

# Ethics of transitions



## Christian Byk

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### OPENING OF THE CONFERENCE

The concept that brings us together is the idea that «in a world marked by rapid and continuous changes, it becomes crucial to examine current practices and developments from an ethical perspective.»

However, as a preliminary point, this request to analyze the «ethical issues related to contemporary transitions» leaves us perplexed as long as the preliminary notions of the subject of such a study have not been examined.

What is it about? We are asked to focus on «current practices and developments» that (re)construct «a world marked by rapid and continuous changes.»

By practices, we undoubtedly mean our behaviors, both individual and collective, with which the changes affecting our societies occur at a brisk and uninterrupted pace. Thus, under the influence of the dynamics of speed, we cease to be what we are to enter a future that almost immediately becomes a surpassed present. Are there, however, practices or developments that seem more concerning than others, as suggested by the introductory note to our debates: «this analysis, we are told, is essential, whether in the context of environmental and digital transitions, or regarding transformations in the business and education worlds»?

We will need to question the relevance and reasons for what is highlighted and which seems to overlook the anthropological and cultural domain as well as the political

dimension of our societies. Also, why qualify these phenomena of change sometimes as evolution—which does not indicate its direction but implies a speed less than rapid—and sometimes as transitions or transformations but never as revolutions?

Yet does not digital technology express the reality of a new and powerful technological revolution? Would the term transformations, as used at UNESCO with the MOST program («Management of Social Transformations»), be reserved for the humanities and social sciences? And of the three terms, is not the term transition, which lacks the evocative power of the word revolution and the sociological reach of the word transformation, nevertheless the most political and most likely to solicit the assistance of the ethical approach? Indeed, if the revolution is too radical to be concerned with ethics and the transformations too social to fit into a reflection on the deontology of action, the transition, which raises the question of the passage from one moral state to another, is at the heart of this issue.

A transition does not preserve the old state of the world but, to establish the new state, it organizes its transformation following a methodology that allows for control that this passage from one state to another is achieved while minimizing risks for both the present and the future of society.

More pragmatically, the skills and experiences of the people participating in this debate, who are related to the economy and business as well as the environment and regulation, particularly that of digital technology, suggest that the question of growth could be at the heart of our discussions. Indeed, it constitutes a central concern of governance but also raises many social, economic, cultural, and even moral and anthropological critiques. The 2007 economic crisis, new

internal confrontations in the «globalized» world, along with the consequences of the Covid-19 pandemic and those related to climate change, make the urgency to reflect and act in favor of a transition to a new societal model even more acute.

Therefore, «is not the most fundamental mission of law in transition to keep us as far away as possible from the crushing of man on ecological limits, to avoid ‘technical totalitarianism’ (infra), not on the already hollowed-out pretext of some technophobia—we are a techno-scientific civilization—but because the multiplication and invasion of means (including eminent-ly techniques), without any measure or wisdom, will not solve the fundamental problem of the choice of existential purposes—‘what kind of society do we want’—that we hardly want to question...»<sup>1</sup>.

The jurist then questions: «do our legal rules reflect the grip of the growth imaginary or do they allow other conceptions of human progress? And the jurists? Do they have the means and legitimacy to translate aspirations for prosperity without growth into legal rules?» (Antoine Bailleux (ed.))

If not, if the law fails to enable this transition on its own, could ethics help? That is precisely the subject of our debates.

1 – (A. Papaux, *Trilogy of Law in Transition. Sacredness of the Common, Reciprocity of Politics, Internationality of the Human* in Antoine Bailleux (ed.), *Law in Transition: Legal Keys to Prosperity without Growth*, Saint-Louis University Press, Brussels, 2020).