Volume 1

Ethical Efficiency

Responsibility and Contingency

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Ethical Efficiency
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The title of this book is as intriguing as it is promising. Indeed, it implies a number of theories that go against the grain of certain ways of thinking which affect both philosophy and the studies of the relationships between innovation, research and responsibility. First, efficiency is not set in opposition to ethics. Second, efficiency has an ethical dimension. Furthermore, this ethical potential can be acknowledged and developed. The subtitle refers to the issue of responsibility combined with that of contingency. The answers to the first three questions will, therefore, be provided in relation to the issue of contingency, addressed in a serious and reflective manner.

I am delighted that for contingent reasons – in the non-technical sense – it should be the book by Virgil Cristian Lenoir that opens this set. First, very early on, he addresses the problem presented by the design of scientific and managerial policy for responsible research and innovation (RRI), the older corporate social responsibility or even, to paraphrase the philosopher Hans Jonas, responsibility in a technological civilization. Second, owing to the authors discussed and the method of approaching the practicality of these subjects, this text provides a perspective that is very new, thoroughly examined and avoids the repetition of philosophically basic theories in research communities studying these two areas, while remaining both significant and sensitive. Moreover, looking beyond these two fields, and in the event that RRI fails to become established and implemented by the European Commission, the reflection loses none of its relevance here. This is the case in terms of the philosophical consideration itself and as an aid to
understanding our existence both in its mundanity and the most complex and highly organized collective action. Indeed, the reflection that follows is tight, dense and powerful. Although it may make for a demanding read, it offers many new avenues for departing from the opposition between ethics and efficiency or for tackling the question of contingency or justice to be found from among the logical arguments that are now separated into various spheres. Likewise, the scope of questioning is as broad as it is deep. The clear style, often interspersed with new discoveries in order to carve out new categories of thought, provides support and invites the reader to address the issues in a radical way, from the “grassroots,” or as the author would put it, from upstream. He also supports his strategy with a self-explained punctuation system, as well as highlighting the opening and coherent direction of thought in the problems being addressed. Though the reflection and presentation of the arguments are both personal, a number of significant authors are referenced and, frequently, some of their red lines are crossed. Notably mentioned are Luhmann, Rawls, Bourdieu, Sen, Pareto, Roemer, Kolm, Delmas-Marty, Arendt, Walzer, Leibniz, Deleuze and Hegel, used extensively for examining questions of contingency and efficiency. These philosophers are even occasionally in agreement with the author’s argument, summoned by his own logical reasoning, using an explanatory model of a new condition that leads to numerous explorations, an honest consultation of the evidence, or even in the form of reciprocal adaptation and mutual redefinitions. The field of the economy and its more regional version of the normative economy feature heavily in the book, as does the area of law and its subsection the philosophy of law. These disciplines are especially necessary when reflecting on issues relating to justice.

A further asset of this book lies in the universality test provided by a comparison with an established version of Chinese Confucianism. Although the comparisons and the studies relating to RRI take on a Chinese aspect, it is explained here by some of the much more conceptual cultural works. The author, while remaining modest, takes a nonetheless cautious approach to this delicate comparison. He succeeds in showing what makes this type of thought inspiring for Westerners, while showing the differences and the limits of such a philosophy.

Although the philosophical reflection set out here is dense, I do not intend to summarize it in a few pages by extracting various parts of it.
I would prefer to highlight the assets that make it beneficial for philosophy and for work relating to RRI.

This book deals with the ethics of efficiency within logics of action or systems (e.g. economic, political, legal or scientific systems). It therefore avoids an empirical or theoretical analysis of RRI, which although highly informed remain external abstractions to these logics or repetitions. Rather, it invites the reader to consider the possibilities and methods of translating a set of ethics for efficiency within and between these systems. As Virgil Cristian Lenoir puts it: “Thinking about efficiency means thinking about logics.” Here, logic is understood as being a transformed order that develops an accelerated temporality while its determination is impoverished. Since its precision becomes unilateral, this gives rise to a pluralization of fractured, disjointed and independent efficiency logics, making their integrative potential increasingly difficult. These logics of action and truth stimulate individual and collective interests increasingly further, question all order, and now jeopardize an order that was believed to be stable: ecosystems and, more generally, the environment. Encouraged by the instability of other logics, each logic left to itself continues to develop endlessly. With a great deal of attention, the author then invites reader to consider the relationship between these logics, in terms of the context in which they flourish, their differences and the situation in which we currently find ourselves.

The author thus makes a distinction between logics of stabilization and logics of expansion. The former preserves, occasionally corrects (e.g. inequalities) or sustainably distributes acceptable rights and duties, while the latter aims to continually improve the relationship of the final results and the identified objectives of each logic. For instance, this is the case for logics for increasing profit in a competitive market, with, at a governance level, the principles of New Public Management, or at the philosophical level, the abstract example of Hayek’s “spontaneous order,” made up of several rules necessary for undistorted competition.

Moreover, according to the author, corrective ethics should not be sought in a predefined or invented new abstract order that itself would create a logic of separation. Indeed, it is important to show the possibility and methods of an ethical influence on efficiency logics.
The issue of RRI would thus find a general framework in which to develop, at the same time as forming operational categories and references that would establish its legitimacy.

By adopting a meta-ethical position, the author aims to distinguish between (a) efficiency, (b) effectiveness and (c) efficacy. Indeed, these three concepts provide the structure for the question of establishing corrective ethics for efficiency logics.

(a) Efficiency is an ability to achieve the desired results. Understood as a logic, efficiency is an unflinching and coherent movement. Its paradox is that it destroys its control of contingency to the exact extent at which it creates it. By “logic,” the author is referring to the coherence of a constraint created by a rationalization that directs a coordinated action of a group of agents, while simultaneously eluding them. It is therefore a question of determined, intelligible and transmissible coherence, which has systematic effects. Efficiency, thus, has a non-essential relationship with the individual objectives, which it assumes when going beyond them. (b) Effectiveness is detached from an external criticism, which is simply an abstract repetition of what is being criticized. Effectiveness can be understood as a reformulation of Hegel’s *Wirklichkeit*, which conciliated the effective and the rational. Here, Virgil Cristian Lenoir adopts this forgotten category of philosophy and makes it a central focus, especially in Chapter 3. Indeed, effectiveness is not simply the ethical integration of efficiency for two reasons: firstly, because efficiency logics are empowered, pluralized and expansive, and secondly because governments now implement efficiency logics in the same way as companies. Thus, we assist with a decoupling of ambitions, where both of them follow their own path. (c) Efficacy, which in the main still remains to be implemented, is the realization of the essential ownership of both parts of the opposition to contingency. However, Virgil Cristian Lenoir suggests that instead of attempting to escape contingency, it should be placed at the heart of these two attempts to control it. Perhaps that is the condition which can save them from themselves, adjusting them to one another. In his view, it is therefore a philosophical knowledge of contingency that will help us to overcome the problems caused by the overly unilateral attempts to master it. He invites the reader to move toward an approach that accepts contingency,
with all the promises and grievances it entails. This approach is known as sincerity. A sincere attention is also expected for the relationships between the various efficiency logics. Ethics, as with real and effective freedom, may thus influence the development of efficiency logics. However, on this occasion, due to the sincerity that is mindful of inequalities and wary of partiality and bias in purely technical and formal theories of conditions, these logics should be continually fuelled by what is referred to as “ethical innervation,” a term borrowed from Chinese philosophy. This innervation is characterized by a focus on the viability of what is possible. The author’s focus could be extended with the principle of precaution that aims to avoid the irreversibility of damage.

Not conceived as trivial (a consideration that excludes ethical conditions from efficient action) nor as an abstraction (supporting values out of context), this ethical approach brings together moral determinations and efficiency logics in a complementary way.

The question of responsibility is therefore addressed in a radical way, upstream, focusing on the possibility of an ethical influence on efficiency logics whose implementation may lead to systematic injustices. The concept of an ethical realization of freedom when applied to questions of justice may be qualified as responsible conduct.

Therefore, it is hoped that this first book will dispel some false dichotomies. More positively, it offers vivid, relevant and original reconfigurations of efficiency, in which prospects of RRI can be identified. Any attempt to define, to provide codes of good practice or even to describe RRI processes in the most wide ranging contexts would be enriched by this book, and it may even be argued, should not be without it, at the risk of losing the impetus, the ethical innervation, which I would call “ethical innovation.”

Bernard REBER
November 2015
Preface

“For Time which gives
When it takes back
To my fathers”

Is it possible, without creating a paradox, to have responsibility for the unpredictable? The exploratory work of responsible research and innovation (RRI) now involves a level of uncertainty which is not accidental but essential with regard to its substantive consequences. In today’s complex and plural world, changing with increasing speed, the prediction of the future effects of a theory or an invention seems to be more and more based on guesswork rather than serious ethical reasoning. Nevertheless, the unprecedented efficiency of our technical devices calls for an unprecedented level of responsibility.

The goal of this book is not to provide a characterization or definition of “research”, “innovation” or “responsibility”. Rather it is to philosophically formulate a question which has a decisive impact on RRI. It aims to examine the possibility and methods of having an ethical influence on the logics of efficiency which are notably used in RRI. If efficiency is currently being upheld by reasoning which is seen through its systematic consequences, how is it possible to establish an ethical influence which is not external (like a wagon with a fifth wheel, or the hidden variables in quantum mechanics) but is an integral part of this reasoning?

Thanks must be given here to Bernard Reber, for his welcome criticisms, and to all those who believed in me, wherever you are.
This is not a question which arises in relation to the common themes of RRI, though it could even be argued that they are crucially dependent on it. Indeed, highly informed empirical analysis of RRI or attempts to formulate a concept of responsibility that considers their transformations risk becoming abstractions due to their lack of an ethical qualification of efficiency. Exercising responsibility at the level of RRI means, from whichever angle the issue is approached, applying ethical demands to the logic behind them. Therefore, it would seem to be important not to overlook the possibility and methods for such an application to be made.

Speaking of unpredictability, complexity or plurality gives rise to a classic theme of philosophy: contingency. More accurately, philosophy seems to have continuously attempted to ward off, annex or minimize contingency. Nevertheless, it is contingency which refers most precisely to that which resists prediction and upsets the most thoroughly considered forecasts. It is this which becomes problematic when discussing “responsibility for the unpredictable”. In this preface, we will strive to use contingency, and the various ways of resisting it, as the common thread to establish the structure of the question which we will then examine.

Time gives rise to them and the moment calls for them. The mind keeps watch over forgotten choices. It exhumes them and recalls them with precision, one by one and altogether, in their logic, these choices, to offer them up for our freedom with the weight of their own immanence. These choices, whether intentional or not, more or less partially decided, incited, propensities or accidents, form a heterogeneous group. Here, within the rejected, fought and prohibited, contingency is where this denial, fight and prohibition are decided.

If contingency is, at the same time, an encounter, an unpredictable tangent and a new configuration, that is, the random aspects of a situation, it should be acknowledged that none of us would be here without it, without such accidents. Nevertheless, there is nothing in the world that people fear more and put more energy into controlling. They are aware that at any time they could lose everything they own, find their health devastated and their life destroyed. However, it may
be that they suffer more from the resources used to control this contingency than from contingency itself.

The question of controlling contingency\(^1\) can be examined through two lines of reasoning. On the one hand is *efficiency*, the success of human action, in the sense where the finality, as will be demonstrated, is only essential subjectively, but where the logic of the action relies on the result in order for it to become more precise and to be rolled out on a larger scale. On the other hand is *ethics*, when we aim, so to speak, to predict the unpredictable, the accidents of whose abstract possibility we are aware, but not the circumstances of the possible occurrence: the events which the individual had no possibility, therefore no responsibility, of predicting. (At this stage, we are not talking about “justice”, since we are referring to accidents which have occurred in a contingent way, thus not only damage caused by other people.)

One of the ways of picturing the relationship between these two topics is to consider that the ethical concern jeopardizes efficiency. The two theories illustrating this vision, which have had the greatest historical influence\(^2\), are Chinese legalism and the ultraliberal economic doctrine. In both cases, the involvement of ethical reasoning is rejected as a contingency of arbitrary, irrational and sentimental subjectivity, which only upsets a regulated and efficient order.

For legalists [HAN 10], this efficiency is connected to the power granted to the sovereign, who only needs to move the two levers of reward and punishment to manage the Empire. To do this, the sovereign relies on the eyes of the police and the organization of informants. In such a system, nothing can escape his or her reach. For the sovereign, showing clemency, implementing Confucian virtues of humanity (仁 *ren*) and justice (義 *yi*), would only upset an order which works by itself, thanks to the strength of the law (法 *fa*).

\(^1\) Indeed, we refer to “contingency” rather than “fortune”, since one of the central points of the work is the contingency itself of the conditions to which the theory gives rise.

\(^2\) We do not include Machiavelli, who does not mention an objective efficient order but focuses on the *virtù* of the Prince in his relationship with fortune.