politics and practice of living.

   Thus, Strathern's concern is not that we put liberality as a value into question any more than it is that we take it as an unquestioned good, but that, rather, we evaluate specific programs organized in the name of liberality by examining concrete techno-political arrangements. The result is an incisive technical critique of attempts to operationalize ethics in this particular domain. Cohen's point is not to denounce the 'ethics of the exception' in general but to sort out ethical problems around the structure of the exception, and to show how attention to a particular value – familial love – might be used to destabilize taken-for-granted ethical judgments about organ sales. Caldeira and Holston cautiously treat the substantial gains of squatter movements in the demo-cratization of the 1990s, examining the tensions between the extension of political fran-chise and the erosion of public space that has resulted from deregulation and neoliberal reform. In any case, these analyses suggest that a critical approach to contemporary ethics requires a prior anthropological investigation into how the nature and practice of human life and the *telos* of living are being constituted and transformed.

Acknowledgements

Notes

1 Recent anthropological work that has drawn on Foucault's analytic method in examining contemporary ethics includes Faubion (2001), Mahmood (2003), Rabinow (1996) and Robbins (2004).
2 *Oxford English Dictionary Online*, 2003 (www.oed.com).
3 For a discussion of 'global' forms see Collier and Ong (2005).
4 Strathern does not specify these conflicts, but we might surmise that an example would be the sacrality of life at conception versus the health of the mother and the right of individuals to regulate their reproductive behavior.
5 A number of medical anthropologists, for example, have critically analyzed the rise of bioethics in clinical and research contexts. See Kleinman et al. (1999).
6 As Michel Foucault's work on the human sciences would seem to suggest, this use of 'anthropology' is anachronistic. See Foucault (1973).
7 As John Horton and Susan Mendus (1994: 6) summarize MacIntyre's position:

> For Aristotle, the good life is the life lived in accordance with virtue (*arete*), where virtue is to be understood against the background of a teleological conception of man – a conception according to which human beings have a specific nature which determines their proper aims and goals. On his account, the virtues are excellences of character which enable people to move toward their goal (*telos*), and are an essential part of the attainment of that goal.

8 MacIntyre (1984: 135) claims that the centrality of the *polis* as the proper milieu of

ethics was common beyond the Aristotelian tradition. Of the four Athenian views of ethics he describes, 'all do take it for granted that the milieu in which the virtues are to be exercised and in terms of which they are to be defined is the *polis*'.

9 Charles Taylor (1994: 31) the status of 'ordinary life' – 'The life of production and reproduction, or economic and family life' – was, for Aristotle, 'simply of infra-structural significance . . . a goal of association, because you need it in order to carry on the good life'.

10 MacIntyre's emphasis on the ability of Aristotelian ethics to accommodate itself to a more modern understanding of an ethics embedded in a cultural tradition is a distinctive feature of his reading of Aristotle. This emphasis is not to be found in other important readings of Aristotelian ethics.

11 For a similar argument, see Anthony Giddens' article in Beck et al. (1994).

12 That is, technological reason has a certain 'global' character in the sense defined earlier in the article. For a basic definition of technology see Weber (1978: 67).

13 As a large body of work in the social studies of science has shown, modern technical communities are also moral communities. See, for example, Shapin (1994).

14 For examples, see Haney (1999), Petryna (2002) or Rapp (1999).

15 See also Taylor (1994: 31).

16 Peter Wagner (2000) dates the emergence of a discourse on 'society' as a third term of political thought, in addition to *polis* and *oikos*, to the mid-18th century.

17 This situation, as Taylor (1994: 32) notes, constitutes an effective reversal of the Aristotelian hierarchy in which ordinary life was only the unreflective basis for the ultimate aim of leading the good life. In modern culture, he writes, 'the life of production and reproduction is the centre of human concern. The highest life does not reside in some supposedly higher activity, but rather in living ordinary life . . . rationally, that is, under rational control.' This is the theme of Michel Foucault's (1997a: 73) work on biopolitics and governmentality. Thus, Foucault defines bio-politics as 'the endeavor, begun in the eighteenth century, to rationalize the problems presented to governmental practice by the phenomena characteristic of a group of living human beings constituted as a population'.

18 For more detail on this argument in Arendt, see Pitkin (1998).

19 Counter-politics is a Foucaultian term that Colin Gordon analyzes in 'Governmental Rationality: An Introduction' (Gordon, 1991: 5).

20 Italics in the original.

21 For a description of the extension of audit regimes among different forms of social organization in Britain, see Power (1997) and Strathern (2000).

References

Arendt, H. (1958) *The Human Condition*. Chicago, IL: University of Chicago Press.

Beck, U., A. Giddens and S. Lash (1994) *Reflexive Modernization: Politics, Tradition and Aesthetics in the Modern Social Order*. Stanford, CA: Stanford University Press.

Caldeira, T. and J. Holston (2005) 'State and Space in Urban Brazil: From Modernist Planning to Democratic Interventions', in A. Ong and S.J. Collier (eds) *Global Assemblages: Technology, Politics, and Ethics as Anthropological Problems*, pp. 393–416. Malden, MA: Blackwell.

Cohen, L. (2005) 'Operability, Bioavailability, and Exception', in A. Ong and S.J. Collier (eds), *Global Assemblages: Technology, Politics, and Ethics as Anthropological Problems*, pp. 79–90. Malden, MA: Blackwell.

Collier, S.J. and A. Ong (2005) 'Global Assemblages, Anthropological Problems', in A. Ong and S.J. Collier (eds) *Global Assemblages: Technology, Politics, and Ethics as Anthropological Problems*, pp. 3–21. Malden, MA: Blackwell.

Faubion, J.D. (2001) 'Toward an Anthropology of Ethics: Foucault and the Pedagogies of Autopoiesis', *Representations* 74 (Spring): 83–104.

Foucault, M. (1973) *The Order of Things: An Archaeology of the Human Sciences.* New York: Vintage.

Foucault, M. (1997a) 'The Birth of Biopolitics', in P. Rabinow (ed.) *Ethics, Subjectivity and Truth: Essential Works of Foucault*, Volume I, pp. 73–9. New York: The New Press.

Foucault, M. (1997b) 'On the Genealogy of Ethics: An Overview of Work in Progress', in P. Rabinow (ed.) *Ethics, Subjectivity and Truth: Essential Works of Foucault*, Volume I, pp. 163–74. New York: The New Press.

Gordon, C. (1991) 'Governmental Rationality: An Introduction', in G. Burchell, C. Gordon and P. Miller (eds) *The Foucault Effect: Studies in Governmentality*, pp. 1–51. Chicago, IL: University of Chicago Press.

Gupta, Akhil (1998) *Postcolonial Developments: Agriculture in the Making of Modern India*. Durham, NC: Duke University Press.

Haney, L. (1999) ' "But We Are Still Mothers": Gender, the State, and the Construction of Need in Postsocialist Hungary', in M. Burawoy and K. Verdery (eds) *Uncertain Transition: Ethnographies of Change in the Postsocialist World*, pp. 151–84. Lanham, MD: Rowman and Littlefield.

Horton, J. and S. Mendus (1994) 'Alasdair MacIntyre: After Virtue and After', in J. Horton and S. Mendus (eds) *After MacIntyre: A Critical Perspective on the Work of Alasdair MacIntyre*, pp. 1–15. Cambridge: Polity Press.

Kleinman, A., R. Fox and A. Brandt, eds (1999) 'Bioethics and Beyond', *Daedalus* 128: 4.

MacIntyre, A. (1984) *After Virtue: A Study in Moral Theory*. Notre Dame, IN: University of Notre Dame Press.

Mahmood, S. (2003) 'Ethical Formation and Politics of Individual Autonomy in Contemporary Egypt', *Social Research* 70(3): 1501–30.

Ong, A. and S.J. Collier, eds (2005) *Global Assemblages: Technology, Politics, and Ethics as Anthropological Problems*. Malden, MA: Blackwell.

Petryna, A. (2002) *Life Exposed: Biological Citizens after Chernobyl*. Princeton, NJ: Princeton University Press

Pitkin, H. (1998) *Attack of the Blob: Hannah Arendt's Concept of the Social*. Chicago, IL: University of Chicago Press.

Power, M. (1997) *The Audit Society: Rituals of Verification*. Oxford: Oxford University Press.

Rabinow, P. (1996) *Essays on the Anthropology of Reason*. Princeton, NJ: Princeton University Press.

Rabinow, P. (2003) *Anthropos Today: Reflections on Modern Equipment*. Princeton, NJ: Princeton University Press.

Rapp, R. (1999) *Testing Women, Testing the Fetus: The Social Impact of Amniocentesis in America*. New York: Routledge.

Robbins, J. (2004) *Becoming Sinners: Christianity and Moral Torment in a Papua New Guinea Society*. Berkeley: University of California Press.

Shapin, S. (1994) *A Social History of Truth: Civility and Science in Seventeenth-Century England*. Chicago, IL: University of Chicago Press.

Strathern, M., ed. (2000) *Audit Cultures: Anthropological Studies in Accountability, Ethics, and the Academy*. New York: Routledge.

Strathern, M. (2005) 'Robust Knowledge and Fragile Futures', in A. Ong and S.J. Collier (eds) *Global Assemblages: Technology, Politics, and Ethics as Anthropological Problems*, pp. 464–81. Malden, MA: Blackwell.

Taylor, C. (1994) 'Justice after Virtue', in J. Horton and S. Mendus (eds) *After MacIntyre: A Critical Perspective on the Work of Alasdair MacIntyre*, pp. 16–43. Cambridge: Polity Press.

Wagner, P. (2000) ' "An Entirely New Object of Consciousness, of Volition, of Thought": The Coming into Being and (Almost) Passing Away of "Society" as a Scientific Object', in L. Daston (ed.) *Biographies of Scientific Objects*, pp. 132–57. Chicago, IL: University of Chicago Press.

Weber, M. (1949) *The Methodology of the Social Sciences*. New York: Free Press.

Weber, M. (1978) *Economy and Society*. Berkeley and Los Angeles: University of California Press.

Weber, M. (1992) *The Protestant Ethic and the Spirit of Capitalism*. London: Routledge.

Williams, B. (1985) *Ethics and the Limits of Philosophy*. Cambridge, MA: Harvard University Press.

ANDREW LAKOFF is an Assistant Professor of Sociology and Science Studies at the University of California, San Diego. His forthcoming book, *Pharmaceutical Reason: Technology and the Human at the Modern Periphery*, examines the role of the global circulation of pharmaceuticals in the spread of biological models of human behavior. His current research focuses on forms of future-orientation in the human and life sciences. *Address*: Department of Sociology/Science Studies Program, University of California, San Diego, 9500 Gilman Drive, La Jolla, CA 92093–0533. [email: alakoff@ucsd.edu]

STEPHEN J. COLLIER is a Core Faculty at the Graduate Program for International Affairs, The New School University. He is co-editor of *Global Assemblages: Technology, Politics, and Ethics as Anthropological Problems*, and is completing a book, *Post-Soviet City: 'The Social' in Neoliberal Times*, on urbanism and biopolitics in Russia. His current research includes projects on social welfare reform in the former Soviet Union and on biosecurity. *Address*: Graduate Program in International Affairs, 66 W12th Street, Room 612, New York, NY 10011.