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**Normativity and Aristotelian Virtue Ethics:
An Evaluation and Reconciliation**

by

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Declaration

I declare that this thesis is my own work and that it has not been submitted for a degree at another university. In addition, no part of this thesis has been submitted for another degree at the University of Warwick. I further declare that the material contained in Chapter 2, Section 2.2, appeared in print before this thesis was completed or examined. The published material arose from my work on this thesis, has been revised before this thesis was completed or examined, and was published during the period of my study at the University of Warwick. It appeared in *Philosophy and Rhetoric*, 34.3, 2001, under the title “Virtue in Aristotle’s *Rhetoric*: A Metaphysical and Ethical Capacity.”

Abstract

In recent decades, Aristotelian virtue ethics has reemerged as an alternative to deduction-based moral theories. Yet, Aristotelian virtue ethics has often been conceived, by its proponents as well as its detractors, as an approach to ethical thinking that is neither normative in nature nor capable of being formulated in normative terms.

In this thesis, I argue that the fundamental elements of Aristotelian virtue ethics, examined and modified in light of modern thinking, provide the basis for a systematized, normative ethical theory. I further argue that such a theory can be grounded in induction, rather than deduction, and that it can fully acknowledge and incorporate the ethical significance of particulars, particular relationships, and human experience. I suggest that an induction-informed normative theory not only avoids such logical pitfalls as Hume's "is-ought" objection and concerns pertaining to the truth-value of moral claims, but also that it provides an accurate account of our moral and non-moral experience, as well as of their areas of intersection. I propose methods for evaluating the acceptability of general guidelines and singular moral judgments, and I argue that these methods can be successfully achieved within, and enhanced by, the framework of Aristotelian virtue ethics.

I examine various aspects of moral theory in general and Aristotelian virtue ethics in particular (e.g. principles and guidelines, human nature and *telos*, virtue, partiality and universalizability), and argue for their place within and relationship to an induction-informed normative moral theory. I reply to criticisms leveled against Aristotelian ethical theory and, in so doing, argue that Aristotle's classification of *aretê* as a *dunamis* in the *Rhetoric* has significant implications for moral theory, argue for the claims and obligations generated by particular relationships, and reevaluate the role of the *phronimos*. I review the logical and practical implications of an inductive model, and suggest not only that such a model is more consistent and more practicable than are current deduction-based normative theories, but also that it calls into question our standard conceptualization of normativity. In closing, I suggest a reexamination of "normativity" in terms of the function of normative theory.

Abbreviations

Aristotle:

<i>DA</i>	<i>De Anima (On the Soul)</i>
<i>EE</i>	<i>Eudemian Ethics</i>
<i>GA</i>	<i>Generation of Animals</i>
<i>Gen. Corr</i>	<i>On Generation and Corruption</i>
<i>MA</i>	<i>The Movement of Animals</i>
<i>Met</i>	<i>Metaphysica (Metaphysics)</i>
<i>EN</i>	<i>Ethica Nicomachea (Nicomachean Ethics)</i>
<i>Phy</i>	<i>Physics</i>
<i>Pol</i>	<i>Politics</i>
<i>Rh</i>	<i>Rhetoric</i>
<i>APo</i>	<i>Analytica Posteriora (Posterior Analytics)</i>

Notes on Terminology and Translation

The project of this work is to combine an examination of Greek thinking about the foundational elements of ethical theory, as presented by Aristotle, with the formulation of a normative ethical theory that modifies, incorporates, and relies upon these same elements. It includes an examination of the roles of induction, particular relationships, and experience in such a normative theory, and it takes Aristotelian conceptualizations of the ethical life as presenting both an objection and an alternative to post-Kantian understandings of normativity.

In certain particulars, this project shares links with other works on Greek ethics, most notably those of Alasdair MacIntyre (*After Virtue*, Second Edition, Notre Dame Press, 1984), Bernard Williams (*Ethics and the Limits of Philosophy*, Harvard University Press, 1985), and Martha Nussbaum (*The Fragility of Goodness: Luck and Ethics in Greek Tragedy and Philosophy*, Cambridge University Press, 1986; *Love's Knowledge*, Oxford University Press, 1990). Specifically, my presentation of human life as a narrative, within which each individual develops and through which each individual relates to others, shares a conceptual link with MacIntyre and Nussbaum. My criticism of the modes of justification associated with deontology and consequentialism, in combination with my fundamental grounding of ethical norms in human dispositions, links this project loosely with MacIntyre and Williams. However, the theoretical approach to Aristotelian virtue ethics presented here is more detailed, more precise, and more systematically developed than those presented in the works that comprise the background against which it must be placed.

Such a systematic approach to Aristotelian virtue ethics seems fundamentally necessary for two reasons. First, “virtue ethics” as a category suffers from a sort of schizophrenia, due to the variety of dissimilar ethical approaches, many radically anti-theoretical, that have been so categorized. Indeed, Nussbaum (“Virtue Ethics: A Misleading Category,” *Journal of Ethics*, 3(3): 163-201, 1999) has recently suggested that we do away with the category of “virtue ethics” altogether and replace it, if we must, with such categories as “Neo-Aristotelians,” “Neo-Humeans,” “anti-Utilitarians,” and “anti-Kantians.” On her view, categories that accurately represent trends in thinking about virtue would be preferable to one that mistakenly suggests unity among theorists, a systematized approach, or the idea that “virtue ethics” can be viewed as an alternative to Kantianism or Utilitarianism, since these theories, too, incorporate thinking about virtue.

The second reason, which is closely related to the first, is articulated by Michael Slote (“Moral Theories and Virtue Ethics,” *The Proceedings of the Twentieth World Congress of Philosophy*, 51-57, 1999). Slote suggests that, while those who helped to revive virtue ethics during recent decades have predominantly objected to the theoretical character of modern moral theory, more recent defenders of virtue theory have argued that it has or should have a distinct theoretical character of its own. On this view, the main difference between virtue ethics and other moral theories would lie in the way that virtue ethics is organized as a theory. According to Slote, however, while the revival of virtue ethics tended to be in some sense neo-Aristotelian, the current defenders of the theoretical approach to virtue ethics are, for the most part, exploring the possibility of virtue theory grounded in Stoic ideas (Julia Annas, *The Morality of Happiness*, Oxford

University Press, 1993) and in the moral sentimentalism of Frances Hutcheson, David Hume, and James Martineau (Michael Slote, "Agent-Based Virtue Ethics." in *Virtue Ethics*, eds., R. Crisp and M. Slote, Oxford University Press, 1997). Although Rosalind Hursthouse ("Virtue Theory and Abortion," *Philosophy and Public Affairs* 20: 223-46, 1991) has defended neo-Aristotelianism as a type of theory, there have been remarkably few attempts to provide a systematized theoretical character to Aristotelian virtue ethics. The project of this work, however, is one such attempt.

In order to accomplish this project, I have chosen to focus each chapter on a particular aspect of Aristotelian ethical theory, although I recognize that this choice of methodology artificially isolates otherwise interrelated and interdependent concepts (e.g. human nature and virtue). While I acknowledge this potential drawback, I have adopted this methodology because the theory presented here, although profoundly informed by Aristotle, is not an exegesis of Aristotle's work. In the chapters that follow, I examine each element individually, both as it is presented by Aristotle and as it is modified by its placement in an original theory, and the work is meant to make a sustained argument. While each chapter relies upon its own argumentation, it also relies upon earlier argumentation and conclusions. For this reason, I have provided a large number of cross-references, which, I hope, will be of particular use to readers whose interests center on individual chapters. When necessary, footnotes provide the relevant claim or briefly quote text, to save readers from referring back to earlier chapters. My conclusion is concerned with the implications of the theory and, for this reason, does not include footnoted references to earlier arguments.

Due to my methodological approach, I must utilize content-rich terminology (e.g. “character,” “human nature,” and “excellence”) prior to fully explicating each term and integrating it into the larger theory. While the use of such terminology is unavoidable, an adequate discussion of all terms upon their first appearance would make it impossible to proceed with the project. This being the case, I acknowledge that such terms will be weighted with Aristotelian concepts that may extend beyond their early uses. Certainly, using a term such as “character” in an Aristotelian context will connote such things as *becoming*, contingency, virtue, and so forth. In a modern rendition of virtue ethics, however, advances in neurobiology also bear on such concepts as “character.” Thus, the preliminary elements, both ancient and modern, must be in place in order to adequately address each term, along with the interrelated concepts to which it pertains.

I also use terminology, such as “induction-informed” and “an inductive model,” that requires explanation. The theory presented here incorporates and relies upon induction to an extent that covering-law, or deduction-based, models do not. Specifically, I argue that induction has a fundamental role in (1) the nature, acquisition, utilization, and revision of general principles and guidelines; (2) the formulation of singular moral judgments from values; and (3) the formulation and acceptability of *regulating notions*. Within this framework, there is an acknowledgment of particulars, particular relationships, and experience that is not always strictly inductive, but that acknowledges the role of induction in reasoning from these particulars to more general conclusions.

For these reasons, I consistently refer to the theory presented here as an induction-informed normative theory, or as an inductive model. However, the

terms are not meant to suggest that every element is dependent upon inductive reasoning. For example, in Chapter 4, I specifically argue against the idea that the origin of values can be understood or formulated in terms of inductive conclusions, for I have no intention of postulating induction as an adequate explanation of causality. Moreover, I acknowledge that there may be some ideal norms concerning human emotional and physical well-being, or notions of what constitutes healthy mental functioning, for which induction alone does not account.

The process that I describe as “inductive reasoning” or “induction” is familiar and straight-forward, and it includes movement from particulars to a particular conclusion and from particulars to a more general conclusion. In order to discuss this process in anything other than strictly logical terms, however, and in order to discuss and evaluate human experience, I must also use terms that designate the class of persons whose experiences, perspectives, or conclusions are to count. This being the case, the terms “we” and “our” will designate both myself and the large number of other rational adults of both sexes who, in the relevant cases, appear to share intellectual and emotional responses similar to my own. While I acknowledge the rather sweeping generalization implied by the terms “we” and “our,” and while I acknowledge that readers may well disagree with my intellectual and emotional responses, I use the terms in good faith to discuss human experiences and perspectives that, I genuinely believe, are not idiosyncratically my own. This designation, of course, includes both “the many” and “the wise,” and it is necessarily imprecise. In this case, rigid precision in defining the category of adults to whom the terms refer would unacceptably

restrict whose experiences are to count, which experiences are worth counting, and so forth.

My use of induction also necessitates discussion of “facts” and of the movement from “facts” to more general conclusions. Where appropriate, I discuss situations in which “facts” are weighted with prior assumptions or complex philosophical questions, and I deal very specifically with Aristotelian value-laden “facts.” More generally, however, I use the term “fact” to designate an event, circumstance, or situation that could, in principle at least, be independently verified as corresponding to a particular state of affairs. This designation is not meant to heighten the degree of precision above that of common usage, but rather to indicate that my use of the term “fact” retains the ambiguities that normally accompany discussion of particulars, human experience, and inductive reasoning.

Moreover, because I am taking a theoretical approach to virtue ethics, and because one aspect of this approach is to call into question the distinction often made between moral and non-moral considerations, I wish to distinguish between my use of “ethical” and my use of “moral.” In this work, the term “moral” will *loosely* retain the distinctive content given to it by Williams in *Ethics and the Limits of Philosophy* (Cambridge, MA: Harvard University Press, 1985), in that it will refer to a subset of the ethical, one that has taken on special significance in modern Western culture, and one that carries presuppositions relating to particular notions of obligation. The term “ethical” carries no such necessary connotations and will be used more broadly and without a precise definition to discuss how we, as humans, might be, or live, or interact. As Williams points out, once “morality” is seen as a special system, even insofar as it demands “moral” and “non-moral”

senses for words and principles, it does no harm to leave the notion of the “ethical” vague and to suggest that a range of considerations falls under it. Moreover, I will call into question the distinction between “moral” and “non-moral” early in this work; however, for the sake of clarity in a sustained argument, I will retain the terminology throughout.

In referring to human subjects, I use the terms “human being,” “person,” and “self” interchangeably, with no suggestion of a Cartesian theory of self-transparency. Certainly, all of these words are charged with assumptions concerning second-order intellectual and emotional capacities, but, even so, each carries the same assumptions to the same degree, at least as they are used in this work. Since many of my final conclusions rely upon argumentation concerning human nature, I do not incorporate prior assumptions pertaining to, say, theoretical criteria by which a person may be distinguished from a human being. Moreover, since I do not deal with such things as, for example, the legal implications of classifying a corporation as a person, the terms “person” and “human being” remain interchangeable throughout this work.

Although I retain the original gender of all pronouns when translating ancient text, I use “he” and “she,” as well as “him” and “her,” indifferently, as gender-neutral pronouns, in original argumentation and examples. Also, I use “s/he” as a non-subject-specific, gender-neutral pronoun. In composing this work, I have found myself in the awkward position of postulating a modern theory, in which women are as likely as men to be included among the *phronimoi*, in terms of an ancient theory, in which only a male could be accurately described as a *phronimos*. To reconcile the two approaches, I have retained the masculine gender when summarizing Aristotle’s text and I have used the masculine and

feminine genders interchangeably in original arguments, even if those arguments are based on or informed by Aristotelian theory in all other respects. As a feminist, I reject Aristotle's position on women and slaves, but I find no contradiction in arguing that an ancient concept, such as human nature, can be modernized and enriched by the inclusion of all human beings, regardless of their sex.

I have chosen to use transliteration for Greek words and phrases and, in order to make the main text accessible to the Greekless reader, all Greek words and phrases are translated. Unless otherwise noted, all translations are mine. However, I gratefully acknowledge the translations in *The Complete Works of Aristotle, The Revised Oxford Translation* (1991). These translations have proven a valuable source of reference and, in order to retain consistency, I have deferred to this work in translating certain words and phrases, as noted. All spelling and punctuation in original arguments and original translations is American English, following, for the most part, Chicago style (*The Chicago Manual of Style*, 14th Edition, The University of Chicago Press, 1993).

Introduction

In order for an ethical theory to be considered normative,¹ and in order for it to be both logically consistent and efficacious, it must meet certain minimum requirements. Traditionally, these requirements concern the internal, logical relationship between requirements, permissions, and prohibitions, and they involve the formal relationship between general principles, specific guidelines, and singular moral judgments. By way of introduction, I intend to briefly review the components that traditionally characterize normative ethical theory² and to partially address some of the objections to an Aristotelian-based normative theory. Throughout this work, I hope to challenge both the modern conceptualization of normative theory and the sorts of biases that exclude, sometimes out of hand, Aristotelian virtue ethics from being considered normative.

In modern ethics, theories with normative force generally rely upon a first principle or principles,³ often held to be self-evident, from which specific guidelines and singular moral judgments can be derived.⁴ These principles

¹ By “normative” I mean a system of ethics that is evaluative rather than merely descriptive, and that prescribes/recommends morally correct conduct. In contemporary ethics, normative theory has come to be rather narrowly understood as a system that establishes a standard of correctness by prescription of rules (within which specific moral judgments are derived from one or more general principles). Baier states: “A second difference between Aristotle and Hume and most contemporary philosophers is that the latter have normative theories, and I think we find nothing analogous to these in Aristotle and Hume (although we do in Aquinas and Kant). By a normative theory I mean a system of moral principles in which the less general are derived from the more general” (Baier, in Clarke, Simpson, eds., 1989, 33).

² For a good guide to recent literature, both for and against moral theory, see Clarke, Simpson, eds. (1989), 291-301.

³ Kagan (1998), 2, states, “Is there, then, a single ultimate moral principle from which all other moral principles can be derived? The debate over whether there is, and if so, what it might be, is the concern of normative ethics. And even if there is no one single fundamental moral principle, we can still try to arrive at a complete *list* of the basic moral principles... Normative ethics, then, is concerned with stating and defending the most basic principles” (italics in original).

⁴ “Many of the ethical theories which have been proposed in the past may without injustice be called ‘Cartesian’ in character; that is to say, they try to deduce particular duties from some self-evident first principle” (Hare, 1961, 39).

customarily mark a starting-point that includes a definition of either the Right (e.g. deontological theories) or the Good (e.g. theories of utility).⁵ and they are based on assumptions concerning either a well-ordered and comprehensible universe or an equally well-ordered and comprehensible idea of human nature. Theories that incorporate and rely upon such overarching first principles often achieve normative force by also incorporating the assumption that the “apparently endless diversity of particular moral judgments” can be reduced “to some order, absolute or relative,” from which these first principles can be ascertained and specific moral judgments derived.⁶

In such a system, deduction leads from general principles to both specific guidelines and singular moral judgments, and it is the logical tool by which permissions, requirements, and prohibitions are identified.⁷ As a set, these permissions, requirements, and prohibitions are expected to be consistent (if not complete) and universalizable (with no reliance on partiality, emotion, or personal preference), and they are expected to have both prescriptive and evaluative force. The requirements, permissions, and prohibitions have a logical relationship within

⁵ See Loudon (1984), 227-236. He states, “Contemporary textbook typologies of ethics still tend to divide the terrain of normative ethical theory into the teleological and deontological...A second feature shared by teleological and deontological theories is conceptual reductionism. Both types of theory start with a primary irreducible element and then proceed to introduce secondary derivative concepts which are defined in terms of their relations to the beginning element. Modern teleologists (the majority of whom are utilitarians) begin with a concept of the good—here defined with reference to states of affairs rather than persons...For the deontologist, on the other hand, the concept of duty is the irreducible starting point...[and] here the notion of the good is only a derivative category, definable in terms of the right” (227).

⁶ “An unavoidable assumption for the moral theorist is that there is some coherence or unity among all moral standards—unavoidable because as a moral theorist his goal is to reduce the apparently endless diversity of particular moral judgments to some order, absolute or relative. He will attempt to do so by finding the basic or underlying principles which, when combined with a certain spirit of judgment and knowledge of fact, would lead to the acceptance of these particular moral judgments. The theorist may admit that absolute order or unity may not be available in that there may be a plurality of basic principles which have no set order of priority, but even in this case he is searching for whatever degree of order or unity there is, and he tends to believe that a small number of basic principles can be found” (Noble, in Clark, Simpson, eds., 1989, 50-1).

the specific normative system and they involve a set of basic predicates that prescribe, permit, or forbid (i.e. n-required, n-optional, n-forbidden).⁸ Other predicates can be constructed from this basic set, such as n-permitted (which would mean either n-required or n-optional), and all predicates, whether basic or derived, refer to behaviors that are required, prohibited, or optional within a specific system of norms “n.” The set of basic predicates consists of imperatives or permissions that require, permit, or forbid certain kinds of actions in certain kinds of situations, and there is a logical relationship between the individual predicates and subsets. Permissions rule out requirements to the contrary and a set of requirements for a particular situation is consistent if the individual predicates that comprise the set could be jointly satisfied.⁹

Even in outline, such a system involves certain difficulties. The logical relationship that holds between the propositions, wherein some propositions can be said to exclude or imply others based on the meaning of the statements themselves, finds its objectivity and coherence within a closed system that may or may not correspond in any meaningful way with statements of fact.¹⁰ Purely factual statements are non-prescriptive and non-evaluative, and the move from factual statements to prescriptive and evaluative propositions is traditionally problematic.¹¹ Such a move requires us to side-step Hume’s “is-ought” objection, if we deduce prescriptive or evaluative propositions from factual statements, and it

⁷ “The traditional conception of ethical theory sees it as the project of developing a coherent set of rules from which one can infer all determinate moral verdicts” (Shafer-Landau, 1997, 584).

⁸ Here, I am borrowing terms from a discussion between Simon Blackburn and Allan Gibbard on the Frege-Geach objection. See Villanueva (1993), 60-73. Also, see Gibbard (1990), 86-9.

⁹ See Gibbard in Villanueva (1993), 71.

¹⁰ See Hare, in Pojman (1995), 428-435. Here, Hare claims that the prescriptivity and the universalizability of moral judgments of the form “I ought” can be established by arguments based on the meanings of words, or on logical arguments.

¹¹ See Hare (1961), 17-31.

leads to a questionable acceptance of the truth-value of allegedly factual claims that call an act right/wrong or good/bad.

Moreover, even if we accept certain general moral precepts as somehow factual, we run into a problem of consistency once content-rich guidelines are specified for particular situations. If, for example, a general moral precept states that lying is wrong, specific guidelines must be derived that forbid lying. However, if lying is permitted under certain circumstances, then either the specific guidelines that permit lying (and they could be numerous) are somehow derived from the general principle which states that lying is wrong or they are derived from a general principle which states that lying is right.¹² Either way, consistency is compromised and we are left to marvel at the deductions used to justify conflicting specific guidelines.¹³

The potential for conflicting guidelines and contradictory moral judgments leads to the question of hypothetically unresolvable moral dilemmas and to how this question is addressed by the various normative schemes. One answer to the problem suggests an analogy with science, such that the existence of an objective moral order, particularly one that is comprehensible by reason, would exclude (or, at the very least, make highly improbable) the possibility of entirely unresolvable moral dilemmas.¹⁴ Although this ideal does little to explain away the possibility of

¹² See Kagan (1998), 106-116 for an interesting discussion on normative theory and lying.

¹³ See Hare (1961), 32-55.

¹⁴ "To put the point in such a way as to reveal the scientific analogy that guides his search for the fundamental laws, the moral theorist hypothesizes that among various dissimilar moral phenomena such as rights and duties of friendship, marriage, sexual behavior, work, and the exchange of property there exists some relation as that between the dissimilar physical phenomena of a lightning storm, the motions of a compass, the appearance of a rainbow, and the formation of an optical image in the range finder of a camera. As Ernest Nagel, whose examples these are, says of them: they can all be accounted for by a 'single set of integrally related principles,' those of modern electromagnetic theory. A like set of principles is the ideal for moral theory and to the extent that the basic principles cannot be ordered, there is an acknowledgment (as there would be in science) that an ideal has been failed of" (Noble, in Clark, Simpson eds., 1989, 50-1).

conflicting first principles, even within an objective moral order, it is the assumption that is often embraced and advanced.¹⁵ If we possessed all of the relevant data—such that we could fully comprehend the structure of the moral universe, adequately understand human nature, or grasp objective truth—we would find that no moral dilemma, however resistant to reason, was entirely unresolvable. For example, utility is the standard by which conflicting moral judgments can be resolved for utilitarians, just as duty is the standard for deontologists. A proper understanding of the Good in the former case and of the Right in the latter would provide a sufficient basis for resolving moral dilemmas.¹⁶ To suggest otherwise would be to introduce an element of disorder, in the form of unreliability or uncertainty, into the controlling notions of the Good or the Right.

For Kant, of course, it would be incorrect to say that our principles conflict in the first place, for he argues that it is part of the very idea of a moral rule or principle that it can never conflict with another moral rule.¹⁷ As Nussbaum states:

¹⁵ Annas (1993), 7, states, “Modern theories often see it as a demand that they be able to generate answers to hard cases in a comparatively simple way; and to this extent ancient ethics fails to meet modern demands on casuistry. The source of this difference is easy to locate: it is the demand, explicit since Sidgwick, that we identify, systematize and formalize out of our moral thinking certain ‘methods’ or procedures for coming to ethical conclusions. This demand in turn rests transparently on the demand that ethics become more like the physical sciences; just as they enable us to make particular predictions as to what will happen, so a ‘scientific’ ethical theory should enable us to make particular decisions very directly, without the intervention of further deliberation on our part. This often goes with a general attitude that ethics, as it stands, is a mess, and needs to be sanitized by scientific methods.”

¹⁶ Yet, it is precisely this proper understanding that seems the most difficult to come by. Shafer-Landau (1997), 588, states, “Absolutism promises justificatory security once the relevant moral rules are identified. Nothing convinces like a good moral deduction. But complex or novel cases invariably arise where we feel the need to alter absolutist rules, thus undermining confidence that we have ever really accurately captured their content.”

¹⁷ “Because...duty and obligation are in general concepts that express the objective practical necessity of certain actions and because two mutually opposing rules cannot be necessary at the same time, then, if it is a duty to act according to one of them, it is not only not a duty but contrary to duty to act according to the other. It follows, therefore, that a conflict of duties and obligations is inconceivable (*obligationes non colliduntur*). It may, however, very well happen that two grounds of obligation (*rationes obligandi*), one or the other of which is inadequate to bind as a duty (*rationes obligandi non obligantes*), are conjoined in a subject and in the rule that he prescribes to himself, and then one of the grounds is not a duty. When two such grounds are in conflict, practical philosophy does not say that the stronger obligation holds the upper hand (*fortior*

The requirement that objective practical rules be in every situation consistent, forming a harmonious system like a system of true beliefs, overrides, for Kant, our intuitive feeling (which he acknowledges) that there is a genuine conflict of duties. It appears that our duties may conflict. But this cannot be so, since the very concepts of duty and practical law rule out inconsistency. We must, therefore, find a more adequate way of describing the apparent conflict. Since at most one of the conflicting claims can be a genuine duty, we should call the other merely a *ground* of duty (*Verpflichtungsgrund*). When the stronger 'ground' has prevailed, we see that this alone has all along been our duty in the matter; we drop the conflicting 'ground' as not binding. It quits the field; it no longer exerts any claim at all. To say anything else would, for Kant, be to weaken the strong conceptual bond between duty and practical necessity, and between both and logical consistency. Perhaps even more important, it would be to concede that what contingently happens to an agent (he just happens to be cast into a situation of this sort) could force him to violate duty. For Kant this would be an intolerable thought (Nussbaum, 1986, 31-2. italics in original).

Regardless of the potential, either real or apparent, for conflicting moral principles, a foundational grounding in the Good or the Right has traditionally been deemed necessary for devising or ascertaining the moral principles from which prescriptive and evaluative guidelines may be deduced, and it is familiarly legalistic in form. The concrete particulars of a given situation matter less to the rightness/wrongness, goodness/badness of a specific action than does adherence by the agent to the principle or guideline that requires, permits, or prohibits the act, and determining the morality of an act depends upon the form that the first principle takes. For example, motivation (i.e. strict adherence to duty) determines the morality of an act for a deontologist, while consequences (i.e. the predictable and expected consequences of an action) play the same role for a utilitarian. The character of the agent herself, while certainly a factor in achieving the ends or

obligatio vincit), but that the stronger ground binding to a duty holds the field (*fortior obligandi ratio vincit*)” (Kant, 1797, *Introduction to the Metaphysics of Morals*, Akad. 223, in Nussbaum,

goals of a particular theory, is given a secondary role. Likewise, ideas of virtue and vice tend to be more involved with the agent's ability to both comprehend and make good use of rules, maxims, and directives than they are in determining the morality of an action itself. Human character and the motivational force associated with human character are not ignored in these theories, and they certainly bear on ideas of duty and goodwill in deontological theories, but they are not taken as a starting-point in any of the influential, modern, normative theories.¹⁸

This conceptualization of normative theory—with its heavy reliance on inviolable first principles, deduction, and an objective moral order, along with its devaluation of situation-specific moral factors—has excluded Aristotelian virtue ethics from the realm of normative theories from (roughly) the Age of the Enlightenment until the modern revival of virtue theory. Even during this modern revival, however, virtue ethics has often been conceived, by its proponents as well as its detractors, as fundamentally anti-theoretical, incapable of being formulated in normative terms, or lacking the theoretical character necessary to classify it as a “theory” rather than as an “approach.”¹⁹ The objections to formulating virtue

1986, 31, translation Nussbaum, italics in original).

¹⁸ See, for example, Loudon (1984), 227-236. He states, “Both types of theory [teleological and deontological], despite their well-defined differences, have a common focus on acts as opposed to qualities of agents...[For the utilitarian] the concepts of virtue and rights are also treated as derivative categories of secondary importance...[and] virtue is construed as a ‘tendency to give a net increase to the aggregate quantity of happiness’...For the deontologist, on the other hand...the virtues tend to be defined in terms of pro-attitudes towards one’s duties. Virtue is important, but only because it helps us do our duty” (227).

¹⁹ See, for example, Nussbaum (1999), 163-201; Slote (1999), 51-2; Clark, Simpson, eds., (1989); Loudon (1984), 227-236. Loudon (1984), 229-30, states, “[P]eople have always expected ethical theory to tell them something about what they ought to do, and it seems to me that virtue ethics is structurally unable to say much of anything about this issue...[O]ne consequence of this is that a virtue-based ethics will be particularly weak in the areas of casuistry and applied ethics...The increasing importance of these two subfields of ethics in contemporary society is thus a strike against the move to revive virtue ethics.” Moreover, Annas (1993), 7, states that it is a “widespread modern assumption that ethical theory must have a structure of which two things must be true: it must be *hierarchical* and it must be *complete*” (italics in original). She then points

theory in normative terms focus on various aspects of Aristotelian ethics and they suggest a broad range of obstacles to such a project. I have chosen to recount the objections raised by Edmund Pellegrino in his paper, "Toward a Virtue-Based Normative Ethics for the Health Professions,"²⁰ because they are representative of the scope of the problem. While Pellegrino is sympathetic to the idea that a restoration of virtue ethics to a normative status is possible in restricted arenas, such as medical ethics, he argues that such a restoration would be impossible in general ethics.

In brief, Pellegrino argues that Aristotelian virtue ethics can be accused of circular reasoning: "namely, that the good is that which the virtuous person does and the virtuous person is the person who does what is good for humans."²¹ Without a grounding for virtue outside of this circular reasoning, prescriptions and evaluations become little more than intuitive or subjective understandings of both virtue and the good. Moreover, Pellegrino suggests that Aristotelian virtue ethics will be devoid of normative force as long as a consensus on the human good cannot be reached. This objection, it seems, is fundamentally and historically related to the first, for, according to Pellegrino, in classical (and even medieval) constructions of virtue-based ethics, virtue was grounded in an understanding of

to the movement away, in recent work on virtue ethics, from hierarchy (i.e. the idea that some set of notions is taken as basic and the other elements in the theory are derived from these basic notions) and completeness (i.e. that the theory claims to account for everything in its area in terms of the basic and derived concepts). She states, "A great deal of recent work which centres on virtue has tended to query the demand for hierarchy and completeness. By now it is accepted that virtue theories may be more or less 'radical', and many have found attractive the idea of 'moderate' virtue ethics, by which is meant precisely a virtue theory that renounces claims to hierarchy or completeness" (Annas, 1993, 9).

²⁰ Pellegrino, Edmund D. (1995), "Toward a Virtue-Based Normative Ethics for the Health Professional," *Kennedy Institute of Ethics Journal*, 5(3): 253-277.

²¹ *Ibid.*, 262. For additional criticism of the virtuous person as standard, see Loudon (1984), 227-236.

the ends and goals of human life that was itself derived from a philosophical conceptualization of natural law. Virtues could be ascertained, defined, accepted, rejected, and potentially ordered with respect to one another and in direct correlation with something more fundamental: something to which virtues and virtuous persons themselves conformed. It was this confluence of virtues with the philosophical understanding of natural law that gave virtue ethics the normative force that it no longer enjoys. According to these objections, the overall disagreement on aspects of human psychology, human nature, and the concept of human ends and goals make devising a viable normative-based virtue ethics too formidable a task to be completed successfully.²²

Pellegrino argues that an ethical theory that takes human good as its starting-point, and which depends upon a reliable and consistent understanding by the virtuous person of the good for human beings, will never have the precision in directing and evaluating human action that gives rule-based ethical theories their normative force (at least in the abstract).²³ Without some general agreement on what the good for human beings actually is, or, at the very least, agreement among virtuous persons, it seems impossible to suggest that the virtuous person will, in all circumstances and with utter consistency, act to promote human good. Indeed, according to Pellegrino, it was a shared and highly specific notion of the good that gave focus and normative force to Aristotle's *Nicomachean Ethics* and even to Aquinas' *Summa Theologica*, and it is just such a shared and specific notion of the good that is absent in modern ethical theory.²⁴ In the absence of this shared

²² *Ibid.*, 262-4.

²³ *Ibid.*, 263.

²⁴ I would argue against the claim that Aristotle and Aquinas set forth a generally shared conceptualization of the good, but we need not concern ourselves with this point here. I discuss the human good in detail in Chapter 2.

understanding of the human good, and of the ends and goals of human action. both the human good and the virtues seem, once again, to be defined in merely intuitive or subjective terms.

Another group of objections centers on both the internal and external difficulties supposedly inherent to a virtue-based ethics. Pellegrino argues that, in the face of moral and practical luck, genetics, environment, fortune, and the like, expecting humans to sustain an internal adherence to and understanding of excellence is both unrealistic and unfair. Humans are neither created equal, at least in their genetic predispositions, nor subject to equal environmental forces and pressures (e.g. luck, advantage, disadvantage, etc.), and they cannot be expected to have an equal opportunity to achieve excellence. It is vastly more realistic and fair, so runs the objection, to demand adherence to a system of rules, maxims, and directives—that need not be entirely understood in order to be consistently followed—than it is to assume that each and every human being is equally capable of comprehending and possessing virtue, and of acting in accordance with excellence at all times and under all circumstances. Virtue ethics, it is argued, simply demands too much.²⁵

However, throughout this work, I intend to answer these objections by expanding upon and emending a suggestion made by Flage and Glass in their paper “Hume’s problem and the possibility of normative ethics,”²⁶ namely, that normative theory can be grounded in inductive, rather than deductive, reasoning. Now, this notion might be disastrous if entertained without regard to its place within a well-constructed moral theory, and it might lead to insufficient

²⁵ Pellegrino (1995), 263.

justifications for singular moral judgments in such a case. It is, however, the notion that will enable us to reconcile Aristotelian virtue ethics and normative theory, and to potentially open a dialogue between two traditionally hostile camps.

In brief, Flage and Glass argue that if the covering-law model of moral justification²⁷ is correct, then Hume's "is-ought" paragraph calls into question the possibility of a justifiable theory of moral obligation. After delineating Hume's doubts, they conclude that, on Hume's principles, we can justify the acceptance of a rule of moral obligation neither on the basis of reason (relation of ideas) nor on factual claims. What this entails is worth quoting in full:

In claiming that putative rules of moral obligation cannot be justified on the basis of relations of ideas, Hume is arguing that no grounds exist for claiming that rules of moral obligation are necessary truths. In claiming that putative rules of moral obligation cannot be deduced from statements of fact, Hume is arguing that no factual grounds exist upon which general rules of moral obligation can be shown to be true. This second position inveighs even against the non-cognitivist insofar as it rejects *any* factual basis for claiming that we are justified in accepting a putative rule of moral obligation as specifying that an action of a particular kind is morally obligatory or morally forbidden.²⁸

Further, Flage and Glass point out that, "if Hume's account is correct, either we are never justified in accepting a putative rule of moral obligation or, if rules of moral obligation exist, then they are conventional rules or else they are rules known on the basis of induction."²⁹ This assertion, as they correctly acknowledge, poses a dilemma, for "if the meta-ethical position is correct that a singular moral judgment is justified if and only if it is deduced from a justified

²⁶ Flage, Daniel E., Ronald J. Glass (1995), "Hume's problem and the possibility of normative ethics," *The Journal of Value Inquiry*, 29: 231-239.

²⁷ See Hare (1961), 56-78; Frankena (1973), 25.

²⁸ Flage, Glass (1995), 235-6, italics in original.

²⁹ *Ibid.*, 236.

moral rule,³⁰ and we are never justified in accepting a putative rule of moral obligation, we are never justified in accepting a singular judgment of moral obligation.”³¹ So, the dilemma and its consequences, as set forth by Flage and Glass, call into question the viability of traditional normative theories and they are, again, worth quoting in full:

If all rules of moral obligation are conventional, then even though the meta-ethical principle will allow us to justify singular judgments of moral obligation, such judgments are relative to a conventional set of rules of obligation...If rules of moral obligation are rules known on the basis of induction, then the justification of singular moral judgments is logically prior to the justification of rules of moral obligation, which is inconsistent with the meta-ethical principle. Further, were we to contend that rules of moral obligation have only an inductive justification, we would implicitly acknowledge that the justification of a general moral rule of obligation is always open to doubt, and, consequently, a rule of moral obligation could not provide the basis for a conclusive justification of a singular moral judgment. Thus, if the position Hume advances in the “is”-“ought” paragraph is sound and you contend that the covering-law model is necessary for the justification of a singular moral judgment of actual or *prima facie* moral obligation, the possibility of normative ethics is called into doubt.³²

This does not mean, however, that singular judgments of moral obligation cannot be justified in some manner. Hume’s objections in the “is-ought” paragraph are limited to a covering-law model of justification, since what he deems “altogether inconceivable” is “how this new relation can be a *deduction* from others, which are entirely different from it.”³³ Hume can be understood to hold that our beliefs about the facts, in concert with our emotional responses, determine our obligations and duties, for this is what Hume himself proceeds to do.³⁴ It would be a mistake,

³⁰ See Hare (1961), 56-78; Frankena (1973), 25.

³¹ Flage, Glass (1995), 236.

³² *Ibid.*

³³ Hume (1978), Book III, Part I, Section I, 203-4, italics added.

³⁴ Hume (1972), Book III, Part II, Section V, 245-6; Book III, Part II, Section I, 211.

however, to think that this derivation is an inference.³⁵ Moral evaluations, like our passions, volitions, and actions, are matters of fact in the sense that they are “original facts and realities, complete in themselves, and implying no reference to other passions, volitions, and actions.”³⁶ But they are not susceptible of the kind of agreement or disagreement with *real* relations of ideas or *real* existence and matter of fact that is necessary for the discovery of truth or falsehood. Whatever is not susceptible of the sort of agreement or disagreement in which truth or falsehood consists can never be an object of our reason and it can neither contradict nor conform to reason.³⁷ Moreover, we cannot derive a rule of moral obligation from either *real* relations of ideas or *real* matters of fact because, while such relations of ideas and matters of fact have ascertainable truth-values (at least in principle), no values, moral obligations, or moral evaluations have a truth-value independent of particular emotional reactions. As MacIntyre rightly insists, Hume, unlike R.M. Hare, cannot be classified as a philosopher who insists that a moral conclusion can be reached only from premises at least one of which is moral.³⁸ Instead, he is a philosopher who is attempting to describe how we can arrive at moral evaluations and feel morally obligated in a world in which, independent of our emotional responses, values and obligations do not exist. While he rejects a covering-law model of justification, and thereby calls into question the possibility of deduction-based normative theories, he bases his

³⁵ For a different approach see MacIntyre (1959), “Hume on ‘Is’ and ‘Ought’,” *The Philosophical Review*, Vol. LXVIII. MacIntyre argues that Hume is not denying that one may derive statements of obligation from purely factual premises, only that such derivations are extremely difficult. For further discussion on the “is-ought” passage, see Atkinson, R.F. (1961), “Hume on ‘Is’ and ‘Ought’: A Reply to Mr. MacIntyre,” *The Philosophical Review*, Vol. LXX; Scott-Taggart, M.J. (1961), “MacIntyre’s Hume,” *The Philosophical Review*, Vol. LXX; Flew, A. (1963), “On the Interpretation of Hume,” *Philosophy*, Vol. XXXVIII.

³⁶ Hume (1972), Book III, Part I, Section I, 193.

³⁷ *Ibid.*

³⁸ MacIntyre (1959).

description on empirical evidence concerning human nature and human emotional responses.

Therefore, by rejecting a deductive model of justification in favor of an inductive model we cannot only side-step the difficulties raised by Hume, but according to Flage and Glass we can also (1) bring moral reasoning into line with most other judgments found in ordinary life; (2) develop a normative theory that is independent of meta-ethical positions concerning the nature (truth-value) of moral propositions; and (3) provide a means of justifying singular moral judgments without appealing to moral rules.³⁹ They suggest that the same standards of evidence which are employed in cases of non-moral reasoning (i.e. in courts of law, scientific investigation, and ordinary life) can be employed in the moral sphere, and they point out that, even if investigators could not come to complete agreement in resolving a moral dispute, it would be possible for them to agree on what would count as evidence. They explicate four conditions that would have to be fulfilled in order to resolve a moral dispute and they describe a method by which investigators could reach a conditional moral agreement.⁴⁰ Their four conditions are: (1) investigators must use the relevant terms in the same sense; (2) investigators must agree on what is or would be relevant evidence for or against the claim that x is F ; (3) investigators should be psychologically normal; and (4) investigators should investigate the evidence without bias.⁴¹

Although my conceptualization of induction-informed normative theory differs significantly from theirs, I will refer to some of their specific suggestions below as I build upon and emend their basic proposal.

³⁹ Flage, Glass (1995), 236-8.

⁴⁰ *Ibid.*

Induction-informed normative theory, like its deductive counterpart, must be evaluative rather than merely descriptive, and it must be capable of prescribing (or recommending) morally correct behavior.⁴² In contrast to its deductive counterpart, however, induction-informed normative theory cannot be understood as a system that establishes a standard of correctness by prescription of rules, nor as one in which specific guidelines and singular moral judgments are strictly derived from one or more general rules. Indeed, an inductive model is one in which general rules, insofar as they are introduced, must be justified on the basis of inductive arguments from singular moral judgments and, as inductive generalizations, they would never be more than guidelines. In all instances, including singular moral judgments, if our standard is induction, we can only claim that our conclusions or judgments are probable, never that they are absolutely true. The inductive process leads to hypothetical and conditional conclusions such that if a given set of facts obtain, then we are justified in reaching a particular conclusion. All that we can reasonably expect is the probability of the truth of our conclusions, not certainty that the conclusions are true. If conditions change, then our conclusions must be revised on the basis of the additional evidence. Thus, general guidelines would be useful as rules of thumb, pedagogical tools, and references in circumstances that require a quick decision, but they would always be subject to revision.

While it might seem to be a weakness that we cannot stand on the absolute truth of our conclusions and general guidelines, an induction-informed normative

⁴¹ *Ibid.*, 237.

theory side-steps the logical difficulties inherent in determining the truth-value of moral claims. Flage and Glass correctly point out that such a method is independent of meta-ethical positions concerning the truth-value, or nature, of moral propositions.⁴³ In essence, an inductively informed normative theory is “a method for determining the acceptability, rather than the truth,” of singular moral judgments and general guidelines, and the “same method can be employed regardless of whether moral claims have a truth-value.”⁴⁴ Yet, Flage and Glass also state that “this method provides a means of justifying singular moral judgments without appealing to moral rules,”⁴⁵ and this claim leaves an incomplete picture of the process at hand.

Under such a system, although singular moral judgments can be justified without deducing them from moral rules⁴⁶ they can be justified only by appealing to *something*. It is not enough to examine factual claims, either the sort which describe the specific circumstances at hand or the sort which are weighted with complex philosophical questions, and then to arrive at a singular moral judgment without reference to a fundamental claim or claims pertaining to *something*. In the absence of first principles that can be justified on the basis of relations of ideas or deduced from statements of fact, I intend to argue that fundamental claims about the good, or about that which is good for humans, must proceed from an analysis and examination of human nature and human ends. If a moral investigation should proceed without such a basis, even if it proceeds along the

⁴² This section is intended to introduce ideas that will be explicated and supported in subsequent chapters.

⁴³ Flage, Glass (1995), 238.

⁴⁴ *Ibid.*

⁴⁵ *Ibid.*

lines suggested by Flage and Glass, the judgments arrived at by the investigator would be deeply suspect.

Still, the factual claims that provide evidence for the acceptability of our singular moral judgments must be taken as objects of dispute. Here, I am in agreement with Flage and Glass.⁴⁷ The “facts,” which concern everything from the relevant concrete particulars of a given situation to the philosophically complex questions that often underlie the particulars,⁴⁸ are at the heart of all but the simplest moral disputes and they provide the content for singular moral judgments. For example, murder is considered a wrong action under most ethical theories, including Aristotelian virtue ethics, and while this general guideline or principle might not be cause for dispute, a specific instance of killing about which we must make a singular moral judgment certainly can be. If murder was simply a matter of semantics—generally, taking the life of another unlawfully—and if the laws of a given society were the last word in morality, then the only relevant factual claim would involve whether or not a specific person killed another unlawfully. This is not the case, however, and it is the concrete particulars or “facts” involved in an act of killing that ultimately determine the morality of that act, even under a covering-law model.

However, Flage and Glass state that we must take the factual claims that provide evidence for the acceptability of our singular moral judgments as the

⁴⁶ In the theory set forth in the following chapters, the justification of singular moral judgments involves a relationship between those judgments and general principles and/or values. See 2.6 and 4.4 below.

⁴⁷ Flage, Glass (1995), 238.

⁴⁸ For example, determining identity relations over time, particularly if one is deciding the punishment for a person who has committed a serious crime and who has subsequently suffered such severe brain damage that questions arise as to whether she is the “same” person who first committed the crime.

primary objects of dispute, and this claim poses theoretical difficulties.⁴⁹ In and of itself, the assertion could lead to the highly questionable contention that we can formulate singular moral judgments with the facts and with nothing more, and that we can somehow formulate singular moral judgments that are comprehensible and acceptable to others as well as to ourselves. Flage and Glass' procedure for inductively resolving either a moral or non-moral dispute—based as it is on investigative techniques,⁵⁰ rather than on moral theory—is not a satisfactory resolution to the problem. Instead, we must be able to place factual claims, as well as the evidence they provide for the acceptability of our singular moral judgments, within a moral framework that is informed by and directs the inductive process.⁵¹

Throughout this work, I intend to argue that an Aristotelian-based conceptualization of human nature provides both the order and the flexibility necessary to serve as just such a moral framework. I further intend to argue for a view in which order is sustained through interconnected *regulating notions*,⁵² rather than through inviolable claims concerning the nature and ends of human beings, and flexibility is provided by both a reliance upon inductive conclusions and an integration of the moral claims and obligations that arise from particular

⁴⁹ Flage, Glass (1995), 238.

⁵⁰ *Ibid.*, 237.

⁵¹ As Kagan (1998), 21-2, states, “Ideally, after all, appeal to the correct foundational theory would help resolve any unsettled disputes we might have about the normative factors. It would enable us to see just which factors genuinely have direct moral significance, and it would answer questions about the precise nature of these factors, their relative weights, and how they interact. Indeed, since it is the correct foundational theory—whatever that turns out to be—that provides the basis for and explains the various normative factors, it should not surprise us if these various disputes about the normative factors could not be completely resolved in the absence of an adequate foundational theory.” See Chapter 3 for a discussion of Aristotelian virtue ethics as a framework for induction-informed normative theory.

⁵² My concept of a *regulating notion* resembles Kant's regulative principles only insofar as both serve a useful purpose by stimulating, unifying, or advancing knowledge. However, I conceive of

relationships. Although each foundational element will be explicated in the following chapters, a cursory examination of *eudaimonia*, understood as a *regulating notion*,⁵³ suggests a preliminary response to Pellegrino's objections to an Aristotelian-based general normative theory.

Aristotle begins the *Nicomachean Ethics* by examining three theories of human good, conceived of as the satisfaction of desire, that he develops and abandons.⁵⁴ He states that human beings identify happiness, or the human good, with pleasure or honor (and he briefly refers to the contemplative life), and he admits that there is no consensus among humans as to what comprises happiness.⁵⁵ In Chapter 7, however, Aristotle suddenly abandons the orrectic theory and develops the famous function argument that dominates the remainder of the text. It is here, it seems, that Aristotle attempts to both understand and explicate human good by making a distinction between the *form*⁵⁶ of the best human life (i.e. happiness) and the *content* of that life (i.e. the satisfaction of rational desire in the form of goods, or constituents, of the ultimate end).⁵⁷ It seems clear to Aristotle that, while the ultimate end of human life might be ascertained by reason and observation, and while an understanding of the *form* of

a *regulating notion* as an observation or inductive conclusion of long-standing duration, which cannot be conclusively justified or refuted, that serves a useful practical and theoretical purpose.

⁵³ See 2.4 for a full discussion.

⁵⁴ *EN* 1.5.

⁵⁵ *Ibid.*

⁵⁶ Throughout this work, I use the term "form" in a distinctly Aristotelian sense. See 2.4 for a full discussion.

⁵⁷ This *form/content* distinction is not meant to imply that *eudaimonia* is something over and above the things that make it up. It is a conceptual distinction only, and one that relates to the order and relations of the various constituents of *eudaimonia*. It is not a suggestion that *eudaimonia* is somehow added to these constituents, as something that completes them, anymore than it might be suggested that *score* is something over and above the order and relation of the notes which comprise it. My thanks go to Angela Hobbs for bringing this possible misunderstanding to my

that end might be shared, at least in outline form, disagreements concerning the *content* would persist and require detailed treatment.⁵⁸ It is just such disagreements that he hopes to arbitrate by an examination of virtuous behavior and its contribution to the end of human life.

Now, it is unlikely that Aristotle's claims concerning the ultimate end of human life will be either substantiated or conclusively refuted, for arguments that draw on modern psychology, human history, and sociology can weigh in on both sides of the debate. However, the Aristotelian claim that humans seek *eudaimonia*, in the form of a life well lived, agrees enough with our experience and inductive conclusions to be valuable as a *regulating notion*. In other words, we do no damage to our intuitions, nor do we fly in the face of our experience and inductive conclusions, if we conditionally accept the notion that humans, by their nature, seek happiness and a life well lived above all other things. Indeed, in the absence of justifiable moral rules of obligation, we are faced with either skepticism or reliance upon those concepts and arguments that have an inductive justification and that can be effectively, if conditionally, utilized as *regulating notions* in a fundamental sense. In this case, the notion that *eudaimonia* is the primary end of human activity provides us with the *form* of good that is sought by all human beings, as part of their nature, and it provides the basis for foundational claims concerning morality.

attention and for suggesting the score/notes analogy. See Santas (1996) for an interesting discussion of *form* and *content* in *EN*. The following discussion is informed by this text.

⁵⁸ See *EN* 1.7.1098a20-1098b8. Here, Aristotle states that his argument concerning the human good must serve as an outline that will later be filled in with details (at least with such precision as the subject-matter allows). He points out that a carpenter and a geometer look for right angles in different ways; the former does so insofar as the right angle is useful for his work, while the latter inquires what it is or what sort of thing it is, for he is a spectator of the truth. On Aristotle's view, while he must establish the first principle, others can carry on and articulate what has been well outlined, and time is a good discoverer or partner in such work. It is to such facts, he states, that the advances of the arts are due.

The vast number of goods that supply the *content* of a life well lived are linked in Aristotelian thought with ideas of virtue, human character, and human interaction. These goods are the constituents of the ultimate end, such that they allow *eudaimonia* to be an ongoing and content-rich activity, rather than an unfulfilled goal. In an induction-informed normative theory, particularly one that takes human ends and human happiness as fundamental, these goods are rarely absent from the factual claims that provide evidence for the acceptability of our singular moral judgments. Indeed, on this view, prescriptions (or recommendations) and evaluations must take the situation-specific goods and particular relationships that comprise the *content* of *eudaimonia* into consideration, both as having moral significance in and of themselves and as they relate to the ultimate end.

However cursory this introduction to *form* and *content* might be, it provides a means by which we can begin to answer Pellegrino's claim of circularity.⁵⁹ For example, on this view, the good for humans, *eudaimonia*, is *formal* in the sense that it is the ultimate end towards which all human beings aim and, as such, it is without specific content and in accordance with reason. *Eudaimonia* also has *content*, in the form of the numerous goods⁶⁰ that satisfy rational desire; a *content* that is identified and understood by way of observation, habituation, and education, and that is exemplified by the decisions and actions of virtuous persons. Yet, while Pellegrino's phrase "what is good for humans" may

⁵⁹ That is, "namely, that the good is that which the virtuous person does and the virtuous person is the person who does what is good for humans" (Pellegrino, 1995, 262).

⁶⁰ As constituents of *eudaimonia*, I would argue that these goods are often incommensurable, in the sense articulated by Nussbaum (1990). She states, "To value each of the separate types of excellent activity as a constituent of the good life is tantamount, in Aristotle's conception, to saying that a life that lacked this item would be deficient or seriously incomplete, in a way that could not be atoned for by the presence of other items, in however great a supply" (60).

be meant to describe both the ultimate end and the constituents of that end, it fails to differentiate between the two. When a virtuous person acts in such a way as to promote, enhance, or honor either the ultimate or subservient ends, he does indeed act in a right manner, but human actions cannot create, alter, or affect the *formal* aspect of *eudaimonia*. The *formal* aspect of the good for humans, or the end towards which all humans move, is determined by their nature as humans.

In contrast, the *content* of *eudaimonia* is created, altered, or affected by the decisions and actions of the virtuous person (or the average or vicious person, for that matter). For example, while acting compassionately to a friend may promote, honor, or enhance the ultimate end, the activity itself is a constituent of the ultimate end and, as activity, it creates, alters, or affects the *content* of *eudaimonia*. Thus, Pellegrino's phrase "the good is that which the virtuous person does"⁶¹ is a correct statement, but this is the kind of good that contributes to the satisfaction of rational human desire. It involves decisions and actions that contribute to the well-being of the agent and that promote, enhance, or honor the ultimate end. This good does not create the end, but, rather, it aims at the end through activity.

Moreover, as I will argue in the following chapter, to act rightly, the virtuous person must take into consideration not only the ultimate end (*form*) and the factual claims in any given situation (*content*), but also inductive guidelines or principles (*content*). Without such guidelines or principles, human beings would be no more capable of making and acting on moral decisions than they would be

⁶¹ Further objections concerning the virtuous person, or *phronimos*, as an ethical standard *per se* will be discussed in 2.3 and 3.5 below.

capable of making and acting on non-moral decisions or of carrying out non-moral tasks.

For example, once a driver determines, through experience or education, that she must look at the lane beside her before moving her vehicle into that lane, she will act on that principle of driving (without revisiting its contribution to the end of driving, or to safely reaching one's destination) until or unless it is called into question by new evidence.⁶² If a driver had no such principles of safe driving, she would be unable to leave the curbside without reinventing the art of driving. In like manner, human beings act on similar kinds of moral principles, using them as guidelines while considering the relevant particulars in a given situation. A virtuous person is indeed one who acts in accordance with what is good for humans, but, to a certain extent at least, the good for humans is something that is known, first in a *formal* sense and then by way of principles and guidelines, to the virtuous agent prior to acting.

With this understanding in place, we can suggest that Pellegrino's phrase "the good is that which the virtuous person does and the virtuous person is the person who does what is good for humans" is circular because both uses of the word "good" refer to *content*. The ultimate end for humans, or the good that is determined by human nature and that involves *form* rather than *content*, is neglected entirely. It is only the good that comprises the *content* that can be described by the phrases "that which the virtuous person does" or "the person who does what is good," for while a virtuous person can identify, understand, and aim at the *formal* good, she cannot "do" it. We have two kinds of good, and however

⁶² I am specifically using the example of a driver to call to mind the arguments set forth by Hare (1961).

related and interdependent they might be, they have different formal and practical properties. Indeed, as I will argue in 4.3, the relationship between primary moral values and the *formal* end for humans provides an objective standard by which principles, singular moral judgments, and moral virtues may be evaluated.

Pellegrino also claims that it was a shared and highly specific notion of the good that gave focus and normative force to Aristotle's *Nicomachean Ethics*.⁶³ He argues that, without such a shared and specific notion of the good, the virtues, and even the good itself, will be defined in merely intuitive or subjective terms.⁶⁴ No agent under such circumstances, virtuous or otherwise, can be expected to have a reliable and consistent understanding of the good for human beings or to act in accordance with that good on a consistent basis.

However, this objection is based on the same confusion concerning *form* and *content* that was evident in the first objection. If we again consider the *form/content* distinction, we can suggest that the only necessary consensus concerning the human good is one that identifies the end of human activity as happiness, or as a life well lived. Under such circumstances, an agent must reliably and consistently understand that all human beings aim at happiness, but she need not have a complete understanding of what comprises happiness for all persons at all times. She will, of course, have a set of working principles—developed through observation, induction, habituation, and education—which inform her decisions and guide her actions. These principles will be available to each agent to whatever degree she has been habituated and educated, and each agent will comprehend them to whatever degree she is capable. In any case, no

⁶³ See n. 24.

⁶⁴ Pellegrino (1995), 262-4.

agent would be expected to reinvent the art of ethical speculation each time that she faces a dilemma concerning the human good or human happiness.

Yet, it seems that with such a vague conceptualization of human happiness, prescriptions (or recommendations) and evaluations would be based on little more than intuition or subjective notions concerning happiness. However, if a comprehensive understanding of human happiness is necessary for prescriptions (or recommendations) and evaluations, then most forms of utilitarianism are open to the same criticism. It is not, as I will argue in the following chapters, a highly specific and shared notion of human happiness that is necessary for prescriptions (or recommendations) and evaluations, but (1) a general agreement that happiness, in the form of a life well lived, is the end/goal of human life (*form*); and (2) an understanding, made reasonably reliable and consistent by way of induction, education, and habituation, of the various constituents of that end (*content*). We are clearly in line with our experience and average expectations when we suggest that psychologically “normal” adults and many children have a reasonable understanding of the goods and actions that contribute to human happiness and those that do not. As John Stuart Mill said, “There is no difficulty in proving any ethical standard whatever to work ill, if we suppose universal idiocy to be conjoined with it; but on any hypothesis short of that, mankind must by this time have acquired positive beliefs as to the effects of some actions on their happiness.”⁶⁵

In any case, I would agree with Mill that it is unrealistic to expect human beings to approach *any* moral theory without some sort of ethical grounding, or to, say, pick up a gun, aim it at another person, and consider for the very first time

whether murder is a right action or a wrong one. There are, of course, logical and practical considerations that must be examined before setting out a complete explanation of the prescriptive⁶⁶ and evaluative elements in an induction-informed theory and these will be discussed in Chapter 4. Moreover, the discussion in Chapter 4 includes an examination of what a normative theory *does* (or what it is that distinguishes a normative ethical theory from all other ethical theories) in terms of its *ergon*, or function, and this examination will bear heavily on the prescriptive and evaluative elements as well. For now, let it suffice to say that rigid precision in directing and evaluating human behavior may be an unrealistic goal in any normative theory, rule-governed or otherwise, and that failure to accomplish such precision is a criticism that can also be leveled against deontological and utilitarian theories.

Pellegrino also suggests that moral and practical luck, chance, genetics, fortune, and environmental factors present internal and external difficulties that can be insurmountable for moral agents who are expected to sustain the internal adherence to and understanding of excellence that is demanded of them by virtue ethics.⁶⁷ This objection requires extended treatment and will be answered in 3.1 and 3.2. Indeed, although we now have a partial answer to several objections in hand, all further discussion requires detailed examination of text and development of the theoretical aspects of induction-informed virtue ethics. It is to this task that I turn now, and I begin with principles and guidelines.

⁶⁵ Mill, in Burt (1939), 914.

⁶⁶ Henceforth, in discussions pertaining to the theory set forth here, the term “prescribe” will be used sparingly to mean “to lay down as a *guide* to action” (i.e. a strong recommendation), rather than “to lay down as a *rule* of action” (i.e. a strict obligation) and will be used, therefore, in a less stringent manner than it is by philosophers such as R.M. Hare.

Chapter 1

Principles and Guidelines

1.1

As stated above, if our standard is induction, we can only claim that our conclusions are probable, never that they are absolutely true, and in introducing or rejecting general principles, we would be arguing for or against their acceptability, rather than their truth. Indeed, we would be arguing, in agreement with Aristotle, that the amount of precision expected of any theory must be in relation to the nature of the subject-matter at hand, and that when dealing with matters of human behavior we can expect precision only to an inductively justifiable degree.

In *EN* 1.3, for example, Aristotle argues that because fine and just actions exhibit a great deal of variety and fluctuation, they may be thought to exist only by convention (*nomos*) and not by nature (*phusis*), and that because goods bring harm to many people, they exhibit a similar fluctuation (1094b12-18). This variety and fluctuation in fine and just actions prevents us from identifying one set of criteria by which we can classify all actions of a particular kind and degree as fine and just absolutely. In like manner, the fluctuation in goods, by which we mean that something that is good under a particular set of circumstances may not be good under another, prevents us from classifying anything as good absolutely. Under such circumstances, when we are speaking or reasoning about human good and human behavior, we are speaking or reasoning about things that are merely probable, with premises of the same kind and conclusions that are no better (1094b19-22). We are reasoning from the facts, with whatever degree of diversity

⁶⁷ Pellegrino (1995), 262-4.

they might display, to general principles that are acceptable and inductively justifiable, regardless of their actual truth-values.

On Aristotle's view, inductive reasoning is not only appropriate to the nature of the subject-matter at hand, it is the only form of reasoning possible, at least when one is moving towards first principles. Whether one begins with deductive reasoning or inductive reasoning depends upon whether one is moving towards first principles or away from them (1.4.1095a30-32), and this movement itself depends upon the starting-point for knowledge. If one is dependent upon facts and experience for knowledge, then the facts must be the starting-point from which inductive reasoning takes place (1095b1-8) and the fact *is* the primary thing or first principle (*to d' hoti prôton kai archê*) (1.7.1098b2-3). If, on the other hand, one is attempting a demonstration, then necessary principles must be the starting-point from which deductive reasoning proceeds (*APo.* 1.4.73a21-24). On this view, principles of things different in genus are themselves different in genus (1.3.88b26). We would not expect probable reasoning from a mathematician, nor would we demand demonstrative proofs from a rhetorician or from a political scientist who deals with human behavior, human ends, and human goods (*EN* 1.3.1094b23-27).

Induction, then, is the method by which general principles concerning human good and right action are acquired, and while induction is of first principles and of the universal (*hê men dê epagôgê archê esti kai tou katholou*), deduction proceeds from universals (*ho de sullogismos ek tôn katholou*) (6.3.1139b28-29). There are, on this view, principles from which deduction proceeds that are not acquired by deduction (1139b29-31), and all such principles would be, by the very fact that they are inductive conclusions, both contingent and

hypothetical. Such principles would not be knowledge in the strictest sense, or in the sense of being necessary (*ex anankês*) and eternal (*aidion*) (1139b22-23), but if the facts upon which they are based are well-established, they can serve as acceptable and valuable guidelines for human behavior.

As Aristotle points out, however, because questions concerning what is good for a particular person have no fixity beyond a given time or particular situation, and because questions concerning right action depend upon the particulars of a specific situation, general guidelines function in ethics only to the degree that texts function in matters of health and charts/maps function in matters of navigation (2.2.1104a1-9). Without medical texts, for example, the physician would have no starting-point for evaluating and diagnosing a patient, and he would lack the cumulative wisdom of others. However, without taking the specific complaints and symptoms of the patient into consideration, he could not make a fully informed decision, nor could he act in a right and appropriate manner towards the patient. In like manner, in matters of human conduct, general statements may apply more widely, but those that are particular are more accurate, since matters of conduct involve not only general precepts and principles, but also individual cases and highly specific situations (2.7.1107a27-32).

Having some sort of general beliefs and guidelines, however, is as necessary to right conduct as is correctly identifying the relevant facts in any given situation. In *EN* 7.3, for example, Aristotle points out that, because the lower animals have no universal beliefs (*katholou hupolêpsin*), but only imagination and memory of particulars (*phantasian kai mnêmên*), they cannot be accused of incontinence (*akratê*) (1147b3-5). On this view, it is our universal beliefs, themselves inductive conclusions, that allow us to properly identify the

class to which a particular instance belongs and that provide the universal premises in practical syllogisms. If, for example, our experience with human culture and interaction has led us to the conclusion that stealing is a wrong action in general, then before we can censure a particular instance of stealing, we must be capable of (1) identifying a specific action as stealing; (2) further identifying it by way of general guidelines as a generally wrong action; and then (3) censuring it (to a greater or lesser degree) by examining the particular circumstances under which it occurred. The lower animals, on the other hand, have no universal beliefs concerning the belongings of others and they will either take them or refrain from taking them based solely on desire or the memory of past punishments respectively.

On this view, general beliefs concerning human good and human conduct, along with the general guidelines that prohibit, require, or permit specific actions, are the context into which particular instances must be fitted and by which they may be initially classified and understood. Yet, when Aristotle speaks of judgment (*gnômê*), understanding (*sunesis*), practical wisdom (*phronêsis*), and comprehension (*noos*), he is speaking of faculties that deal with ultimates (*eschatos*), or with the particulars (*hekastos*) (6.11.1143a25-29). In like manner, when he speaks of a person of practical wisdom, he is speaking of someone who knows the facts in a given situation, exhibits understanding and good judgment concerning both the facts themselves and their relationship to general guidelines, and who acts appropriately under the particular circumstances (all actions are included among the particulars) (1143a29-35). Comprehension, which in the case of demonstrations grasps the unchangeable and primary definitions, grasps the last and contingent fact (i.e. the second proposition) in practical reasoning (1143a35-

1143b4). Since both the primary definitions and the particulars are objects of comprehension and not of argument, and since the universal is reached from the particulars, comprehension must be able to grasp both as starting-points and to grasp the relationship between them (1143b1-6). Likewise, it is the ability to grasp both general moral principles and specific concrete facts, as well as to grasp the relationship between them, which provides the basis for making sound, justifiable moral decisions. On this view, ethical decision-making is dependent upon an application of general principles that is informed by specific facts.

1.2

This understanding of the interrelationship between general principles and specific facts in the moral decision-making process parallels our understanding of the interrelationship between them in the non-moral decision-making process, or in ordinary life. From infancy onward, human beings learn to conduct themselves in accordance with principles that guide their actions and inform their decisions. For example, through habituation and education, we acquire such mundane principles as “over-eating produces discomfort and occasional illness” and “we should not jump into a pit without having an unobstructed view of the ground below.”⁶⁸ We abide by these principles so long as the effects of doing so consistently accord with our intentions and our beliefs about the world, and we modify them when they fail to do so. Without such principles, we would be—in every instance and circumstance—entirely without the benefit of past experience, the wisdom of others, and any guidelines whatsoever. In every instance and circumstance, would have no choice but to mentally review the possible effects of

every action that we might take and examine each in light of our intentions and beliefs. The time involved in making decisions in this fashion would reduce our ability to live full, rich, or complex lives.

Yet, principles alone are clearly inadequate for guiding and directing human action. For example, even a person who holds general principles concerning pits must bring her particular circumstances to bear (e.g. her height, weight, and strength; the size and depth of the pit; whether it would be more expedient and safer to go around or through *this particular obstacle*; and so on), along with the relevant principle, if she wishes to navigate a particular pit safely. Upon encountering such an obstacle, she must perform an action that is informed by both the relevant principle and the concrete facts in the particular situation. Without non-moral principles of action, we would surely be paralyzed into non-action by a flood of conflicting and ever-changing particular facts, and without careful attention to particular facts, we would be incapable of acting appropriately in non-repeating and incommensurate circumstances.

Moreover, the line of demarcation between moral and non-moral principles blurs in many instances, and an examination of non-moral principles often reveals moral content that bears on the reasons for their instantiation. For example, the rules of driving are a code for competently maneuvering a vehicle on public roadways; however, they are *also* a code for protecting and preserving human life in the presence of vehicles and, as such, they incorporate a moral value (i.e. the value of human life). In like manner, the above mentioned non-moral principle, “we should not jump into a pit without having an unobstructed view of

⁶⁸ The following discussion is informed by Hare (1961), 56-78.

the ground below.” incorporates the same moral value, and the reasons for its instantiation include protecting and preserving human life.

This “shared territory” between moral and non-moral principles⁶⁹ presents an objection to the claim that while moral principles can be understood as self-evident, the principles by which we conduct our ordinary lives are the result of observation, experience, and inductive reasoning. For example, although we would never seriously claim that the rules of driving are self-evident principles, we might argue that a moral principle of the sort “it is always wrong to treat another human being as a mere means” is self-evident. Yet, without being able to explain what is meant by “means” in this context, and possibly “end,” terms which involve (at the very least) capacities such as reason and the ability to consent, ideas of dignity and respect, and social and interpersonal relationships that are not self-evident, we would be left with a vacuous moral principle that could not be applied in any meaningful way to specific situations.

Indeed, it is the overlap between moral and non-moral principles that suggests that both kinds of principles are acquired and utilized in the same manner. While it might be argued, for example, that the moral principle “it is always wrong to tell a falsehood” is self-evident, we could not give a single adequate explanation of this principle, in terms of human relationships, without discussing the effects of lying on individuals and communities. And in the way in which I am using the word “effects,” namely, in reference to the reasons for

⁶⁹ See Nussbaum (1986), 4-5, 28-30, 427-8, concerning her general mistrust of the moral/non-moral distinction. Also see Williams (1985). Here, Williams abandons the moral/non-moral distinction as the basis for ethical inquiry and he argues that the Greek question, “How should one live?” is the most promising starting-point for ethical inquiry. He claims that the “moral,” understood as centered around notions of obligation and duty, should be viewed as a mistaken subset of the ethical. Moreover, he argues that a proper investigation of the Greek question does

holding any general principle, this argument applies equally to moral and non-moral principles.⁷⁰ The ostensibly non-moral principle “you should always look both ways before you cross the street” involves the same notions of protection and preservation, or the same intended effects, that are embedded in moral principles. such as “murder is always wrong,” that are designed to protect and preserve human life. While “you should always look both ways before you cross the street” would never be represented as a self-evident principle, however, but as one that includes content and inductive conclusions, it is possible to masquerade some formulations of “murder is always wrong” as self-evident moral principles. Unless we wish to argue, however, that such principles involve nothing other than the logical relationships between the terms themselves, we cannot sustain the claim that they are self-evident. It is far more convincing to argue that such principles are based on notions of human worth, human good, and human frailty, and that they are given content by an understanding of the terms used to express them, both in and of themselves and in relation to human experience.

If the acquisition and utilization of moral principles parallel the acquisition and utilization of non-moral⁷¹ principles, it suggests that the acquisition and utilization of moral principles depend as heavily on induction, empirical evidence,

not lead either to an inflexible separation of moral requirements from other concerns that arise in response to the question or to a ranking of these requirements above the other concerns.

⁷⁰ Here, I am not advancing ideas of expediency. All actions, even those done for the sake of duty or for the sake of abiding by a particular set of principles, bring about an effect in the total situation. While it is certainly the case that some effects must receive greater consideration than others, principles are in place precisely for the reason of increasing the probability of certain effects and reducing the possibility of others. Even acting in accordance with a principle which states that all moral actions must be undertaken for the sake of duty alone is an action with expected effects, backed by reasons for desiring those particular effects. Cf. Hare (1961), 57.

⁷¹ See Notes on Terminology and Translations. As stated therein, although I have called into question the line of demarcation between moral and non-moral principles, I intend to retain the terminology throughout this work in order to maintain clarity as I argue that my position concerning moral reasoning is strengthened by examining areas of life that are less obviously moral.

and attention to particulars as do the acquisition and utilization of non-moral principles. This in turn suggests that the acquisition of both types of principles involves experience as well as reason. Moreover, our ability to utilize general principles of both types, including the degree to which we will adhere to them, involves our experience, observations, and our particular circumstances, including our understanding of the world around us, at any given time. If, for example, we have acquired a non-moral principle of driving, such as “to stop a vehicle abruptly, apply firm and continuous pressure to the brakes,” we will be forced to revise this principle the first time we attempt to stop abruptly on an extended patch of ice. This act alone will alert us to the fact that the original principle contains presuppositions pertaining to the performance of a vehicle on dry roads, and that the effects of abiding by it are dependent upon knowledge of these presuppositions. Even deliberating on the effects of applying the brakes firmly and continuously while on an icy road might be cause to revise our original principle of driving. In any case, by way of our action or deliberation, we will have revised the original principle to something along the lines of “to stop a vehicle abruptly on dry roads, apply firm and continuous pressure to the brakes.” By such a revision, we have tightened our original principle, making it more precise and exact, and we can either further emend it to account for stopping on icy roads or develop a new principle altogether.

In the moral sphere, there is a strong parallel. If, for example, we have adopted the moral principle that “it is morally acceptable to enslave human beings of an inferior race,” we will be forced to either reject or revise it the first time we call into question the presupposition that there *are* inferior races of human beings. We certainly cannot claim that notions of inferiority, either mental or physical, are

implicit in the terms themselves, or that such a moral principle is derived from one that is self-evident. A moral principle of this type is dependent upon factual information and it can only be justified, if it can be justified at all, inductively. If it contains false presuppositions pertaining to ideas of human inferiority or to the act of enslavement, then it must be either revised or rejected. In any case, its acceptability as a moral principle is dependent upon reliable facts and, at least in part, on inductive reasoning.

It must be noted, however, that very few moral principles or, for that matter, their non-moral counterparts, exist in isolation. In addition to the relationship between general moral principles and particular facts, there is a relationship between the general principles themselves that involves ideas of ranking or hierarchy. For example, if a person holds the general principles “it is always wrong to tell a falsehood” and “human life should always be preserved and protected,” and she is confronted with a situation in which she can save an innocent life only by telling a falsehood, then she must rank or order the two principles. Moreover, while the resulting hierarchy might be generalized by the agent (e.g. it is always correct to tell a falsehood if doing so will save a human life), all such rankings involve the relationship between the agent’s foundational moral framework and her beliefs concerning the effects of choosing one conflicting principle over another in particular circumstances. If, for example, the agent’s foundational moral framework involves Aristotelian-based notions of *eudaimonia*, or human flourishing, she is likely to rank human life over honesty, since life is the *sine qua non* of achieving *eudaimonia*. Such considerations suggest that, even if one holds to the idea that general moral principles are self-evident, it seems absurd to suggest that a hierarchy of such principles is equally

self-evident (or unnecessary). We do, in the course of our moral lives, face situations in which principles come into conflict and pose ethical dilemmas, and these dilemmas can be resolved only by taking both our moral framework and particular circumstances into consideration, and by ranking the general principles accordingly. Any meaningful explanation for upholding one principle while simultaneously disregarding another must incorporate the effects on human life and human interaction that will result from such a ranking of moral principles.

Moreover, it is the theoretical separation of moral and non-moral principles that is largely responsible for the notion that conflicting moral principles or a hierarchy of moral principles is ontologically or morally problematic. The difficulties that result from this theoretical separation are particularly evident in deduction-based normative theories that take general moral principles to be self-evident *and* that recognize that moral agents must, at least occasionally, prioritize and rank these self-evident moral principles. Both the theoretical separation of moral and non-moral principles, along with the resulting theoretical difficulties, can be eliminated, however, by an understanding of the parallel between the nature, acquisition, and utilization of both types of principles and of their relationship to induction, experience, and an acknowledgment of particulars.

For example, we rarely find a theoretical problem with the idea of conflicting non-moral principles, and we tend to have a reasonable degree of confidence in our ability to resolve such conflicts, as well as in our methods for both resolving the conflict and evaluating our choices. We generally accept the idea that non-moral principles are largely the result of induction and that they are, therefore, merely conditional conclusions. Moreover, we tend to accept the fact

that we will hold conflicting non-moral principles, quite simply because we have induced them from facts which may or may not be consistent with one another, and because we conduct our lives in a world which, *prima facie*, involves some degree of disorder.

It is quite possible, for example, to simultaneously hold the non-moral principle “brush your teeth after you eat” and the non-moral principle “do not brush your teeth so often that you damage your gums.” Both take into consideration a set of facts concerning the teeth and gums, and both involve inductive conclusions and empirical evidence concerning the methods by which the teeth and gums may be kept healthy. Depending upon specific circumstances (e.g. the number of times one eats on a given day), however, it may be impossible to abide by both of these principles simultaneously *and* fully protect the health of one’s teeth and gums. Yet, in resolving such a conflict, we do not question either the methods by which we acquired the principles or their respective value as principles. Instead, we rank them in whatever order best accords with our overall intentions and goals (i.e. healthy teeth and gums), and agrees with our beliefs about the world (i.e. it is possible to maintain the health of our teeth and gums by properly balancing specific hygienic measures). Such a move is theoretically unproblematic, in part because neither principle has the status of being self-evident or related to notions of duty, and in part because an evaluation of our decision would be based on little more than an assessment of the agreement, or lack thereof, between our choice, our beliefs about the world, and our desired end.

If we can order and rank conflicting non-moral principles without theoretical difficulty, however, and if there is a large degree of overlap between moral and non-moral principles, so that no clear line of demarcation exists

between many of them, then we must question the origin of the theoretical difficulties involved with ordering and ranking moral principles. And this question brings us back to the nature, acquisition, and utilization of both moral and non-moral principles. If both sets of principles are accorded the nature and status of conditional conclusions, then ordering and ranking conflicting principles of either designation will involve the particular facts in any given situation, the agent's beliefs about the world, and the agent's overall intentions. While certain moral principles may acquire an elevated status based on the consistency of their effects, their importance within an overall system of beliefs, and the weight of tradition, this status does not alter their nature as conditional conclusions. Just as modern scientists work within a tradition that places a high degree of confidence in the theory of gravity, modern moral agents work within a tradition that places a high degree of value on human life. Neither the degree of confidence placed in a principle, however, nor the degree of value attached to it alters the fact that the content of the principles includes inductive conclusions and attention to particulars. A principle cannot be classified as self-evident simply because it is backed by a sense of inviolability; instead, it must be classified as a conditional conclusion that is very probably true or, perhaps, that is perceived as true by the majority of humans.

Moreover, if both types of principles can be considered inductive or, at the very least, conditional conclusions, and if we acquire both sets of principles in the same general manner, namely, through induction, experience, and observation, we can better understand the overlap between moral and non-moral principles. Indeed, the territory that is shared by both types of principles seems to be an inescapable result of the fact that human beings are social creatures who share

interconnected and interdependent lives, and who demonstrate the ability to care deeply about themselves and others. Under such circumstances, it would be impossible to, say, formulate rules of driving that entirely sidestep ideas of safety and convenience, both for the driver and for others (i.e. other drivers and pedestrians). Likewise, even non-moral rules concerning personal hygiene can involve notions of social acceptability, avoidance of harm or risk to oneself, avoidance of unduly burdening oneself and others financially, and the like. Moral overtones are pervasive in non-moral principles and they often serve to explain, at least in part, why particular non-moral rules should be instituted and observed. In human life and interaction, the moral and the non-moral spheres share too many points of intersection for the rules concerning them to be clearly and completely demarcated, and our human experience, habits, and education reinforce, rather than deny, these points of intersection. Accordingly, our rules of conduct, both moral and non-moral, contain principles that incorporate, far more seamlessly than theory often admits, inductive conclusions that bear on both realms simultaneously.

In like manner, we can identify areas of agreement in the ways in which we utilize moral and non-moral principles. As conditional conclusions, we abide by our principles so long as they advance our intentions, accord with our beliefs about the world, and produce the expected effects. They are rules of thumb that guide our behavior in general circumstances, but they must be informed by the facts in any given specific circumstance, as well as by our overall intentions. We might, for example, be driving within the prescribed rules and limitations and suddenly encounter a small child dashing into the street in front of us. At that point, we might choose to swerve our vehicle into another vehicle, or place

ourselves in the line of oncoming traffic, if circumstances do not offer a safer move and if we wish to avoid hitting the child. The fact that we disregard our previous principles of driving, or at the very least order and rank them, does not depend upon finding ourselves in a moral situation in otherwise non-moral circumstances. Instead, it reinforces the suggestions that moral and non-moral rules often contain elements of one another and that human activities often involve an ordering and ranking of principles, both moral and non-moral, depending on specific circumstances and overall intentions. In other words, our decisions are often based on both moral and non-moral principles in concert with highly specific and non-repeating facts and events, and they are justified, in part, by examining all of these elements in light of our foundational moral framework.

At this point, it must be noted that this discussion takes for granted the assumption that both moral and non-moral principles have content, and although this assumption is safe enough when both sets of principles are classified, at least partly, as inductive conclusions, it is not equally reliable when moral principles are classified as self-evident or when a sharp line of demarcation is drawn between moral and non-moral principles.⁷² Thus, in order to remove a possible point of contention and to fully advance my argument concerning the nature of moral principles, I intend to argue that only principles with content are adequate

⁷² Williams (1972) says, “ I shall assume as given... a conclusion... which must certainly be correct, namely that any significant delimitation of the moral must involve reference to the *content* of the judgments, policies, principles, or whatever, that are being described as ‘moral’. It might perhaps surprise people innocent of moral philosophy that anyone has ever supposed this not to be so; but it has in fact been maintained, and frequently, that moral views (as opposed to nonmoral ones) can be identified without reference to their content, by some considerations such as their being practical maxims which are entirely universal or their being practical maxims which are acknowledged as overriding other practical maxims. The motive for these improbable maneuvers has been, as always, the maintenance of the fact-value distinction” (79-80, italics in original).

guidelines in the area of human conduct and that only principles that incorporate or rely upon inductive conclusions have content.

1.3

Let us begin by examining the moral principle “it is always wrong to tell a falsehood” as a self-evident principle, ascertainable by reason alone. Let us further state that this principle is evident to reason as being consistent with a state of affairs that we could will for ourselves and others. On this view, if we want the institution of truth-telling to continue, we could not justify telling a falsehood for our convenience or to avoid unpleasant repercussions, because we could not both consistently will that all humans should be free to tell falsehoods whenever it suits their individual purposes and consistently believe the words of others. On a universal scale, there is a contradiction between wishing that falsehoods might be perceived as truth and maintaining the integrity and value of truth itself.

While this much might arguably be self-evident to someone who understands relations of ideas but who also has no experience whatsoever of human life and human interaction, no such person exists and few moral principles offer even this degree of rational self-sufficiency. All human beings who have survived infancy and childhood have led interactive and interdependent lives, and most have formulated ideas concerning falsehoods long before they have formulated ideas concerning the relations of ideas. Moreover, principles like “killing is always wrong” and “stealing is always wrong” depend upon ideas concerning the value of self-preservation, personal property, human interaction, human desire, and so on that are not implied by the terms alone.

Even in the case of “it is always wrong to tell a falsehood,” the justification that results from an examination of the terms and relations of ideas can be understood as a convenient, but superfluous, addition. Surely, we could not seriously argue that the justification of such a principle, as well as the claim that it is self-evident, preceded the personal, social, and communal reasons for its instantiation and acceptance as a moral principle. It may be a happy coincidence that certain authoritative and widely-accepted moral principles, or their stylistic variants, lend themselves to arguments concerning the nature and justification of self-evident moral principles, but this happy coincidence does not alter their original status as conditional conclusions.

Indeed, any meaningful account of the principle “it is always wrong to tell a falsehood” would consist of a complete account of the effects of observing the principle (i.e. what abiding by the principle actually consists in), for it is the effects that give content to the principle itself. A complete justification of any decision that is based on such a principle would consist of a complete account of its effects, together with a complete account of the effects of observing the principle, together with a complete account of the way of life of which the principle is a part. This type of justification would be impossible to offer in practice, of course, but should one be capable of providing it, then all further questions pertaining to justification would have to be directed at the way of life itself.⁷³ Since a justification of the way of life itself would be an entirely separate matter, we have arrived, by a different route altogether, at a point similar to one reached by MacIntyre in *After Virtue*, namely, that all arguments that attempt to

⁷³ Cf. Hare (1961), 69.

justify a way of life by justifying the set of universal, self-evident principles that advance it have failed to be universally convincing.

This failure is due, in part, to the fact that the content of moral principles, like the content of non-moral principles, is provided in part by inductive conclusions concerning the world, human life, and the interrelationship between the two. To give an explanation of a moral principle in terms of relations of ideas would be to speak of such things as definitions and contradictions, and this would be to provide a vacuous explanation in terms of human behavior and human interaction. The understanding of the world and the place of human beings within that world, or the multitude of information and beliefs that constitute a way of life, would be missing entirely from such an explanation. Moreover, it would be impossible to construct a way of life from such principles, or even to explain a particular way of life in terms of them.

Let us say, for example, that we know only that a particular person or society has adopted the moral principles “killing is always wrong,” “stealing is always wrong,” and “telling a falsehood is always wrong,” and that they have accepted these principles as self-evident. While this knowledge might suggest to us that such a person or society has strong beliefs about the value of human life, personal property, and notions of truth, it would tell us nothing concrete about their particular beliefs, traditions, and forms of social interaction. If we wished to gain a fuller and more meaningful understanding of their way of life, we would have to ask, “But *why* do these particular relations of ideas (i.e. those that support the self-evident status of the principles) *matter* to you and *what* gives them *authority* over your conduct?” In order to answer such a question, a complete explanation of the content of the principles must be offered, and that explanation

would be based on the effects of the principles, or what abiding by the principles actually consists in. It would be a full and rich explanation in terms of beliefs about the world, human behavior, and appropriate ways of conducting one's life, and it would be partly dependent upon numerous inductive conclusions. In the final analysis, the content of both moral and non-moral principles is provided by inductive conclusions, and the weighting of them is in respect of a way of life that includes ends and intentions.

While a principle without content might be internally and logically consistent, although few content-less principles meet even this standard, it would be useless as a precept that was meant to govern human behavior. A person might, for example, be convinced that the principle "treat all human beings as ends in themselves" is in some way rationally required for rational agents. But such a person would surely be hard pressed to abide by it, *merely for reasons of having been persuaded of its consistency*, if her family, nation, or way of life were threatened. A content-less principle might be interesting as a logical phenomenon, but it is useless as a practical guide to action and as an aid to the decision-making process. The dilemmas with which humans wrestle are complex and rich, and they are often made more complex by non-repeating scenarios and incommensurate states of affairs. We must be capable of both formulating our decisions and justifying our actions within our moral framework by reference to content-rich principles and particular facts.

This way of conceiving the nature and role of moral principles agrees with our typical way of conceiving the nature and role of non-moral principles, yet the latter conceptualization causes us little consternation. Non-moral principles are expected to be content-rich, useful guides to action *because* they are perceived,

largely, as inductive conclusions and *because* they are updated as our knowledge base increases and changes. We are not motivated to attempt to reduce them to self-evident principles in an effort to universalize and justify them, and yet we find that, as inductive conclusions, they are remarkably universal and justifiable propositions.

This degree of universality seems to follow from the fact that, despite obvious differences in people's perspectives of the human condition, both historically and geographically, there seem to be a large number of apparently universal claims that can be made in respect of it. For example, the human condition has recognizable and consistent features, regardless of cultural differences and social adaptations, and we can easily comprehend and accept that it would be dangerous for any human being to leap from the top of a two-hundred foot cliff, or that emotion is a constituent of human nature (however that nature might be conceived), or that some form of social cooperation is necessary for human life and development. Yet, while we find it reasonably simple to construct and justify content-rich, non-moral principles relating to the human condition as we understand it, we find it equally difficult to construct and justify content-rich, moral principles. However, once we acknowledge the parallel between the nature, acquisition, and utilization of both sets of principles, we can more fully comprehend the ways in which they are constructed, the reasons for their instantiation, and the means by which they can be justified. It is simply unnecessary to postulate that moral principles are self-evident and absolutely universalizable in order to justify them and give them authority over human conduct.

It is necessary, however, to understand the ways in which the specific and the general cooperate in recommending and evaluating human conduct, both in the moral and non-moral spheres. It is necessary, as well, to explicate the ways in which this is accomplished, both in theory and in practice. To do otherwise, would be to leave the impression that subjectivism is an inherent component of induction-informed normative theory, and that impression would be erroneous. To this end, I turn back to Aristotle.

1.4

In *EN*, particular facts play a critical role in both ethical speculation and action in three, often interrelated, ways. First, as discussed above,⁷⁴ particular facts provide the starting-point for inductive arguments and it is certain inductive conclusions that become ethical principles and guidelines. Second, excellent action depends upon particular circumstances and it does so in several interconnected ways. It is particular actions that must be performed and, on Aristotle's view, it is perception of the particulars that determines action, in that particulars form the minor premise in the practical syllogism. Moreover, conduct has to do with individual cases and, in order to act in a moral manner, an agent must act as s/he ought at a particular time, in a particular way, and depending upon particular circumstances. Finally, states of character are produced from exercise of activities on particular objects, and it is just such activities that habituate individuals to excellence and virtue. In the following discussion, I will begin with the relationship between particular facts and excellent actions.

⁷⁴ See 1.1.

In *EN* 2.6, Aristotle describes excellence as a state concerned with choice, lying in a mean relative to us, with the mean itself determined by reason (1106b36-1107a2). However, he is extremely careful to point out that although we may speak of a mean in general terms, as a guideline for determining appropriate conduct, we must also take into consideration the individual facts in any given situation. On his view, general statements concerning human conduct apply more widely, but those that are particular are truer, since conduct has to do with individual cases (2.7.1107a28-32).

Yet, even to state that conduct has to do with individual cases is to present little more than a broad outline, for both conduct and the evaluation of human conduct pertain to individual cases in several ways. First, a proper evaluation of an action must take into consideration the character of the agent who is performing it, and I will discuss this aspect below. Second, while one part of opinion concerns general beliefs, another concerns particular facts, and this latter aspect, represented by the minor premise in a practical syllogism, is both an opinion about a perceptible object and that which determines our actions (7.3.1147a24-1147b17).

We can see an application of this reasoning, for example, in the case of a soldier who holds the general principle “it is wrong to kill civilians during a time of war.” The principle alone will not be enough to determine the soldier’s action; instead, he must both hold the principle and encounter a person whom he believes to be a civilian, in a situation in which he must choose whether or not to hold his fire. His choices and his actions will be determined by his opinions concerning the particular facts (e.g. the status of the individual, whether he poses any danger or threat regardless of status, etc.). Moreover, it is these same opinions that will

be pertinent to a subsequent evaluation of his actions, for, in isolation, general principles or universal beliefs are insufficient for the purposes of prescribing or evaluating ethical action. A moral agent can only act in accordance with a specific general principle when particular circumstances both fall under its jurisdiction and warrant its application, and it is the perception of particular facts that make these determinations possible.

This much, however, can be construed as trivial, for it is obvious that general principles are designed to be utilized and applied in particular circumstances, whether they are the result of inductive reasoning or entirely self-evident. It is perception of the particular, after all, that will move even the most conservative Kantian to act in accordance with a particular maxim, and it is perception of the particular that will determine whether or not his action was motivated by a good will alone. Notions concerning the role played by perception of the particular become less trivial, however, once it is recognized that perception of the particular not only determines action on this level, but determines action on the level of the principle as well.

For example, it is perception of particular facts, interpreted in light of beliefs and values, that influence a moral agent's decision to uphold, revise, or reject a particular principle at a particular time, and it is the aggregate of just such facts that ultimately makes sense of and justifies the principle itself. It would seem, for example, that if civilians were perceived by soldiers as persons who consistently and reliably posed a serious threat to their safety or to the success of their overall mission, civilians would lose their protected status and general principles concerning them would be revised appropriately. In other words, the principles themselves become factors in determining action because they are

codified versions of collective human experience, and they make sense so long as they agree enough (i.e. to a high enough degree and on a consistent enough basis) with particular facts to provide reliable guidance. On this view, perception of the particulars influences action on two levels and it is as fundamental to formulating principles as it is to acting upon them at particular times and under particular circumstances.

Even with principles in place, Aristotle claims that excellent action requires attention to particulars, since holding even a reliable and consistent set of principles is inadequate to insure excellent action.⁷⁵ Moral agents are faced with choices between incommensurate goods; they find themselves placed in situations that are unlikely to repeat; they are faced with moral dilemmas that fall under the jurisdiction of conflicting principles, and so on. An action that might be considered moral under a particular set of circumstances might be beyond justification under another, even if both actions fall under one principle and even if the motivation of the agent is identical in each case. It is the responsibility of the agent to consider what is appropriate to each occasion, just as it is the responsibility of the doctor to consider what treatment is appropriate to each individual patient, and it is the particular facts that make this consideration possible.⁷⁶

This claim, which is complicated by the degree of responsibility it places on the judgment of individual agents, is further complicated by Aristotle's focus on the *phronimos* as the exemplar of excellent action. Indeed, the degree of personal responsibility, combined with Aristotle's discussion of the *phronimos*,

⁷⁵ See *EN* 2.3.1104b24-28; 2.6.1106b19-23; 2.9.1109a24-29.

⁷⁶ See *EN* 2.2.1104a1-9.

has led to claims of circular reasoning, raised objections concerning the feasibility of uniformly prescribing and evaluating ethical action, and raised objections concerning the number of actual human beings who would be capable of consistently acting in accordance with excellence.⁷⁷ These kinds of objections, however, can be addressed by an examination of what, very precisely, Aristotle means by a man of practical wisdom, or a *phronimos*, and by explicating the role that this exemplar is expected to play in the application of virtue theory.

1.5

In *EN* 6, Aristotle states that practical wisdom is concerned with the ultimate particular fact (*tou gar eschatou estin*), since the thing to be done is of this nature (*to gar prakton toiouton*) (6.8.1142a23-25). It is concerned with things human and with things about which it is possible to deliberate, and the person who is without qualification good at deliberating is the one who is capable of aiming in accordance with speculation at the best of things attainable for humans by action (6.6.1141b8-14). The person of practical wisdom must recognize both the universals and the particulars, for practical wisdom, by definition, is practical and practice is concerned with the particular (1141b14-16). For this reason, and because particulars become familiar by way of experience, practical wisdom is rarely found in the young (6.8.1142a11-20). Indeed, the man of practical wisdom will be a man of practical experience who is capable of deliberating well about what is good and expedient for himself—not only in some particular respect, but also about the things that are conducive to the good life in general (6.5.1140a24-29).

⁷⁷ See Introduction for examples of such objections.

Practical wisdom, as a reasoned and true capacity to act with regard to human goods, is an excellence of the soul, and it is an excellence that human beings have the capacity to possess (6.5.1140b20-30). Yet, while it is characteristic of the virtuous person to possess practical wisdom, the man of practical wisdom does not become an exemplar of virtue by the mere fact that he possesses practical wisdom. Instead, he is considered an exemplar because he has the capacity to recognize, comprehend, and act in accordance with objective standards⁷⁸ through the possession of practical wisdom (in combination, of course, with the other internal virtues).

For example, in *EN* 2.6, when Aristotle describes excellence as a state concerned with choice, lying in a mean relative to us, he adds that this is determined by reason and in the way in which a man of practical wisdom would determine it (1106b36-1107a3). Here, he is not suggesting that the man of practical wisdom somehow determines the mean as it relates to specific individuals, nor that his judgments somehow constitute it. Instead, Aristotle is suggesting that the man of practical wisdom has the ability to recognize how an objective standard (i.e. the mean) can be applied to different individuals, taking into consideration their particular strengths and weaknesses. The mean itself remains an objective standard by which actions can be evaluated, and its value is based upon arguments concerning the characteristics of vice in general (excess and deficiency) and the characteristics of excellence in general (the intermediate). It becomes no less objective by being relative to each individual than do standardized medical treatments, even though the symptoms, lifestyle, and personality of each patient must be taken into consideration by the physician.

⁷⁸ See 4.3 for a full discussion of objective standards.

Thus, although acting in accordance with excellence requires virtue and habituation, it requires them, quite specifically, because they make it possible for human beings both to adhere to an objective standard of excellence and to exemplify it internally. The standard is set by the end (*eudaimonia*) and the man of practical wisdom is considered an exemplar because of his ability to accurately identify the constituents of this end.

Indeed, prior to claiming that the mean is relative to individuals in a way that is determined by reason and by the man of practical wisdom, Aristotle describes excellence as a state that makes a man good and that makes him capable of doing his own work well (2.6.1106a21-23), and he outlines the methods by which this state is obtained (i.e. habituation and education) (2.1.1103a14-1103b26). He points out that excellence is concerned with the intermediate, relative to each individual, and that the intermediate, as it pertains to passions and actions, must be determined in regard to particular agents and their particular circumstances (2.6.1106b7-28). He claims that actions, if they are to be considered excellent, must be performed by an agent who has knowledge, who chooses the acts for their own sake, and whose actions proceed from a firm and unchangeable character (2.4.1105a26-1105b4). He makes it clear, in other words, that excellence is defined by specific boundaries and limitations, and that living and acting within these boundaries and limitations requires both an understanding of objective standards and the internal characteristics necessary to abide by them.

This line of reasoning applies equally well to other instances in which Aristotle holds up the good man, or the man who possesses virtue, as an exemplar. For example, in *EN* 10.5, while Aristotle is discussing pleasures and pains, he claims that, if the excellences and the good man are the measure of each thing, as

they appear to be, then what seems pleasant to the good man must indeed be pleasant (1176a4-29). Yet, he places this example within a medical context and he compares the good man to a healthy man. He points out that the same things do not seem sweet to a man with a fever and a healthy man, nor hot to a weak man and one in good condition (1176a11-13). It is important to note here that he does not claim that a food is sweet because it is perceived as sweet by a healthy man; instead, he claims that the perception of a healthy man is more accurate concerning sweets than is the perception of a man who is ill. And health, as a condition of the body, is evaluated by an objective standard and measure, taking into consideration the internal functioning of the person being evaluated. In like manner, virtue, as a condition of the soul, is evaluated by an objective standard, taking into consideration the internal state of the person being evaluated. Just as we must already know what the term “health” describes in general before we can declare that a particular person is healthy, we must know what the term “virtue” describes in general before we can declare that a particular person is virtuous. Any appropriate evaluation of the character of a particular agent, including whether or not he is virtuous, must take into consideration specific objective factors and measures.

Actions, then, are not good (i.e. they are not considered to be morally correct actions) *because* they are performed by a *phronimos*.⁷⁹ Rather, a person is considered to be virtuous and good if he possesses specific internal traits and performs actions that accord with specific objective standards. Virtue (which will be discussed in length in Chapter 3) itself is meaningful for human beings as the

fulfillment of their function and *telos*, and as such it must be embodied by human beings and exemplified by human behavior. There is no such thing, on Aristotle's view, as disembodied courage or practical wisdom, and it is for this reason that the *phronimos* is utilized as an exemplar. The decisions and actions of the *phronimos* exemplify an understanding of the ultimate end for humans (*eudaimonia*) and the character traits, or virtues, necessary to both identify and attain the constituents of this end. The *phronimos*, then, is the sort of moral agent who possesses the internal characteristics and attributes necessary to contribute to his own well-being and to promote, enhance, or honor the ultimate end for himself and others. He is a model of the excellences of the soul, just as an athlete is a model of the excellences of the body.

It is certainly true, however, that the character of the agent is a factor in determining the morality of a specific action and in providing evidence of the character of the action. In *EN* 2.4, for example, Aristotle states that although excellent actions themselves have a certain character, we cannot infer from the character of an action that it has been performed in a virtuous manner (1105a26-30). In order for an action to be considered moral, the agent himself must be in a certain condition when he performs it, namely, he must have knowledge, he must choose the action for its own sake, and the action must proceed from a firm and unchangeable (*bebaiôs kai ametakinêtôs*) character (1105a30-1105b1). While having knowledge counts in evaluating the condition of the agent, choosing actions for their own sake and acting from a firm and unchangeable character

⁷⁹ In other words, the fact that an action is performed by a *phronimos* is not the *cause* of the action's goodness. However, the fact that an action is performed by a *phronimos* can be appealed to as *evidence* of the character of an action (i.e. of its goodness).

count for nearly everything, since these are the very conditions that result from being properly habituated and educated.

As Aristotle points out, just and temperate men become just and temperate by performing just and temperate acts, and agents are encouraged not merely to perform the same actions that just and temperate men perform, but to perform them *as* just and temperate men do. Indeed, Aristotle is encouraging human beings to become virtuous, through habituation and education, rather than to merely imitate the actions of virtuous men. Here too, the *phronimos* is being used as an example of what human beings should strive to become, through habituation and adherence to objective standards. The *phronimos* is a role model, the person whom moral agents are encouraged to envision when asking a question such as “What would so-and-so do?” and, like the *phronimos*, such agents should perform actions in a manner that demonstrates internal virtue and complies with objective standards.

Although this cursory description of the *phronimos* suggests that he can be conceived as a role model, rather than as an ethical standard *per se*, a comprehensive evaluation of his role within Aristotelian virtue ethics, as well as within an induction-informed model, is dependent upon an understanding of human nature, *telos*, virtue, and the place of partiality and universalizability. Without these elements in place, we are incapable of properly formulating a procedure for prescribing and evaluating human behavior, however adequate our notions of the relationship between general guidelines and particular facts might be. To this end, I turn first to human nature and *telos*.

Chapter 2

Human Nature and Telos

2.1

In Aristotelian virtue ethics there is no conceivable way to neatly separate notions of human nature and ends from those of virtue and excellence. Values are embedded in Aristotelian ideas of human nature and Aristotelian facts concerning human nature are imbued with values and notions of virtue and vice. Therefore, although I will explore virtue more fully in the following chapter, this discussion will necessarily be as concerned with virtue and excellence as it is with human nature and *telos*.

Moreover, this discussion will center on human nature as that nature pertains to human beings as moral agents. A comprehensive treatment of Aristotle's notion of what it is to be a human being and what it means to live a fully human life is beyond the scope of this work. With this in mind, we turn to Aristotle's famous function argument.

In *EN* 1.7, Aristotle states that *eudaimonia*, above all else, is that which we choose for its own sake, rather than for the sake of something else (1097a34-1097b6), and he claims that, because of this, *eudaimonia* is complete (*teleion*), self-sufficient (*autarkes*), and the end of action (*tôn praktôn ousa telos*) (1097b20-1). Yet, even to claim that *eudaimonia* is the chief good seems, on his view, little more than a platitude and he claims that a clearer understanding of *eudaimonia* is necessary (1097b22-24). Such an account will only be rendered possible, however, once we ascertain the function (*ergon*) of human beings, for the good (*tagathon*) and the "well" (*eu*) are thought to reside in the function (1097b24-28).

On Aristotle's view, the good and the "well" reside in the function of each entity for the simple fact that he finds no difference in kind between an eye, for example, and a good eye. Both would be defined as eyes by a specific criterion that distinguishes an eye from all other entities (in this case, sight) and both would have the same function (to see). Eminence in respect of excellence may be added to the function without altering it, and so an eye and a good eye have functions that are identical in kind, if not, perhaps, in degree (1098a7-12). A good eye performs its function in accordance with the appropriate excellence and, in so doing, achieves its end and goal in a way that is impossible for an eye that performs its function badly. On this view, the function of the eye is to see; the end or goal of an eye is sight; and in order for an eye to fulfill its purpose and end in accordance with excellence, it must be capable of performing its function well.

In like manner, the function of human beings is determined by a specific criterion that distinguishes human beings from plants and non-human animals (in this case, reason), and both a human being and a good human being have the same function (activity of the soul in accordance with, or not without, a rational principle) (1098a7-8). A good human being, however, performs his function well, or in accordance with the appropriate excellence, and it is the good and noble performance of his function that allows him to achieve his end or goal. The very nature of human beings, or that aspect of their nature which most defines them as human beings, determines their function and end, and these, in turn, determine the good for humans. On this view, human good turns out to be activity of the soul in conformity with excellence (1098a16-17), and *eudaimonia* becomes intimately associated with, and dependent upon, human excellence.

This outline of human good, which Aristotle believes is established by the facts and leads to first principles (1098a20-1098b8), is not as intuitively questionable as it might appear on first blush. Regardless of how curious it might seem to think in terms of human function, we do assign something resembling Aristotle's idea of function to artifacts and non-moral human endeavors. For example, we certainly believe that both a coffee maker and a good coffee maker have an identical function (i.e. to make coffee), and there is little to dispute in the claim that the good coffee maker performs its function in a more excellent fashion than does its counterpart. Indeed, when we set out to purchase a coffee maker, we generally attempt to choose one that performs its function well.

In like manner, we can claim that both a sprinter and a good sprinter have the same function (i.e. to run a particular distance in the shortest period of time), and there is equally little to dispute in the claim that the good sprinter performs her function in a more excellent fashion than does her counterpart. Again, when we choose sprinters to represent us at competitions, we choose the ones who perform their function well.

The issue becomes more complex, however, when we discuss either human function *per se* or human function as it pertains to moral behavior, human good, or human ends. The complexity arises, in part, because it appears naïvely reductionist to speak of a single human function and, in part, because we are deeply uncomfortable with the idea of imbuing facts about human beings with values. Yet, however uncomfortable we might be on a conceptual level, it is nonetheless apparent that we often act in a manner that suggests some degree of agreement both with the concepts themselves and with their interdependency.

It is certainly the case, for instance, that human beings find reason, or the ability to think rationally, as *a* defining characteristic of the species and, perhaps, as *the* defining characteristic. Arguments pertaining to personhood often focus on human self-consciousness, memory, and reason,⁸⁰ and we would generally be hard pressed to consider a mindless, vegetative human body as a full-fledged human being. Indeed, far less severe degrees of mental impairment are classified as “handicaps” and perceived not only as conditions that require treatment, societal intervention, and support, but also as ones that compromise the ability of affected individuals to live full and rich human lives. Human society often sanctions state-imposed elementary education and supports higher education, and it certainly demands a greater level of moral responsibility from adult citizens than it does from either children or those who suffer mental impairment. Legal rights and responsibilities correlate with a citizen’s ability to comprehend and reason, and when a citizen loses this ability, s/he is awarded a guardian to manage her life and affairs.⁸¹ The very act of living a complete and self-sufficient human life, it seems, depends upon the ability to reason.

All of this is to say, in Aristotelian terms, that human beings seem to have a function (i.e. to live in accordance with a rational principle) that is different in kind from the function of plants and non-human animals. It is not to say that non-human animals are without reason—indeed, many humans seem to value certain animals and devalue others based on their respective intellectual abilities. Instead, it is to claim that human beings have a particular kind of reason and that it is the possession of such reason that defines us as human beings. On Aristotle’s view,

⁸⁰ For a good compilation of articles pertaining to personhood and identity, see Perry (1975).

⁸¹ This claim pertains specifically to citizens of the United States.

the function of an entity is determined by its most distinguishing characteristic, or by that characteristic without which it would no longer be an entity of a specific sort.⁸² In the case of human beings, this determination neither reduces humans to mere reason nor negates the value of the body, the emotions, or any other human characteristic. It simply isolates and identifies that which is distinctly human from that which is shared with non-human animals, regardless of its origin (body, soul, or a combination), place (brain or soul), or terminus (death or beyond).

Just as it is the case that we act as though reason is a defining characteristic of humans, it is also the case that we imbue facts about humans with value, in both the moral and non-moral spheres, as well as in their points of intersection.⁸³ We distinguish between those people who reason well, drive well, parent well, and so forth, and those who do not. We speak of good thinkers, good drivers, and good parents, and in so doing, we can be understood to differentiate between those people who function well at particular tasks and those who do not. We understand that tasks have definitive purposes or ends, and this understanding poses no intellectual quandary. For instance, we could easily describe the purpose of cleaning and we would generally find no difference in kind between a person who cleans and one who cleans well, although we would certainly find a difference in degree. Indeed, it is the function and ends of particular tasks, such as

⁸² Another possible candidate for this characteristic might be human emotion. However, modern research seems to support the Aristotelian link between emotions and the beliefs upon which they are based, and such a link suggests that the emotional sophistication demonstrated by humans is part and parcel of their ability to reason. For some suggestive research, see Damasio (1994). In addition, see 3.3.

⁸³ For criticism of the distinction between facts and values, see Valdes, in Brinkmann, ed. (1999), 73-81; Putman (1981), esp. chapter 6; Sturgeon, in Sayre-McCord, ed. (1988). Valdes, following Sturgeon, states "the fact that evaluative matters can enter, for example, into the explanation of non-moral facts has been taken as a sign that facts and values do not belong to two separate ontological realms" (74-5).

cleaning and driving, that provide the measure, or scale, by which people engaged in such tasks may be judged, since comparison is built into such a model.

Although the case is vastly more complex in the case of human beings, we comprehend and utilize terminology that suggests that we consider humans to be good or bad, better or worse, *as humans*. For example, we would probably not consider a human being to be a good human being *per se* if he happened to be morally wicked, even though we considered him to be a good mechanic or a good cook. In the moral sphere, as well as in the non-moral sphere, we live and act and make judgments in a manner that appears to acknowledge a scale of sorts, one which admits of degrees from the highly virtuous to the incorruptibly wicked, and one by which we judge humans *as humans*.

It is this tendency of humans to judge one another as humans and to imbue facts about human nature with moral values, even though humans lack one specific and mutually accepted moral standard, which Aristotle recognizes and incorporates into his function argument. Likewise, he seems to recognize that this tendency also marks a point at which induction fails to provide a complete explanation for the various values that are embedded in the facts—values, for example, that relate to notions of healthy mental functioning, ideas of normalcy, and so forth. He hints at the problem in *EN* 1.7, when he claims that some principles come from induction, others from perception, and still others from a certain habituation, and when he states that all we can demand in such cases is that the fact itself is well established (1098a20-1098b8). He has found a starting-point from which many aspects of human behavior and human understanding can be explored and explained by way of induction, but which might not be equally susceptible of explanation itself. Yet, by recognizing and acknowledging the fact

that ideas about human nature are not cleanly separated from the values attached to human beings and human behavior. Aristotle bridges the gulf between facts and values in a manner that coheres with experience and avoids certain logical pitfalls.⁸⁴

Whether or not we agree with Aristotle's approach to human nature and to its intimate connection to human good, we can anticipate his next move. Once he has tied both human function and human good into ideas of rational excellence, he must explicate his notions of excellence, or virtue, and show that human beings have both the capacity and the opportunity to achieve this sort of excellence. Experience suggests that human beings demonstrate widely differing degrees of moral excellence, from the incorruptibly wicked to the consistently virtuous. Therefore, he must not only adequately account for the endless variations in moral character, but also for the fact that human nature seems susceptible of change from one state of moral character to another. He must account for the place of deliberation, choice, judgment, motivation, the influence of emotion, the effect of external circumstances, and so forth. And he must address questions concerning just how settled a disposition ethical agents actually possess and just how much responsibility lies with ethical agents—for their dispositions themselves and for their moral choices.

In order to examine adequately Aristotle's approach to each of these interconnected aspects and questions, we must turn to the *Rhetoric* as well as to

⁸⁴ Particularly, the traditional "is-ought" problem raised by Hume. See Introduction for a fuller discussion. Also MacIntyre (1984), 58, who states, "Hence any argument which moves from premises which assert that the appropriate criteria are satisfied to a conclusion which asserts that 'That is a good such-and-such', where 'such-and-such' picks out an item specified by a functional concept, will be a valid argument which moves from factual premises to an evaluative conclusion. Thus we may safely assert that, if some amended version of the 'No "ought" conclusion from "is"'

the *Nicomachean Ethics*. We must ascertain whether Aristotle's classification of virtue as a capacity (*dunamis*) in the *Rhetoric* might be helpful when modifying Aristotelian virtue ethics for the 21st Century, particularly in light of 20th and 21st Century neurobiological advancements. Although Aristotle classifies virtue as a state (*hexis*) in the *Nicomachean Ethics*, it seems that serious consideration of Aristotle's claims in the *Rhetoric*, specifically his classification of virtue as a *dunamis* in the context of rhetoric as an art, might bear heavily on the salient features of human nature, help explicate the difference between the *phronimos* and the average ethical agent, and support Aristotle's focus on habituation and education.

2.2

It has been argued that Aristotle's description of excellence (*aretê*) as a capacity (*dunamis*) in *Rhetoric* 1.9 is inconsistent with his treatment of excellence in *Nicomachean Ethics* 2.5, where he specifically argues that *aretê* is not a *dunamis*, but a *hexis* (i.e. a state or condition).⁸⁵ Certainly, the word that Aristotle uses throughout the *Nicomachean Ethics* to both describe and categorize *aretê* is *hexis*, and he uses this word at *Rhetoric* 1.6.1362b13, where he says that several of the virtues, and all other such states (*kai hai allai hai toiautai hexeis*), are excellences of the soul. However, as part of his discussion of the ethical aspects of oratory, Aristotle states that *aretê* is "a capacity (*dunamis*) of providing and preserving good things, and a capacity of conferring many great benefits (*euergetikê*)" (1.9.1366a36-1366b1). This discussion is set in language similar to

premises' principle is to hold good, it must exclude arguments involving functional concepts from its scope."

that used to discuss excellence and goodness in *Rhetoric* 1362b2-4 and 1361a28-30; this suggests that Aristotle intentionally characterizes *aretê* as a *dunamis* in this text and, to some degree at least, as a *dunamis* to benefit others. In the former passage, Aristotle claims that “the excellences, too, must be a good thing, for those who possess them are in a good condition, and they are productive of good things and good actions” (1.6.1362b2-4). In the latter, Aristotle states that honor (*timê*) can be paid, not only to those who have already done good, but also to those who have the capacity to do good (*dunamenos euergetein*) in the future. Indeed, in *Rhetoric* 1.9.1366b3-7, Aristotle further unites the concepts of excellence, capacity, and beneficence by stating, “If excellence is the capacity of conferring benefits (*dunamis euergetikê*), then the greatest virtues must be those which are the most useful to others, and, for this reason, justice and courage are the most honored; for the latter is useful to others in war, and the former both in war and in peace” (1366b3-7).

Based on the fact that Aristotle’s terminology in the *Rhetoric* appears to be deliberate, I intend to argue that Aristotle’s classification of *aretê* as a *dunamis* in the *Rhetoric* can be understood within the highly specific context of rhetoric as an art as more appropriate, both metaphysically and ethically, than would have been a classification of *aretê* as a *hexis*. I also intend to argue that, while certain tensions and difficulties are created by the classification of *aretê* as a *dunamis* in the *Rhetoric* and as a *hexis* in the *Nicomachean Ethics*, Aristotle can be defended against the charge of inconsistency.

⁸⁵ For a discussion of the problem, see Grimaldi (1980), 194-95; in a wider context, Garver (1989), 7-28; in a related context, Mirhady (1995), 405-9.

To this end, then, I begin by examining the implications of defining rhetoric as an art (*technê*) that has persuasion (*pistis*) as its end (*telos*) and function (*ergon*).

2.2.1

Rhetoric is an art and, as we know from *EN* 6.4, art is identical with a state of reasoned capacity to make, and all art is concerned with the coming into being of something that is capable of either being or not being, and whose origin is in the maker (1140a1-23). Art is a rational capacity, or a potency that moves according to, and involves, a rational formula (*kai ta men kata logon dunatai kinein kai hai dunameis auton meta logou*), and, as such, it is capable of producing contrary effects (*Met.* 9.5.1047b31-1048a24). For this reason, and to negate the possibility of contrary effects being produced simultaneously, Aristotle states that a rational capacity not only involves the elements of agent and patient, but also a desire or choice on the part of the agent that moves him to act (1048a10). This necessary desire or choice, in fact, explains why an inference in the case of the arts (or of any rational capacity) can be made in one direction only: from effect to cause. We may, for example, upon encountering a well-built and attractive building, infer the skill of the artist and praise him accordingly. We may not, however, upon encountering a builder renowned for excellence, infer that he will subsequently produce fine buildings. He might, after all, choose never again to exercise his skill as a builder, even though he has both the ability and the means to do so.

In addition, some rational capacities, unlike irrational capacities, are active powers whose forms are not embodied in the matter upon which they work

(*Gen.Corr.* 1.7.324b4-5). Now, this is not to suggest that the arts, or any other rational capacities, can be thought of as “some sort of disembodied spirits.”⁸⁶ Instead, Aristotle is saying that, while the forms of the arts exist in matter, they do not have the same matter as that upon which they work, and that the agent acts without being similarly affected (324a34). For example, both the doctor and wine, Aristotle claims, are healing, but the doctor produces health without being acted upon in any way by the thing that is being healed. Conversely, the wine, in acting, is itself acted upon (by being heated or cooled or otherwise affected), and it corresponds to the last mover (which always imparts motion by being itself moved) (324a29-324b4). The art of healing, then, as a first mover, corresponds to an origin, and, in its presence, the patient *becomes* something (i.e. undergoes a change or movement that alters it in some way). The ends, however, or that for the sake of which the process takes place (in this case, health) are passive, and when the state is present (for forms or ends are a kind of state), the patient no longer *becomes*, but already *is* (324b13-17).

Now, if we put rhetoric in terms of art in general, the orator is the active power which, as the origin or cause of the process of making, affects the passive object (the hearer) by, first, choosing one contrary over another (i.e. choosing to persuade), and then by performing his function as an orator well (i.e. determining the persuasive facts in each case, utilizing the appropriate modes of persuasion, and successfully persuading his audience). The hearer, if placed in the presence of a skilled orator, is moved or changed in some way so that she *becomes* persuaded. The end of this art, persuasion, is external to the listener, but the state

⁸⁶ Garver (1989), 20. This portion of my argument has been informed by Garver’s treatment of the matter/form relationship in rational capacities.

of persuasion, if the orator has done his job well, becomes internal to the listener. It is, in effect, the product of the art, and praise or blame for this product is given to the orator himself. Indeed, Aristotle claims that, “Rhetoric is useful because the true and the just are naturally superior to their opposites, so that if the decisions of judges are not what they ought to be, the defeat must be due to the speakers themselves, and they must be blamed accordingly” (*Rh.* 1.1.1355a21-24). Yet, at least in deliberative and forensic oratory, in order for this product to be complete, persuasion itself must entail more than a general sense of agreement; it must entail the accordance of desire and thought necessary to make it a determinate desire, or one which moves the hearer to action. Clearly, this scenario poses both metaphysical and ethical problems, since the product of oratory is represented by the desires, thoughts, and actions of human beings who must, surely, be given some degree of responsibility for these same desires, thoughts, and actions.

This problem is complicated by the implications of considering human beings, who have rational capacities and states of their own, as the passive objects of an art. Yet, in *Metaphysics* 9.5, Aristotle states that “everything which has a rational capacity (*dunaton kata logon*), when it desires that for which it has the capability, and in the circumstance in which it has it, must do this. And it has the capability when the passive object⁸⁷ is present and is in a certain state; if not, it will not be able to act” (1048a13-16). In order, then, to adequately address the issue of responsibility (both of the orator and the listener), we must ask at this point: (1) what is implied by considering a human being as the passive object of a rational capacity; (2) what it means for a human being to be in a state conducive to

⁸⁷ For purposes of consistency, I am retaining Ross’ use of “passive object” for *pathetikos*, although a more literal translation might be rendered “that which admits of being acted upon.”

being acted upon; and (3) how the concepts of making (origin in the maker) and acting (origin in the agent) can be reconciled when the product of the rhetorical art is persuasion and the choice which motivates action on the part of a hearer is based, at least in part, upon having been persuaded. The answers to these questions will bear, as well, on the related issues of praise and blame, the implications of stating that persuasion is both the end and function of rhetoric, and the metaphysical and ethical reasoning behind classifying *aretê* as a *dunamis* rather than as a *hexis* within the context of rhetoric as an art.

2.2.2

In order for a listener to be the passive object of an art, he must be in a certain state, or, in the case of rhetoric, he must have the capacity to be moved or changed in such a way as to become persuaded. He must have, that is, not only the capacity to be in a state of persuasion, but also the capacities that allow him to be acted upon, very specifically, by the modes of persuasion utilized by the orator. Additionally, he must be capable of being acted upon by the orator to the degree that the praise or blame for his subsequent decisions and actions rightfully belongs to the orator, *even though* he has the necessary attributes and rational capacities to originate these same movements himself. In this, the listener in the art of rhetoric is analogous in certain aspects to the patient in the art of healing. For just as the patient must be capable of being in a state of health, he must also be capable of being acted upon by the healing methods utilized by the doctor to the degree that the doctor is either praised or blamed for the subsequent state of his health. Indeed, in *Metaphysics* 5.12, Aristotle implies that the patient must be receptive to, or a participant in, the art of healing in a way that is not necessary (or even

possible) for the inanimate passive objects of many other arts. Here, he compares the art of building, which is a capacity that is not in the thing built, with the art of healing, which is a capacity that may be in the person healed, but not in him *qua* healed (1019a15-18).

It would seem, then, that in order for a human being to be in a “certain state,” or one which admits of being acted upon, she must not only have capacities that correlate very precisely with the modes and methods of a particular art, but she must also be capable of being brought to a state of conviction by the artist. All arts, as Aristotle points out in *Rhetoric* 1.2, can instruct or persuade (*didaskalikê kai peistikê*) about their own subject-matter, while rhetoric—because it is not concerned with any special or definite class of subjects—must have the means to persuade about almost any subject (1355b26-35). But there is a difference between being persuaded by a geometrician about the properties of magnitudes and being persuaded by a rhetorician to go to war. The former involves conviction concerning one’s knowledge, while the latter involves conviction concerning one’s actions. The doctor must often persuade the patient to cooperate with painful, inconvenient, or questionable treatments, and the rhetorician must persuade the listener to adopt a particular course of action. And this, as I discuss below, suggests that the passivity of the listener in the art of rhetoric (and, to a lesser degree, the patient in the art of healing) pertains, to one degree or another, to choice. However, at this point, it is important to examine the process that precedes and promotes the decision, on the part of the listener, to act.

2.2.3

The three types of rhetoric—deliberative (*sumbouleutikon*), forensic (*dikanikon*), and epideictic (*epideiktikon*)—are distinguished by their ends and audiences, and each relies, in varying combinations and to differing degrees, on the interrelated modes of persuasion (*êthos*, *pathos*, and *logos*). Deliberative oratory is directed to an audience who must decide upon a future course of action, and the deliberative orator aims at establishing the expediency (*sumpheron*) or the harmfulness (*blaberon*) of a proposed course of action. Forensic oratory is directed to judges, and it typically aims at establishing guilt or innocence, with reference to past events. Epideictic oratory is directed to a general audience, and it is, superficially at least, concerned with praise or blame in the present. However, praising virtuous acts and censuring vicious ones can serve both to reinforce and celebrate traditional values, and to move the audience to admire and emulate praiseworthy actions. Thus, epideictic oratory, through its educative and ceremonial functions, has the potential—in principle at least—to motivate future actions.⁸⁸

Since both deliberative and forensic oratory, and possibly epideictic oratory, are concerned with the choices and actions of the audience, the modes of persuasion must both presuppose and be capable of acting on the particular human capacities that are integral to the deliberative process itself. As we can surmise from *EN* 6.2, the deliberative process involves the capacities to believe, to think and reason, to feel the emotions, and to make judgments between opposite or contrary conclusions. In addition, it is the deliberative process that results in a choice (or determinate desire), and choice is the origin of action in humans

(1139b4-5). The modes of persuasion, then, if they are to be effective (i.e. to effect a movement or change in the listeners), must either augment or replace, as constituents of an art, a process that human beings typically engage in, by way of their own rational capacities, without any art whatsoever.

This augmentation or replacement, it would seem, is part of the function of rhetoric. In Rhetoric 1.1, for example, Aristotle claims, “It is clear, also, that its [rhetoric’s] function is not simply to persuade, but rather to discover the persuasive facts in each case. In this it resembles all the other arts” (1355b9-12). Aristotle immediately clarifies this passage by comparing the art of rhetoric to the art of healing, and he implies that, just as it is the function of medicine to promote health as far as possible (even when the patient cannot be healed), it is the function of rhetoric to promote persuasion as far as possible (by discerning the real and apparent means of persuasion) (1355b12-17). In 1.2, Aristotle specifically unites the art of rhetoric with the process of deliberation by stating, “The function of rhetoric is to deal with those things about which we deliberate, but for which we have no art” (1357a1-2).

In brief, then, we can identify the connection between each mode of persuasion and the deliberative faculty it must be capable of moving. For example, according to Aristotle, since we *believe* (*pisteuomen*) good men more fully and more readily than others, the personal character, or *êthos*, of the orator (as it is presented in the speech) may be the most effective means of persuasion that he possesses (*Rh.1.2.1356a6-13*). Persuasion is also effected through the arguments themselves, when an orator has proven a truth or apparent truth through logical reasoning, or *logos*, which is comprehensible to the listener through her

⁸⁸ Cf. Sullivan (1993), 113-33, esp. 114-16.

own ability to *think and reason*. In addition, persuasion may come through the listeners' ability to *feel the emotions*, when the speech stirs the emotions (*pathos*) and, thereby, influences the *judgment* of the audience, for as Aristotle points out, "the judgments (*krisis*) we deliver are not the same when we are pained or happy, friendly or hostile" (1356a15-16). Indeed, our emotions are affected by our beliefs about both the orator himself and the information he presents, and they can both influence our judgments and motivate our actions. Finally, since rhetoric draws opposite conclusions, and since the audience must often decide between one political speaker and another, the orator, in order to be persuasive, must carefully combine the three modes of persuasion. Aristotle states, "Since the object of rhetoric is judgment, the orator must not only try to make the argument of his speech demonstrative and convincing, but he must also show himself to be of a certain character, and put his hearers, who are to judge, into a certain frame of mind" (2.1.1377b20-24). It is clear that the orator, in order to successfully utilize the modes of persuasion, "must be capable of logical reasoning, of understanding human character and the excellences, and, thirdly, of understanding the emotions, that is, the nature and character of each, its origin, and the manner in which it is produced" (1.2.1356a21-25).

Here, then, we see that the modes of persuasion have been selected and refined by Aristotle in strict accordance with the faculties necessary for deliberation, and that rhetoric persuades by affecting, through art, the same capacities that would be utilized in the decision-making process without the intervention of an art or system of guidance. Up to this point, this account seems relatively straightforward and reasonably non-controversial. However, choice, which is both the end of deliberation and the origin of action in humans, also

requires a moral character, and this brings us to Aristotle's decision to classify *aretê* as a *dunamis*, rather than as a *hexis*, in the art of rhetoric. It brings us, as well, to vastly more difficult metaphysical and ethical problems.

2.2.4

We know from *EN* 6.2 that the three things in the soul that control action are sensation, thought, and desire. Sensation, according to Aristotle, originates no action, and the intellect, in and of itself, moves nothing. Instead, choice is constituted by the practical intellect (which aims at an end), in combination with both desire (which aims at action, i.e. avoidance or pursuit) and a moral character (good action and its opposite cannot exist without intellect and character). And choice, which is either desiderative thought or intellectual desire, is the efficient cause of human action (1139a16-1139b5). In addition, moral excellence in its most complete form is a state concerned with choice (*hexis prohairetike*).

Human excellence in this most complete or ideal form is distinguished by certain characteristics. First, excellent actions are undertaken by the *phronimos* not only for the sake of an external end, but for the sake of an internal one as well. Excellent actions are undertaken for their own sake, and they proceed from the character of an agent who has produced just such a character by repeatedly performing excellent actions (*EN* 2.1.1103b6-26). Second, excellent actions are accompanied by pleasure, or are pleasurable in and of themselves, for excellent actions are by nature pleasant and they are in accordance with reason and right desire (1.8.1099a5-25). Third, excellent actions are the result of deliberation and choice, and it is for our choices that we are either praised or blamed (which is why praise and blame are bestowed only on voluntary actions) (3.1.1109b30-34). Any

voluntary action, then, which proceeds from a moral state is attributed to the agent himself, and praise or blame is bestowed upon the agent accordingly. Finally, since excellent actions proceed from a stable and well-established state of character, they are—to some degree at least—predictable. For example, while we cannot witness a courageous act and infer that the character of the agent is virtuous, we can infer that a fully virtuous person will act courageously when confronted by a fearful or dangerous situation.

A *phronimos*, then, who has a settled disposition for choosing, will never choose to act viciously, for the ends of a *hexis prohairetike* are internal to the *hexis* itself, as are the act of choosing and the objects of choice. A *hexis prohairetike* both motivates and enables excellent action, and it is a state of character that is well-related to passions and actions, and a state of character that is equally well-related to choice.⁸⁹

Choice, as a part of a *hexis prohairetike*, and as the determinate desire that results from an internal process of deliberation, does not pose the same difficulties that arise when it is considered to be part of the product of an art. These difficulties become even more considerable in light of Aristotle's discussion of choice in *EN* 3.3. Here, he states that the same object is deliberated upon and is chosen, since the object of choice is that which has been decided upon as a result of deliberation, and, as such, it becomes a determinate desire, for everyone ceases to inquire how he is to act once a decision has been reached through deliberation, and each person then desires in accordance with his deliberation. Within this discussion, Aristotle does point out that the inquiry ceases when the moving

principle is brought back to the person himself, and to the ruling part of himself. for this is what chooses. But this is assuming an internal process of deliberation, and it does not take into consideration the complicating factor of an art whose product is persuasion (1113a3-14).

2.2.5

In *Rhetoric* 1.9, however, Aristotle does not classify *aretê* as a *hexis*, but as a *dunamis*, and very specifically as “a capacity (*dunamis*) of providing and preserving good things, and a capacity of conferring many great benefits (*euergetikê*)” (1366a36-1366b1). As I pointed out above, although he does refer to *aretê* as a *hexis* at *Rhetoric* 1.6, we have every reason to suppose that Aristotle’s classification of *aretê* as a *dunamis* is intentional in this text. In fact, it is only when the moral state of a listener is classified as a *dunamis*, rather than as a *hexis*, that persuasion can meaningfully be called the product of an art.

A *dunamis*, unlike a *hexis*, is a rational capacity that can produce opposites, and, as such, it is not a settled disposition for choosing. Unlike the *phronimos*, who will choose only in accordance with reason and right desire, the average person (and Aristotle does make it clear that he expects most audiences to be composed of average citizens)⁸⁹ will often choose in accordance with personal advantage. Since it is certainly possible for an average citizen to perceive his own advantage as being opposed to, or in conflict with, the advantage of others, it is only the listeners’ capacity to benefit others that the orator may safely assume, and to which he must appeal. For it is the capacity to benefit others to which the

⁸⁹ Cf. Garver (1989) 7-28, esp. 24-5. Here, Garver makes the interesting suggestion that *prohairesis* does not fit comfortably in either virtue’s genus or its differentia because it is the

orator must appeal if he wishes to persuade the average citizen to choose against his perceived personal interest for the sake of others. Indeed, Aristotle spends a good deal of time in *Rhetoric* 6 and 7 uniting the concepts of goodness and utility (*agathou kai sumpherontos*), as they are understood by the general populace, in order to instruct a deliberative orator (whose aim is utility).

The orator, further, must understand that all human beings aim at happiness (*eudaimonia*), or at the real or apparent good, and he must also set before his audience an external and intermediate end that is either the most expedient way to reach this final end or that appears to be the most expedient—for all deliberation is practical and it aims at finding the most expedient means to a given end. But a complete understanding of the final end as happiness, understood as living well in accordance with excellence and reason, and acting for the sake of this end, is itself a part of excellence. As Aristotle argues in *Eudemian Ethics* 3.11, the end is the object of action (for all choice is of something and for the sake of some object), and the object of virtuous action is the mean, and it is excellence itself which makes this object the aim (1227b13-1228a7). In other words, excellence is the cause of the aim, rather than of the things that contribute to this aim, and a person will choose objects that are in accordance with his degree of virtue. It is from a person's choices that we judge his character, and either praise or censure him, but it is from the object for the sake of which he acts that we determine whether or not he has chosen virtuously. And it is only for a limited number of people that this choice will be integral to, and determined by, a *hexis prohairetike*. For the others, the average citizens to whom an orator would appeal,

connection between the two.

⁹⁰ See *Rh.* 1.2.1357a1-5; 1357a10-14; and 1.1.1354b9-14.

the intermediate objects and ends would be subject to persuasion. This, as I argue below, is made possible by the fact that, for the average person, unlike the *phronimos*, *aretê* is a *dunamis* and not a *hexis*.⁹¹

2.2.6

As Aristotle states in *EN* 2.1, the virtues, or human excellence, neither arise in us by nature nor are contrary to human nature; rather, humans are adapted by nature to receive them, and they are perfected by habit. By way of one's activities throughout life, virtue is both produced and destroyed, and states eventually arise out of like activities (1103a14-1103b25). In other words, humans, by nature, have certain *dunamis* that make them capable of performing virtuous actions, and it is in this way that humans are adapted by nature to receive the virtues. Few people, however, will be habituated by their activities either to perfect virtue or to utter wickedness, and they will continue, like a young or immature individual, to be capable of inconsistent or opposite types of behavior. Based on Aristotle's metaphysical claims, it is clear that this sort of behavior must result from a *dunamis* rather than from an established *hexis*. A *hexis* is incapable of producing opposites; so incapable, in fact, that an inference may be made from a *hexis prohairetike* to the types of behavior that will flow from it.

By claiming that *aretê* remains a *dunamis* for the majority of human beings, I am not suggesting that vice is produced from virtue. This is an area of difficulty, however, for it seems that if *aretê* is classified as a rational capacity—and all rational capacities are capable of producing opposites—then we must

⁹¹ Further, it is this claim that will help us to modify Aristotelian virtue ethics for the 21st Century, particularly in light of modern neurobiological advancements. See 3.2.

accept the related claim that a capacity for virtuous behavior may also produce vicious behavior. Moreover, we cannot solve this problem by classifying *aretê* as an irrational capacity, for in the case of an irrational capacity, the active power will automatically and inevitably act upon the passive object whenever the two are placed together. Virtue, as we know, does not occur automatically and inevitably whenever a person with a capacity for virtue is placed in a situation that admits of virtuous behavior. While a flame, for example, when placed in the presence of a flammable object, will automatically and inevitably cause it to burn, a capacity for virtue must not only have an object on which it can be exercised, but it must be accompanied by desire or choice as well. If *aretê* is classified as a capacity, then, it must be classified as a rational capacity. Yet, even the idea that vice could be produced by a capacity for virtue seems to contradict everything that Aristotle claims concerning virtue itself.

However, Aristotle gives us a way out of this dilemma in *Metaphysics* 10.4, by claiming that there are human beings who are neither good nor bad, and by arguing that this intermediate state is caused by privation (*sterêsis*). Here, Aristotle describes a primary contrariety (*enantiôsis*) as one between state and privation, and he states that, in this primary sense, vice is the privation of excellence (1055a33; 1055b20). Yet, he distinguishes between types of opposition—contradiction (*antiphrasis*), privation (*sterêsis*), contrariety (*enantiotês*), and relation (*ta pros*)—and he states that, if contradiction does not admit of an intermediate (*metaxu*), while contraries sometimes do, then contradiction and contrariety are not the same (1055a37-1055b3).

Aristotle further explains that privation is a kind of contradiction, because something which suffers privation (either in general or in some determinate way)

is either incapable of having some attribute, or, although it has the nature to have the attribute, nevertheless does not possess it (1055b3-5). Privation, then, is either a contradiction or an incapacity (*antiphrasis ê adunamia*) and it is for this reason that, while contradiction does not admit of an intermediate, privation sometimes does. All contrariety is a privation, but not all privation is a contrariety (1055b14-15). While, in the former case we simply say that a thing suffers from privation, in the latter case we mean that a thing suffers privation at a certain time, or in a certain part, or at a certain age (1055b20-23). This is the reason, according to Aristotle, that there are some cases in which there is something in between state and privation (humans who are neither good nor bad), and others in which there is no intermediate (a number is either even or odd) (1055b23-24).

Based on Aristotle's claims concerning privation, then, it becomes possible to consider a *dunamis* of virtue, not as a capacity that can produce vice, but as a capacity that remains part of a "state"⁹² of character that is neither fully virtuous nor entirely wicked. This "state" can admit of greater or lesser degrees of privation, at various times and for various reasons, and a person with such a "state" of character is capable of behavior that is neither fully virtuous nor entirely vicious. While virtue and vice are contraries (like the equal and the unequal), degrees of virtuous behavior involve privation, but not contrariety (like the equal and the not equal). In other words, all human beings are adapted by nature to receive the virtues, but because virtue is both produced and destroyed by the same thing (actions), if a human being does not *always* act virtuously, then some degree of privation will be part of her "state" of character. She will be neither in a state

⁹² The term "state," when it appears in quotation marks, is being used in a general sense to signify a condition of character, rather than in an Aristotelian sense to signify a settled disposition.

of perfect virtue nor in a state of utter wickedness, and she will have a “state” of character that admits of both types of behavior. She will retain the *dunamis* for virtue, but she will not arrive at a *hexis prohairetike*. Human excellence, in its most complete form, is identified with a *hexis prohairetike*, and it is this state of virtue that contains its own internal ends, ways of choosing, and objects of choice. If vice could be produced from this state of virtue, then we would have a metaphysical contradiction. But a *dunamis* for virtue is simply a capacity for virtuous acts; it is *not virtue itself*. Therefore, even if we are reduced to claiming that the same capacity can produce both virtue and vice, we are not committed to accepting the claim that virtue produces vice.

2.2.7

It remains to tie these various aspects together into an adequate, if not ethically satisfying, explanation of how human choice and action can be considered to be the product of an art. In order to do this, however, it is important to recall that, for Aristotle, no gap exists between thought and action in either theory or practice: an agent makes a choice for reasons, and thought, in the form of choice, is the efficient cause of human action. In other words, thought is not considered to be motivationally inert, and so nothing (like the concept of the human will, perhaps) must be wedged between thought and action in order to account adequately for action. On this model, agents perform actions for reasons, and, although Aristotle is not suggesting that reasons somehow “mechanically determine action,” he is claiming that “an action is performed for its reasons and

for nothing else; the reasons *and nothing else* rationalise (i.e. make rational sense of) the action.”⁹³

This being the case, we can move directly from choice to action (the reason, of course, why Aristotle places praise and blame on an agent's choices, rather than on his actions *per se*). Moreover, we must note that, in the art of rhetoric, both the choice and the object of choice originate with the rhetorician. From the perspective of the audience, the natural process of deliberation is reversed in this art (and also, at times, in the art of healing): the choice, in the form of an external and intermediate end, is made by the rhetorician in advance of its defense before the audience. Both the choice and the object of choice are contained in the reasons for choosing, and the reasons are (originally, at least) internal to the rhetorician. If the listeners accept the reasons, they have also accepted the choice. The modes of persuasion, as noted above, have been selected and refined to guide the reasoning process of the audience, and to bring the listeners to a state of persuasion (or one in which their reasons and choices accord with that of the orator). Even when the listeners have to choose between opposites, as in the case of forensic oratory or deliberative oratory, which proposes opposing courses of action, each choice is set before the audience in advance and the reasons for the choice are provided by the orator. The most convincing orator, or the one who most adequately guides the reason and emotion of the listeners, will—theoretically, at least—prevail. This is not to suggest that the members of an audience or jury have somehow lost the ability to reject the orator's reasons, choice, or both. If this occurs, however, then the listeners have failed to *become* persuaded, and, while the blame for this failure is assigned to the

⁹³ Gaskin (1990), 7, italics in original.

orator, the praise or blame for the listeners' subsequent choices belongs to them entirely.⁹⁴

In addition, although rhetoricians *should* aim at truth and justice, according to Aristotle, rhetoric is an art that draws opposite conclusions, and so not all rhetoricians *do* aim at truth and justice (*Rh.*1.1.1355a22-1555b7). Indeed, it is at this point that Aristotle's classification of *aretê* as a *dunamis* seems entirely appropriate within the context of rhetoric. For a *dunamis* for virtue, particularly one that is primarily a capacity to act on behalf of others, requires merely a "state" of character that is neither good nor bad, and it does not require an end that is internal to the action itself. In other words, unlike a fully virtuous action that flows from a *hexis prohairetike*, an action that is *merely* made possible by a capacity to benefit others need not contain an internal end (i.e. performing the action for its own sake), but only a determinate desire to benefit others. An orator, if confronted by a *phronimos*, could not "persuade" him to do something that he would not have done, under the same conditions, anyway. The art of rhetoric, in order to be successful and to have a meaningful product, is dependent upon an audience composed mainly of stereotypes (i.e. the average person) and not of the ideal (i.e. the *phronimos*).

The *dunamis* for virtue, then, which is a rational capacity internal to the listeners that requires a choice to be set in motion, is supplied with that choice by the orator. As they *become* persuaded, the listeners internalize the choice, the

⁹⁴ This is to say that, if a listener fails to *become* persuaded, then his reasons for choosing (whatever subsequent actions he takes) can be said to originate with him, rather than with the orator, and the praise or blame for his choices (and actions) belongs to him. The case is more complex with a listener who is asked to choose between opposite courses of action. However, if the listener rejects both proposed courses of action (i.e. he fails to *become* persuaded by either orator), the praise or blame for his subsequent choices (and actions) belongs to him, since the reasons for choosing originate with him.

object of choice, and the reasons for choosing for which the orator argues. Thereby, choice, or a determinate desire to act, is contained within the internalized and completed state of persuasion. All deliberation ends once the agent has internalized the rhetorician's choice, and he now desires in accordance with this choice. The orator's choice has become a determinate desire on the part of the listener, and the orator, as the person who originated the choice, is subject to praise or blame.

Although Aristotle's characterization of persuasion as the product of an art poses numerous metaphysical and ethical difficulties, this line of reasoning does account for Aristotle's decision to classify *aretê* as a *dunamis* in this context. It also accounts for his willingness to place praise or blame on the rhetorician for actions that flow from a state of persuasion on the part of the listeners. The choice, it would appear, is being identified with the rhetorician, and, if this is correct, then Aristotle is coming dangerously close to placing the subsequent actions of the listeners into the category of the non-voluntary, for voluntary action is distinguished by choice on the part of the agent (*EN* 3.1-2). However ethically questionable it might be to assign choice to the rhetorician, this move would have been entirely impossible if Aristotle had classified *aretê* as a *hexis prohairetike*, and had, thereby, made choice internal to, and the direct result of, the character of the agent himself.

2.3

If we seriously consider Aristotle's claims in the *Rhetoric*, and classify *aretê* as a *dunamis* for the average agent, we arrive at a picture of ethical agents that agrees, at least to some extent, with our experience and expectations. On this

view, human nature has the capacity to admit of both virtue and vice, and, since virtue and its opposite are actualized by way of an agent's actions, most agents will be habituated to an intermediate "state," rather than to a state of either perfect virtue or utter wickedness. Such an understanding makes room for both the range of ethical behavior that is actually demonstrated by different human beings and the fluctuation in ethical behavior that is often demonstrated by a single agent over the course of his lifetime. By claiming that human beings have specific capacities, and by acknowledging that the development of these capacities is not identical in each agent, we are incorporating into our argument the basis for the kinds of comparisons and judgments that we actually apply. As soon as we identify abilities and capacities that are the same in kind but different in degree (i.e. *dunameis*), or different in kind (i.e. *hexeis* and *dunameis*), we have identified a situation in which comparison is built into our understanding. Indeed, it is by way of just such comparison that we once again encounter the *phronimos*.

If we examine the *Nicomachean Ethics* in light of the *Rhetoric*, it is consistent to argue that the *phronimos* is being held up by Aristotle as an exemplar and role model, rather than as a standard *per se*. Indeed, it is Aristotle's classification of excellence as a *dunamis* in the *Rhetoric*, at least for the average ethical agent, that helps clarify the role of the *phronimos* in the *Nicomachean Ethics*. Here is the person who has achieved a *hexis prohairetike* and who is being cited as an example of human achievement at its best and most excellent. In order for this achievement to be recognized and acknowledged separately from that of the average ethical agent, however, there must be an objective standard by which they are both judged. While this standard will be explicated in Chapter 4, we can see here that without such a standard, there would be no basis for regarding one

person as a *phronimos* with a *hexis prohairetike* and another as an average agent with a *dunamis* for virtue. Indeed, since the good and the “well” reside in the function, the *phronimos* is recognized as having eminence added in regard to excellence. This is to say that while we may admire and attempt to imitate people like, say, Mother Theresa, we neither expect nor demand that all ethical agents achieve her level of excellence. Moreover, we comprehend that Mother Theresa’s level of excellence is praised *because* it has been judged by an objective standard, not because it sets one *per se*.

Regardless of the precision and accuracy with which any conceptualization of human nature and human capacities is put forth, however, it is entirely unlikely that we will reach a consensus concerning either these notions or their relation to the good for humans. This being the case, I wish to stress that only a small number of very basic assumptions need to be accepted in order to advance an induction-informed normative theory. These assumptions, as I stated earlier in regard to human ends,⁹⁵ are advanced as *regulating notions*, rather than as absolute truth, and their status is that of inductive conclusions. In order, however, to work from inductive conclusions concerning both human nature and its relation to ethical theory, we need accept, as *regulating notions*,⁹⁶ (1) that reason is a distinguishing aspect of human nature; (2) that reason bears on all other distinctly human characteristics; (3) that facts about human nature are imbued with values (whether or not we agree with the specific values); and (4) that human nature admits of both virtue and vice.

⁹⁵ See Introduction.

⁹⁶ See n. 52.

Such *regulating notions* must be combined with those pertaining to human happiness and human ends before their relevance to induction-informed normative theory, as well as their connection to the good for humans, can be fully explicated. It is to this task that I turn next. At this point, however, it seems clear that inductive conclusions concerning human nature must be incorporated into any formulation of ethical theory that purports to take human excellence and the good for humans into serious consideration.

2.4

Throughout the *Nicomachean Ethics*, Aristotle both presupposes and defends the view that human beings, like all other natural beings and all arts, are teleological in nature (i.e. they aim at a specific end that is determined by their form and function). On his view, every human action and choice is thought to aim at some good, and he identifies the good that is worthy of pursuit for its own sake as *eudaimonia* (1.7.1097a34-1097b6), or as activity of the soul in conformity with excellence (1098a16-17). That is, humans seek happiness as a complete and self-sufficient end, and happiness itself can be understood, very broadly, as the satisfaction of rational desire and the noble performance of human activity. It is, in more modern terminology, the activity of living life well and of flourishing as a human being.⁹⁷

It is one thing, however, to give an account of the complete end for humans in outline form; it is another thing entirely to describe the various goods that give substance to the concept of *eudaimonia*. Indeed, Aristotle merely

sketches the human good and reminds us that we should not look for precision in all matters alike, but only insofar as the subject-matter allows (1.7.1098a20-29). He seems acutely aware of the impossibility of detailing the *content* of *eudaimonia*, including all of the possible internal and external goods, as well as their various combinations, and he makes no attempt to do so. Instead, he discusses such things as the means by which virtuous and vicious behavior can be distinguished, the necessary conditions for the formation of a virtuous character, and human relationships at their best and worst. He attempts, thereby, to give a detailed sense of the kinds of goods that comprise *eudaimonia*, and of the ways in which these goods can be both attained and nurtured. But he falls short—as he must—of offering a rigidly formulated description of the *content* of *eudaimonia*.

At this point, I wish to make it clear that, although I will continue to differentiate between the *formal* aspects of *eudaimonia*, as the end towards which all humans move, and the *content* of *eudaimonia*, as the goods that are the constituents of the end, I am not suggesting that *eudaimonia* is something over and above the goods that comprise it. *Eudaimonia*, as the activity of living well and flourishing, is the aggregate of goods that contribute, in various ways and to differing degrees, to such activity. The *form* and *content* of *eudaimonia* can be separated in thought in a way that they cannot be separated in fact, for while *eudaimonia*, as the *formal* end of human action, is not *due* to the goods that comprise it (except by way of analogy with material cause), it does not come to be *without* them.

⁹⁷ For an alternate approach to Aristotelian teleology, see MacIntyre (1984), esp. 148, 158, 162-3, 175, 184, 196-7, 201. While MacIntyre rejects Aristotle's "metaphysical biology," he argues for the retention of a teleological approach, in the form of a "socially teleological" account.

For example, in *Physics* 2.9, Aristotle defines the necessary in nature as matter, the changes in matter, or that which stands as matter in the definition or account of a thing (200a31-200b7). He uses the example of a house and a saw, and he states that while a house is not *due* to the materials out of which it is built (except as its material cause), or a saw to the iron, the house and the saw could not come to be *without* these materials (200a5-14). Both the house and the saw come to be for the sake of an end, in this case sheltering and dividing respectively, and they are *due* to the end. The end does not exist *because* of the matter, but neither will the end be *realized* in the absence of the matter: the house and the saw cannot exist at all in the absence of stone and iron, or in the absence of the matter relative to the end (200a24-30). Likewise, if the end is to be realized, a particular arrangement of the material is necessary. In the case of the saw, for example, it must not only be made of iron, but it must also have teeth of a certain kind (200b4-7). The principle starts with the definition or essence—in nature, artificial products, and human beings—but since each thing is of such and such a kind, certain other things must *necessarily* come to be or be in existence already in order for the end to be realized (200a34-200b4). But, we cannot claim that a house that has realized its end, or that is giving shelter, is something over and above the materials that comprise it. We can separate the formal end of a house from the materials that allow the end to be realized in theory only; in fact, the house is giving shelter only if it is composed of the necessary materials.

In like manner, the *form* of *eudaimonia* can be separated from the *content* in theory only, but this theoretical distinction is of great importance to the formulation of ethical theory. For example, it is one thing to claim that human beings seek *eudaimonia* as their ultimate end, and that they so do from their nature

as human beings. It is quite another to claim that *eudaimonia* can be analyzed into the specific constituents and goods of which it is composed, and that it can, thereby, provide us with a comprehensive understanding of human happiness.

Indeed, it is the absence of this distinction between the *form* and *content* of *eudaimonia* that seems to have resulted in certain objections against virtue-based ethical theory. For example, it is argued that, even if human beings do seek *eudaimonia* by nature, without some general agreement on what the good for humans is, it seems impossible to suggest that the virtuous person will, in all circumstances and with utter consistency, act to promote human good.⁹⁸ And without a shared and specific understanding of the good for humans, and of the ends and goals of human action, it seems equally impossible to suggest that a virtue-based ethical theory can claim focus and normative force. For, surely, in the absence of a shared understanding of the good for humans, both the human good and the virtues will be defined in merely subjective or intuitive terms.

However, it is not the *content* of *eudaimonia* that must be included in a general agreement on what the good for humans actually is. Such agreement would not only be impossible to attain, it would also place unacceptably narrow confines on the concept of *eudaimonia* and, ultimately, on the ethical agents who seek it. Instead, it is the *form* of *eudaimonia* that would be valuable as a *regulating notion*⁹⁹ and that would provide a basis for a general or shared understanding of the good for humans. Indeed, we are apt to do less damage if we conditionally accept the *form* of *eudaimonia* as a *regulating notion* and we are eventually proven wrong in our assumptions concerning human ends, than if we

⁹⁸ See Pellegrino (1995), 262-4.

⁹⁹ See n. 52.

fail to accept it and humans do indeed seek *eudaimonia* as their ultimate end. For an ethical theory that takes the human desire to live well and flourish as foundational, and that encourages character development and virtuous activity, also encourages active engagement on the part of individual agents. It is not the sort of ethical theory which, even if based on erroneous assumptions concerning human good, can result in stagnation and blind adherence to dogmatically rigid principles and guidelines. Yet, if the *form* of *eudaimonia* is rejected as a *regulating notion*, and if human beings do indeed seek happiness as their ultimate end, the resulting ethical theories are likely to be frustratingly ineffective, beyond adequate justification, and ultimately harmful to the human condition.

At this point, then, we can postulate that the necessary level of general agreement concerning the human good pertains to the *form* of *eudaimonia* and to its relationship to human nature. That is, we need agree only to the notion that human beings are inclined by nature to seek happiness as their ultimate end, and we must recognize that some values are embedded in the mere ideas of human nature and human ends. It is also clear, however, that we must examine what this level of agreement might mean in practical terms and how a general lack of agreement concerning the *content* of *eudaimonia* would impact an induction-informed ethical theory.

2.5

While the prescriptive and evaluative elements of induction-informed ethical theory will be discussed in Chapter 4, it is evident that an agreement concerning the *form* of *eudaimonia* will affect the formulation of general principles and singular moral judgments. However, in order to avoid the

possibility of content-less moral principles and general guidelines. we must examine the implications of an acknowledged lack of agreement concerning the *content of eudaimonia* before we proceed further.

Although it seems possible to identify (and agree upon) some of the various goods that comprise the *content of eudaimonia* for most people (e.g. health, sufficient financial resources, companionship, freedom from fear, and so forth), the formulation of a comprehensive list of goods is out of the question. As stated above, it would not only be impossible to enumerate the goods that comprise the *content of eudaimonia*, along with their various combinations, it would be unwise as well. The endless variation in human preferences and circumstances precludes any such enumeration and the risk of confining *eudaimonia* to a single conception or description is unacceptably damaging both to the concept itself and to the conceptualization of the agents who seek it.

We will be left, then, with some degree of agreement and disagreement concerning the *content of eudaimonia*. For our present purposes, we will ignore the necessary degree of agreement concerning the virtues and the degree to which we must be capable of defining virtuous behavior. These elements will be discussed in the following chapter. Instead, we will confine ourselves here to an examination of the implications of the lack of agreement or definition concerning the *content of eudaimonia*, whatever that *content* might contain or imply.

It is clear that the lack of one, mutually agreed understanding of the *content of eudaimonia* will impact the formulation of general principles, at least to some extent. While we are certainly capable of rendering acceptably accurate inductive generalizations concerning human ends and the constituents of those ends, these generalizations will be, by their very nature, only broadly suggestive

of the *content* they might contain or imply. For example, human beings generally place a high degree of value upon human life and attempt to incorporate the preservation and protection of human life into both their moral principles and civil laws. Yet, while a general moral precept of the sort “it is always wrong to take a human life, except in cases of self-defense or in times of war” may be grounded in notions of human ends and *eudaimonia*, it is unlikely that we will be capable of identifying each human good contained in and implied by such a generalization. In like manner, although we may reach a general consensus concerning various values and their relationship to the *form* of *eudaimonia*, and from that consensus formulate general principles, it is unlikely that we will reach a similar consensus concerning the precise human goods contained in or implied by these shared values.¹⁰⁰

If this is a weakness, however, it is a weakness shared by every ethical system that utilizes broad general principles. It is one thing, for instance, to claim that all human beings should be treated as ends and never as mere means. It is another thing altogether to flesh out the assumptions concerning the dignity of human life upon which this principle is based, and still another to suggest that there is one, mutually agreed understanding of these assumptions and of their relationship to human good (or, for that matter, to right action). In like manner, while it might be reasonable to suggest that the goal of moral action is to secure the greatest happiness of the largest number of people, it is entirely absurd to

¹⁰⁰ For example, while human life might be a shared value (i.e. preserving and protecting human life), it is unlikely that a general consensus concerning the goods contained in or implied by the value could be reached. These goods might include such things as preserving and protecting both the quantity and the quality of human life, nurturing human life, respecting the dignity of life, appropriate times and means of ending human life, and so forth. Clearly, even if we could reach a consensus as to the list of goods contained in or implied by the value (which is unlikely), we would

suggest that humans have reached one, mutually agreed upon understanding of what constitutes this sort of happiness, either in general or in any given situation.

All general principles, whether ascertained by deductive reasoning or arrived at through induction, codify the means to a particular end, and they are based on a shared understanding of the *form* of this end. While there is not a strict analogy between the general principles adopted by each ethical system, particularly as these principles relate to *form*, there is a thought-provoking similarity. A good utilitarian, for instance, is guided by an understanding of the *form* of human happiness, particularly as it relates to securing the happiness of the greatest number of people, rather than by an ability to enumerate the *content* of this happiness. Likewise, a good Kantian is guided by an understanding of the *form* of duty, not by an ability to enumerate every act and attitude that constitutes an adherence to duty. Adhering to duty is not something over and above the attitudes and actions of the Kantian agent, any more than *eudaimonia* is something over and above the goods that comprise it. Yet, just as inductive moral principles must be formulated in accordance with an understanding of the *form* of *eudaimonia*, moral principles that codify notions of duty must be formulated in accordance with an understanding of the *form* of duty, or that at which the Kantian agent must aim in order to act in a moral fashion.

In an induction-informed ethical system, however, there is a strength that is not shared by either utilitarian or Kantian ethical approaches. The general moral principles utilized by an induction-informed ethical system are adopted on the basis of their strength as inductive conclusions and retained just so long as the

surely fail to reach a consensus on what each good on the list entailed or implied. See 4.3 for a discussion of moral values.

effects of upholding such principles accord with our experience, our beliefs about the world, and our overall intentions. They never attain the status of inviolable moral precepts. As the *content* of *eudaimonia* is broadened or altered, perhaps by advancements in psychology, medicine, social and political theory, and so forth, the general principles that imply or contain such *content* can be suitably altered, differently understood, or entirely overhauled. For example, ideas of human flourishing and well-being, when applied to women, are significantly different today than they were even fifty years ago. Thus, general principles that are formulated to protect, preserve, or nourish *human* life must be as applicable to females as they are to males, and this would certainly require a revision of certain principles, a rejection of others, and a revised understanding of still others. Even if we cannot enumerate each good that comprises *eudaimonia* for females, we can make significant and appropriate adjustments to the broad general principles that we look to for moral guidance.

We find a more significant manifestation of a general lack of agreement concerning the *content* of *eudaimonia* in the formulation of singular moral judgments than we do in the formulation of general moral guidelines. It is here, if anywhere, that objections concerning subjectivity and intuitiveness become problematic for induction-informed moral theory. However, these objections can also be leveled at deduction-based moral theories since, in the real world, it is particular persons in concrete situations who make the final decisions on what it means to act in accordance with, say, either utility or duty.

For example, if deliberating upon and choosing an action that will increase the ability of another person or group of persons to live well and flourish is subjective or intuitive to some degree, then deliberating upon and choosing an

action that will increase the happiness of the largest number of people is subjective or intuitive to the same (or, possibly, a larger) degree. The *content* of *eudaimonia*, as this *content* might be perceived by another, is no less possible to ascertain than some sort of collective view of happiness—or worse, the individual views of happiness held by numerous persons within a designated group. Again, even the most stringent Kantian must make a subjective decision as to the requirements of duty in a given situation, taking into consideration the particular circumstances and the given individuals who will be affected by such a decision. Because it is human beings that make singular moral judgments, it is impossible to eliminate all subjective or intuitive aspects from the decision-making process, regardless of the underlying ethical framework. Moreover, as I will argue in Chapter 4, partiality is not only inherent to ethical decision-making, it can be understood as a strength rather than as a weakness as well.

The claim, then, that virtue ethics, or in this case induction-informed virtue ethics, places too great a burden on individual agents to ascertain the human good with precision and regularity poses more of a theoretical difficulty than it does a practical one. It is certainly true that individual agents will occasionally err in their estimation of how a particular action will impact their own well-being or the well-being of others. It is equally true that they might be entirely unable to explicate the *content* of *eudaimonia* in either their own case or the case of others. However, it is fantastic to claim that either a lack of general agreement concerning the *content* of *eudaimonia* or a lack of complete individual knowledge will paralyze moral agents or leave them incapable of making reasonably precise and regular moral judgments. Every moral agent will be just as equipped to make singular moral judgments, regardless of the moral system to which she adheres, as

her habituation, education, level of involvement with others, previous inductive conclusions, and so forth have left her. Indeed, each individual agent will continue to acquire information, and to adjust her previous conclusions accordingly, throughout her lifetime.

In addition, while a complete description of human good might be impossible to ascertain, and while ideas of human good may be continuously in flux, humans beings simply *do* have notions of happiness and of a life well lived at any given time. Moreover, no socialized adult will face a moral dilemma that is so far removed from human experience that it is either entirely unique or exists in isolation. Even advancements in technology, such as the invention of weapons of mass human destruction, do not pose moral dilemmas that extend beyond reasoning concerning the value of human life, the concept of an enemy, ideas of nationalism, notions of self-protection, and so forth. Indeed, it is just such advancements that highlight the need for adequately flexible moral guidelines and informed singular judgments. We require enlightened inductive conclusions and contemporary empirical evidence if we are to deal adequately with the effects of such issues as modern warfare, the reproductive rights of women, human cloning, and so forth on human happiness.

Even with all of the above in mind, it is correct to claim that the lack of general agreement concerning the *content* of *eudaimonia* will result in questions concerning the acceptability of particular singular moral judgments. For this reason, and because a normative ethical theory must incorporate standards for prescribing (or recommending) and evaluating singular moral judgments, I intend to suggest guidelines for what might count as evidence for the acceptability of singular moral judgments. This section will be necessarily incomplete, as it is

merely a preface to the thorough discussion of prescriptive and evaluative elements that will follow in Chapter 4.

2.6

At this point, I will be examining what might count as evidence for the acceptability of singular moral judgments as those judgments accord with and bear on the idea of human ends. In other words, if we are to take the idea of *eudaimonia* seriously, at least as a *regulating notion*, then we must examine singular moral judgments in the light of their contribution to, and advancement of, such ends. Clearly, singular moral judgments must be made with particular perceptions of the *content* of *eudaimonia* in mind, as well as the *form*, since they are made by particular persons in specific situations. Also, if singular moral judgments are to be considered acceptable, they should promote, enhance, or honor the ultimate end.

I suggest that there are four conditions that would have to be met by a singular moral judgment in order for that judgment to be considered acceptable. Each of these conditions would count as evidence for the acceptability of a singular moral judgment and each would be weighted equally in theory. In practice, of course, in order to resolve a dispute concerning the acceptability of singular moral judgments, one condition might necessarily be given more consideration than another in particular situations. The four conditions, then, that would count as evidence are as follows: (1) accordance with accepted general

principles or general guidelines¹⁰¹; (2) accurate identification and comprehension of the relevant specific facts; (3) informed application of accepted general principles or general guidelines (i.e. informed by specific facts); and (4) consideration of human nature, as that nature pertains to human ends. I will discuss each condition below.

The first condition, accordance with accepted general principles or guidelines, is fairly straightforward. In an induction-informed normative theory, general guidelines would never be more than hypothetical conclusions, but as guidelines, they would be of value in recommending and evaluating moral behavior. Regardless of the degree of alteration and revision that general guidelines might experience through time, at any given moment there will be a set of accepted (i.e. generally accepted within a given society) general guidelines by which the acceptability of a singular moral judgment may be assessed.

For example, let us say that we have an accepted general guideline of the sort “it is always wrong to take a human life, except in self-defense or times of war.” In this case, a particular act of killing, and the singular moral judgment that is presented in explanation or defense of this killing, must be evaluated in light of this accepted general guideline. It is certainly true that all four conditions must be examined before the acceptability, or lack thereof, of the singular moral judgment can be ascertained, particularly given the relevance of specific facts to the morality of an action, at least on this view. But it is unlikely that a singular moral judgment that flies in the face of accepted general guidelines will be susceptible of justification.

¹⁰¹ The precise distinction between general principles and general guidelines will be explained in 4.3. For our present purposes, the terms “general principles” and “general guidelines” may be

The main problem here seems to be one of circularity. For example, general guidelines are justified on the basis of inductive arguments from singular moral judgments, and singular moral judgments are found to be acceptable, at least in part, by their accordance with accepted general guidelines. On this presentation, it seems to follow that we have no basis for utilizing accepted general principles in our evaluation of singular moral judgments, at least without invoking objections of circularity.

The objection is interesting, but it is an oversimplification both of the actual formulation of accepted general guidelines and of their use. General guidelines are certainly justified on the basis of inductive arguments from singular moral judgments, but they are justified only if they uphold the same value or values that underlie the singular moral judgments from which they are induced. For example, if the above general guideline, “it is always wrong to take a human life, except in self-defense or times of war,” has been found acceptable, it is because some value¹⁰² pertaining to human life underlies the numerous singular moral judgments from which the general rule has been induced. It is this value, which has been manifested in the singular moral judgments, that is represented by the general guideline. It is the acceptance of this same value that justifies our examination of singular moral judgments in light of general principles. If the value itself is revised or rejected, clearly there will be tension between singular moral judgments and general principles, at least for a time. This tension, however, is a necessary factor in the evolution of moral thought.

used interchangeably.

¹⁰² I have discussed the values embedded in human nature in 2.1, and a discussion of the “origin” of values appears in 4.3.

The second condition, accurate identification and comprehension of the relevant specific facts, is related to the Aristotelian conceptualization of action, namely, that action pertains to the particulars and is the result of deliberation and choice. In ethical decision-making, humans deliberate about, and make choices based upon, the agreement or tension between the relevant particulars and general guidelines. It is one thing, for example, to hold the general principle that euthanasia is murder and is, therefore, ethically blameworthy, particularly if one has never faced the application of theory. It is another thing altogether to watch the slow, tortuous death of a parent and to feel the tension between the particular facts and the general guideline. We would be apt, in such a situation, to find the daughter who administers a lethal dose of morphine to her dying mother less morally blameworthy than a person who administers a lethal dose of poison to a healthy stranger. Regardless of moral culpability, however, it is the relevant particulars that will prompt the daughter to act, in one fashion or another, for it is the relevant particulars that bring about a situation in which action is necessary.

Also, particular facts and concrete situations form the basis for the conclusions that will be manifested as singular moral judgments and, eventually perhaps, codified into general guidelines. It is, to continue the above example, reasoning pertaining to the value of human life that has led to the legalization of euthanasia in various nations. While the underlying value, in this case the value of human life, might remain intact, an altered understanding of the implications and responsibilities of holding such a value will necessarily affect both singular moral judgments and general guidelines. Indeed, ethical advancements, or at least ethical developments, are possible only when inductive conclusions concerning

both relevant particulars and accepted general guidelines are given adequate ethical status.

The third condition, informed application of accepted general principles or general guidelines (i.e. informed by specific facts), is not, as might appear on first blush, a mere synthesis of the first two conditions. The first two conditions may be necessary prerequisites to the application of this condition, however, since an agent must have knowledge of both the accepted general guidelines and the relevant particulars in order to accomplish this condition. Yet, in a strict sense, while it counts as evidence for the acceptability of a singular moral judgment that the judgment accords with accepted general guidelines, there may be contradictory general guidelines or concerns pertaining to the appropriateness of applying one guideline over another, particularly in a hierarchy of guidelines. Then, too, while it counts as evidence for the acceptability of a singular moral judgment that the agent has identified and comprehended the relevant particulars, the relationship of those particulars to the general guideline might be obscure or questionable.

While this condition cannot eliminate the above possibilities, it can serve as a means of clarification and dispute resolution. For example, using the case of euthanasia mentioned above, the daughter who administers a lethal dose of morphine to her dying mother cannot adequately justify her decision by presenting evidence that she adhered to conditions one and two. Her singular moral judgment is not thoroughly explained or defended by claiming that, for instance, (1) she abided by a general guideline that states that murder is wrong, and (2) she accurately identified and comprehended the fact that her mother was dying a slow, tortuous death. Her singular moral judgment must also show evidence of the

application of an informed general guideline, such that her choice, emendation, or rejection of a general guideline becomes evident from the introduction of relevant particulars. In the above case, for example, the daughter might claim that the death cannot be classified as murder, or that the general guideline was instituted to preserve life rather than to protract death, or that the value codified in the general guideline was upheld in an entirely different manner altogether. Regardless of whether the daughter's singular moral judgment is found to be acceptable or unacceptable in the end, the evidence on which such a decision must be made is clarified and made vastly more complete by an examination of exactly how a general principle is informed by the relevant particulars and subsequently applied.

Finally, the fourth condition, consideration of human nature, as that nature pertains to human ends, does not require a higher degree in either human psychology or sociology. In a primary sense, it is the requirement that singular moral judgments, in order to be considered acceptable, be made in accordance with the *form* of *eudaimonia*. This is to say that acceptable singular moral judgments must promote, enhance, or honor the ultimate end for human beings, understood as a *regulating notion*.

In a secondary or subordinate sense, the *content* of *eudaimonia* will come into play here as well as the *form*, for it will generally be the *content* of *eudaimonia*, as constituents of the end, that is altered or impacted in some way by the practical application of a singular moral judgment. Indeed, it is the *content* of *eudaimonia*, or the goods that constitute a life well lived, that will be chosen between, adopted, or abandoned in the practice of carrying out a moral decision that aims at the *form* of *eudaimonia*. Moreover, it is the *content* of *eudaimonia* that is more likely than the *form* to present opportunity for error and

miscalculation, for even if an agent attempts to promote, enhance, or honor the ultimate end, it is certainly possible to err in calculations concerning the consequences of a particular judgment or action.

For this reason, it is consideration of human nature as it pertains to human ends that counts as evidence for the acceptability of singular moral judgments. If a singular moral judgment can be reasonably expected to increase the human good, or to increase the ability of the agent to live well and flourish, then this reasonable expectation must count as evidence. It is neither perfect consistency in identifying the human good nor utter regularity in increasing the human good that is expected of moral agents. Instead, it is an eye to the end that must be demonstrated by an agent's singular moral judgments.

However carefully one attempts to leave questions of agent motivation, habituation, education, and so forth out of this condition, it is clear that elimination of these aspects will be virtually impossible. In any evaluation of a singular moral judgment that might reasonably be expected to have varying consequences, the obvious initial question would be: "What did the agent *intend*?" And perhaps this is how it should be. The character of an agent is the basis from which moral decisions proceed and, for this reason alone, it seems an oversight to attempt to eliminate the significance of character from moral theory and ethical evaluation.

In order to adequately examine character, however, we must first examine virtue and vice, habituation and education, and the relationship between virtue and human nature. It is to this task that I turn next. For now, it must suffice to say that human character will remain an aspect of condition four, at least to some degree and to varying extents, depending upon particular circumstances.

Certainly, singular moral judgments can be evaluated in isolation and, just as certainly, they will have characteristics that serve to demonstrate the end towards which they aim. However, it is naïve to suggest that the character of the agent will never enter into an evaluation of whether a singular moral judgment shows consideration of human nature, as this nature pertains to human ends. Even the word *consideration* belies this claim. For this reason, we turn now to human virtue.

Chapter 3

Virtue

3.1

On an Aristotelian view, although moral agents, right passions and actions, and the human good can all be described in terms of *aretê*, the relationship between them poses certain tensions. For example, while the movement of human beings towards their natural end is accomplished by way of excellence, excellence does not arise in human beings by nature. Indeed, although all human beings aim at *eudaimonia*, or at activity of the soul in accordance with excellence, only those persons who are habituated to excellence, and who choose and act in accordance with excellence, will achieve *eudaimonia*. Such a scenario seems to suggest that a large number of human beings will never attain *eudaimonia* and, indeed, a group of objections centers on both the internal and external difficulties supposedly inherent to virtue-based ethics.¹⁰³ Such difficulties, it is argued, call into question the feasibility of utilizing an Aristotelian framework for general moral theory.

For example, as stated in the Introduction, Pellegrino argues that, in the face of moral and practical luck, genetics, environment, fortune, and the like, expecting human beings to sustain an internal adherence to, and an understanding of, excellence is both unrealistic and unfair.¹⁰⁴ Humans are neither created equal, at least in their genetic predispositions, nor subject to equal environmental forces and pressures (e.g. luck, advantage, disadvantage, etc.), and they cannot be expected to have an equal opportunity to achieve excellence. It is vastly more

¹⁰³ See Introduction. Also see Pellegrino (1995), 253-277.

¹⁰⁴ Pellegrino (1995), 263.

realistic and fair, so runs the objection, to demand adherence to a system of rules, maxims, and directives—that need not be entirely understood in order to be consistently followed—than it is to assume that each and every human being is equally capable of comprehending and possessing virtue, and of acting in accordance with excellence at all times and under all circumstances.

However, I intend to argue that an Aristotelian model, as supported and enhanced by modern neurobiological advancements, provides a framework for moral theory that is superior to systems of rules, maxims, or directives. Indeed, once a neurobiological perspective is advanced, I intend to suggest that, if the expectations placed on human beings by a moral theory are to be realistic and fair, such expectations must accord with the development of human character. Further, I intend to argue that, because systems of rules, maxims, and directives fail to adequately account for important aspects of human character, they are inadequate for guiding human behavior. Finally, I intend to explicate and define the moral virtues in terms of both human character development and the end for humans, and show their place in induction-informed normative theory.

In order to make this sustained argument, I discuss various aspects of Aristotelian theory, both individually and in relationship to one another, which cannot be fully integrated until the final section of this chapter. I begin with Aristotle, and with a discussion of *aretê* and its relationship to activity, external advantages and disadvantages, and achieving *eudaimonia*. In 3.2, I discuss the relationship of *aretê* to human character development, habituation, and neurobiology. Finally, prior to offering a definition of the moral virtues in 3.6, I discuss emotion in 3.3 and 3.4.

In *EN* 1, Aristotle characterizes the good life for human beings as *eudaimonia* and he further characterizes *eudaimonia* as excellence of the soul. Human good is activity of the soul in conformity with excellence (7.1098a15-17) and human happiness is loosely defined as living well and faring well (8.1098b20-22), with the understanding that the “well” here indicates eminence in respect of excellence. In all cases, the emphasis is on *activity*, and the person who acquires happiness will be the one who acts and acts well, for, as Aristotle states, it is not the most beautiful and the strongest that are crowned at the Olympic Games, but those who compete (8.1099a3-4).

Indeed, Aristotle emphasizes that it makes no small difference whether we place the chief good in the possession (*ktêsis*) or use (*chrêsis*) of excellence, in the state (*hexis*) or the activity (*energeia*), since it is quite possible for the state to exist without producing any good results (8.1098b32-1099a3). A person who possesses excellence, but who is either asleep or entirely inactive (as, for example, a virtuous Rip Van Winkle or Sleeping Beauty), has no opportunity to act in a fine or noble manner, or to achieve *eudaimonia*. *Eudaimonia* itself is an activity, a way of choosing and acting, and while it depends upon the possession of excellence, it is actualized by excellent activity.

This focus on activity can be understood in several interrelated ways. First, it would seem strange indeed if the good life for human beings was a life devoid of pleasure, and Aristotle argues that excellent activity is pleasant in itself, or pleasant by nature, and that the person who acts virtuously is without need of adventitious pleasures (1.8.1099a5-16). On this view, because each person finds pleasure in those things and activities that he loves, the lovers of excellence find pleasure not only in fine and noble actions, but also in their own nature and their

own lives. This kind of pleasure is an inherent aspect of excellent action and, for those who live in accordance with excellence, there is no need for additional, perhaps fleeting, pleasures. In contrast, without excellence, pleasures may conflict and result in regrets or self-recriminations, and while these sorts of pleasures may fulfill a specific desire at a specific time, they are not pleasant by nature.

Second, Aristotle claims that activity is necessary to *eudaimonia* in that it would be impossible to call any person good who did not participate and rejoice in excellent actions (1.8.1099a16-21). On what grounds, for example, would we label a person just if he failed to act justly, found no enjoyment in his own just actions, or failed to celebrate the just actions of others? On this view, it is not enough to *say* that one is a lover of justice; in order to be considered just, one must enjoy *acting* justly. While it might seem that adding the condition of enjoyment to an excellent act is an unnecessary or unrealistic burden, Aristotle seems to be suggesting that the pleasure that supervenes upon an action appears to differentiate between internal and external motivation. For example, if a man happens to be a skilled pianist, but detests playing, avoids practice, and finds no enjoyment in music, and only plays to satisfy the desires of an external audience, we would be hard pressed to call him a lover of music. Pleasure seems to accompany the actions of those people who have internalized excellence and who act in accordance with this internal state.

Finally, we find a link to Aristotle's focus on habituation and, although this topic will be discussed more thoroughly below,¹⁰⁵ it is important to note here that the average citizen, or one who is neither entirely virtuous nor entirely

wicked, will continue to develop excellence only through excellent actions. The potential for excellence is actualized only through excellent action and, for the person with a capacity for virtue, the gradual movement towards the end, or towards *eudaimonia*, ceases at the place where activity ceases. For the *phronimos*, or the person with a *hexis prohairetike*, the voluntary cessation of excellent activity would be a contradiction in terms.

However, Aristotle is not blind to the fact that excellent action requires certain external goods and opportunities, as well as personal virtue. Indeed, he goes so far as to say that ugliness, poor birth, thoroughly bad children or friends, or the loss of good children or friends by death can mar happiness (1.9.1099b1-6) and, hence, excellence. It is clear that external goods—whether in the form of prosperity, propitious placement and timing, and so forth—are important as instruments and equipment. In like manner, bodily goods, such as health and physical strength, might be equally necessary for both excellent action and a full-fledged enjoyment of life.

This situation is not unique to Aristotelian virtue ethics, however, for while it is true that acting in accordance with excellence may require the presence of external goods, it is equally true that acting in accordance with either utility or duty may require external goods to a commensurate degree. Indeed, it would be highly questionable to assume that while poverty, illness, or lack of advantage might hinder an Aristotelian agent from accomplishing virtuous actions, these same external circumstances would have little or no bearing on the ability of a utilitarian or Kantian agent to carry out ethical actions.

¹⁰⁵ See 3.2.

For example, if an act of financial generosity accords with utility or duty or excellence, then the respective agents must possess the necessary financial resources to carry out the act. In such a case, action requires appropriate motivation and deliberation, a choice, *and* external resources. Indeed, the external resources of the agents would enter into both their deliberation and their choice, regardless of whether they are utilitarians, Kantians, or Aristotelians. It would be unreasonable to claim that while external goods play a disturbing or unsatisfactory role in Aristotelian virtue ethics, at least insofar as they pertain to action, they play no such role in either utilitarianism or deontological theories.

Aristotle sets his discussion of external goods within a context, however, that shifts the focus from actions to agents, and the point to which he continuously returns is whether, or to what degree, external circumstances impact the agent himself, rather than merely the ability of the agent to perform virtuous actions.¹⁰⁶ This shift, it seems, is intended to moderate the potential impact of disadvantage or misfortune on a person's ability to achieve or maintain excellence and *eudaimonia*. While Aristotle highlights the steadfast nature of excellent agents, he also suggests that persons of developing character can achieve excellence without unusual advantage.¹⁰⁷ For example, he points out that while certain external goods are necessary and others are naturally useful as instruments (1.9.1099b26-28), all people who are not maimed as regards excellence¹⁰⁸ may achieve it

¹⁰⁶ See, especially, *EN* 1.10.1100a31-1101a21.

¹⁰⁷ See 3.2 for extended treatment of becoming excellent in the first place. Becoming excellent, it might be argued, may be considerably more a matter of contingency than remaining excellent in the face of misfortune.

¹⁰⁸ The phrase "maimed as regards excellence," or *pepêrômenoîs pros aretên*, is open to some question as it concerns habituation. It is one thing, for example, to claim that someone is incapacitated as regards excellence by reason of a mental or physical defect. It is another to claim that someone is incapacitated as regards excellence by the negative circumstances into which s/he is born or is raised. Both aspects will be discussed below. See 3.2.

through study and care (1099b18-19). The emphasis here is on the idea that human beings have the capacity for excellence and the opportunity for happiness even if they are not provided with every external good or advantage. Aristotle wishes to avoid the notion that excellence and *eudaimonia* are arrived at by chance or contingent upon chance. Moreover, he argues against the idea that, once achieved, excellence and *eudaimonia* are subject to the slightest turns of fortune. In fact, it is the person of excellence who is most capable of maintaining his happiness through misfortune and of recovering from life's ordinary misadventures. On Aristotle's view, it takes many great misfortunes to deprive an excellent person of *eudaimonia* and, even under such miserable circumstances, such a person will not act in the kind of hateful or mean fashion that would make him a miserable human being (1.10.1100b22-1101a13).

Here, Aristotle is suggesting that a person of developed and excellent character will have both the motivation and the ability to act with dignity and virtue in difficult and challenging circumstances. He will have the attributes that are necessary, both in isolation (in theory, at least) and in combination, to cope with and survive the vicissitudes of fate. For example, even under ordinary circumstances, a mother who is without internal excellence will be incapable of exercising the courage, care, practical judgment, honesty, and so forth that are necessary to successfully shelter, raise, and educate a child. Once extraordinarily difficult circumstances are added, or even a succession of moderate misadventures, it becomes increasingly difficult to imagine that such a mother will not only act in a consistently excellent manner, but will also maintain her personal sense of well-being. Indeed, on this view, excellent motivation and action, as well as personal happiness, proceed directly from excellence of character.

This view accords, at least indirectly, with both our experience and our ideas of what might be required to adhere to any ethical theory. For example, in order for an adult utilitarian to abide by the Greatest Happiness Principle, she must have developed certain interrelated attitudes and abilities. First, she must be motivated to increase the general happiness, even if her own happiness may be compromised in the process. Second, she must have the practical judgment necessary to ascertain, with some degree of precision, the constituents of this general happiness and the means of accomplishing them. Finally, she must have the capacity to act in such a way as to increase the likelihood of her intended effects and consequences. In other words, the desire to live in accordance with the tenets of utilitarianism and the ability to act in accordance with them would proceed from a firm and excellent character. It seems unlikely at best that an entirely wicked person, or even one with a weak and inconsistent character, would steadfastly approach her own happiness and that of others “as strictly impartial as a disinterested and benevolent spectator.”¹⁰⁹

In like manner, it would be difficult to say, in practical terms, exactly what it might mean for a person without virtue or excellence of character to be motivated by duty, or to act in accordance with a good will, or to act in such a manner that his maxims could become universal principles of action. Without some recognition of the importance of character development, identifying what this person might draw upon for motivation and constancy of action seems entirely open to speculation.

It is one thing to discuss the importance of human character development, however, and another thing entirely to argue for a particular theory of moral

¹⁰⁹ Mill, in Cahn (1999), 898.

development. Indeed, Aristotle both supports his position on moral development and opens it to criticism by arguing that moral virtue is achieved through habituation. For example, on Aristotle's view, if a person is not maimed as regards excellence, he has every hope of becoming habituated to excellence and of achieving *eudaimonia*. He must, of course, have access to some external goods as instruments and he must be raised, educated, or influenced by virtuous human beings. Through the process of habituation, his potential for virtue is gradually actualized and, as he *becomes* more virtuous, he has an ever-increasing ability to withstand the vicissitudes of fate. Yet, a person who has no opportunity to be habituated to virtue—through circumstances of birth, a complete lack of external goods, or great misfortune that precedes the actualization of his potential—seems to have no opportunity for moral excellence or *eudaimonia*. This being the case, we must examine habituation and its relationship to excellence, external goods, and chance. Moreover, we must examine Aristotle's notions of habituation in light of modern neurobiology, both to further support an Aristotelian framework for induction-informed normative theory and to argue for a modern definition of the moral virtues.

3.2

As we know from *EN* 2.1, moral excellence does not arise in human beings by nature, for nothing that exists by nature can form a habit contrary to its nature (1103a20-21), and human beings are certainly capable of forming morally vicious habits. In contrast, sense perception does exist in human beings by nature and may be recognized as such by the characteristics of the sense organs. For example, an eye, which is by nature an organ of sight, cannot be trained to become

an organ of, say, hearing, however persistent the training, since hearing is contrary to the nature of an eye. Moreover, the senses do not arise by way of activity (i.e. it is not by often seeing or often hearing that we acquire these senses), but the activity of perception proceeds from a preexisting capacity to perceive (1103a26-30). Except in the case of damage, disease, or defect of the sense organs, humans have the faculty of sensation at birth (*Met.* 1.1.980a27-29), by nature and prior to exhibiting the activity of perception.

The situation is more complex in the case of the excellences, however, than it is with the faculty of sensation. Although excellence does not exist in humans by nature, we are adapted by nature to receive it and we are perfected by habit. We have the capacity for moral excellence and it is by way of our actions that excellence is both produced and destroyed (*EN* 2.1.1103b7-8). One must play the lyre, for example, to become either a good or bad lyre-player and one must act in a just manner to become a just person, or in a brave manner to become a courageous person. While we have sensation before we exercise it, we acquire the excellences by first exercising them, just as we acquire the arts.

In like manner, we acquire viciousness by first exercising vicious activity. The human capacity for virtue is a rational capacity, susceptible of producing opposites,¹¹⁰ and the fact that human beings possess a rational capacity for excellence implies that we are equally adapted by nature to receive both the virtues and the vices. This understanding, of course, eliminates the possibility of categorizing vice *only* as a privation of excellence, or as something that results from either the destruction of virtue or from failing to have virtue at the time and age at which one would naturally have it (*Met.* 5.22.1022b22-32). Such a

categorization would rest, first, on the notion that human beings have a stock of excellence, as a natural attribute, that can be damaged or destroyed, and Aristotle emphatically argues that excellence does not exist by nature. Thus, while it is certainly the case that wicked activity can weaken or destroy the excellence that one has acquired through virtuous activity, particularly if that excellence is incompletely or poorly developed, it is not the case that viciousness arises *only* as a privation of existing excellence. Instead, we are also adapted by nature to receive vice and we are “perfected” by habit.

All of this underscores Aristotle’s focus on habituation and excellent action. If a person has the capacity for excellence and its opposite, then that person will actualize the potential for these opposites and their intermediary by way of activity. The main thrust of this argument is that all “normal” human beings will be actualized to *something* by way of their actions. Habituation determines what that *something* will be—excellence, wickedness, or an intermediate—and provides us with a means by which to influence the moral development of individual agents. A child, for example, who is taught not to steal, will initially refrain from stealing only for reasons of external sanctions. Eventually, with proper study and influence, along with actions that comply with the sanctions, he will come to comprehend and internalize the abstract values (e.g. respecting the property of others) that ground the concrete actions. At this point, he will begin to consistently act from internal values rather than external sanctions, and he can be said to have actualized his potential for excellence in this particular area. If, however, he fails to fully comprehend the implications of the value, or fully abstract from individual concrete instances, his potential will not be

¹¹⁰ See 2.2.6.

entirely actualized and he will remain in an intermediate state. While he will, say, shrink from burglarizing a home, he might cheat on his taxes or pad an otherwise legitimate insurance claim.

This picture of moral development, as a slow process of gradual habituation to a particular state of character, is supported by modern cognitive neurobiology. For example, according to Paul M. Churchland, moral knowledge, like all other forms of knowledge, can be characterized as a set of skills “embodied in a vast configuration of appropriately weighted synaptic connections” within the brain.¹¹¹ Such skills are the result of trained neural networks, and training any neural network takes place by gradually imposing a specific function onto its input-output behavior. Churchland states:

The network thus acquires the ability to respond, in various but systematic ways, to a wide variety of potential sensory inputs. In a simple, three-layer feedforward network with fixed synaptic connections...the output behavior at the third layer of neurons is completely determined by the activity at the sensory input level. In a (biologically more realistic) *recurrent* network...the output behavior is jointly determined by the sensory input *and* the prior dynamical state of the entire network...[T]he acquired cognitive capacity actually resides in the specific configuration of the many synaptic *connections* between the neuronal layers, and learning that cognitive capacity is a matter of slowly adjusting the size or “weight” of each connection so that, collectively, they come to embody the input-output function desired.¹¹²

On this view, a trained neural network has acquired a specific skill in that “it has learned how to respond, with appropriate patterns of neural activity across its output layer, to various inputs at its sensory layer.”¹¹³ Accordingly, Churchland characterizes a morally knowledgeable adult as one who has acquired a sophisticated family of perceptual or recognitional skills, along with a complex set

¹¹¹ Churchland (1998), 85.

¹¹² *Ibid.*, 84, italics in original.

of behavioral and manipulative skills. These skills are typically acquired over long periods of time “with repeated exposure to, or practice of, various *examples* of the perceptual or motor categories at issue...[and] in the repeated adjustments of one’s myriad synaptic connections, a process that is also driven by one’s ongoing experience with failure.”¹¹⁴

Such learning is the building process with which we are familiar, particularly if we have raised a child: the simplest skills must be learned first and the more sophisticated skills are learned later, only after the elementary ones are in place. Indeed, since moral virtues are skills on this view, they are acquired slowly and they can continue to develop as long as individuals have the opportunity and the intelligence necessary to refine them. In like manner, vices are also skills—in the sense that the morally wicked have learned a particular set of skills that might serve them within their specific environment, but that tend to disadvantage them within the larger social context. These individuals, if they are to become morally knowledgeable adults, must not only learn new skills, but must also do a significant amount of unlearning. Unfortunately, this process of unlearning and learning anew becomes increasingly difficult once the cognitive plasticity of the young is lost, and once their unequalled capacity for learning—a result of neurochemical and physiological factors that decrease with age—has faded.

This neurobiological view of the acquisition of moral virtues leads Churchland to some interesting suggestions that intersect with Aristotle’s notions of habituation and that are worth quoting in full:

¹¹³ *Ibid.*

¹¹⁴ *Ibid.*, 87, italics in original.

This view of the assembled moral virtues as a slowly-acquired network of skills also contains an implicit critique of a popular piece of romantic nonsense, namely, the idea of the “sudden convert” to morality, as typified by the “tearful face of the repentant sinner” and the post-baptismal “born-again” charismatic Christian. Moral character is not something—is not *remotely* something—that can be acquired in a day by an Act of Will or by a single Major Insight.

The idea that it can be so acquired is a falsifying reflection of one or other of two familiar conceptions of moral character, herewith discredited. The first identifies moral character with the acceptance of a canonical set of behavior-guiding rules. The second identifies moral character with a canonical set of desires, such as the desire to maximize the general happiness, and so on. Perhaps one can embrace a set of rules in one cathartic act, and perhaps one can permanently privilege some set of desires by a major act of will. But neither act can result in what is truly needed, namely, an intricate set of finely-honed perceptual, reflective, and sociomotor skills. These take several decades to acquire. Epiphanies of moral commitment can mark, at most, the initiation of such a process. Initiations are welcome, of course, but we do not give children a high-school diploma for showing up for school on the first day of the first grade. For the same reasons, “born-again” moral characters should probably wait a similar period of time before celebrating their moral achievement or pressing their moral authority.¹¹⁵

The recent strides in neurobiology, then, suggest that skills (or virtues, understood as skills) require a lengthy time to acquire, and that repeated exposure to examples of such skills are a necessary condition of the learning process. Once acquired, these skills become long-standing traits that are difficult to alter, particularly as an individual ages and loses the malleability of the young mind. Trained neural networks become part of the structure of the mind and individuals respond to stimuli in the manner and with the means that are programmed into their neural pathways. The process, in Aristotelian terms, is one of actualizing the human potential for excellence.

¹¹⁵ Ibid., 89, italics in original.

If this scenario is correct, then Aristotle is also correct in arguing that the virtues, or the vices for that matter, are the result of a slow process of habituation and that all individuals, if they are to *become* virtuous persons, must be exposed to virtuous behavior and trained in the excellences. In like manner, on this neurobiological view, Aristotle is also correct in arguing that the *phronimos* would be the least likely person to *become* wicked in the face of great and continued misfortune. Indeed, if the *phronimos* has acquired a *hexis prohairetike*, or a fixed state for choosing in accordance with virtue, it would require an extremely lengthy process of unlearning and relearning in order for his neural networks to be trained anew. Apparently, the behavior with which we greet sensory input is a result of the prior state of our entire neural networks. In order for the *phronimos* to achieve a state altogether different in kind from a *hexis prohairetike*, the size or “weight” of each of his synaptic connections would have to be altered, so that collectively they would embody a new input-output function. This transformation, it seems, would be extremely difficult.

Here, too, we find a connection between Aristotle’s focus on habituation and the problems posed by the need for external goods, at least insofar as external goods are thought to serve as the necessary instruments of virtuous action. As we have seen above, Aristotle claims that performing excellent actions is necessary to habituation. Moreover, he suggests that the ability of an individual to perform excellent acts may be enhanced or compromised by the availability, or lack thereof, of external goods. While all of this is correct, modern neurobiology suggests that all anatomically normal brains¹¹⁶ possess the same types of neural

¹¹⁶ In Aristotelian terms, such a person would not be “maimed as regards excellence” by reason of a mental or physical defect that interfered with the performance of her neural networks or synaptic

networks and the same sorts of synaptic connections. Habituating the brain to excellence, rather than to vice, depends upon being in the presence of virtue and upon having the opportunity to exercise virtue. Under such circumstances, individuals would require, at least in the most formative years of their training, merely good examples and adequate opportunities to act in accordance with external requirements and prohibitions. They would not require unusual advantage to carry out acts of honesty, caring, and compassion, or to refrain from such acts as stealing, lying, cheating, and so forth. In time, particularly in adult ventures, individuals might require specific external goods in order to perform complex tasks within the larger social context. However, if these same individuals have been habituated to virtue, and if the necessary skills already reside in their neural networks, their responses to sensory input would be consistently in accordance with virtue to whatever degree they are enabled by external goods to act. A lack of instrumental goods would limit their noble activities, surely, but it would not move them to act in a wicked or base manner.

It could be objected here that requiring a child, if she is to become virtuous and eventually achieve *eudaimonia*, to have access to virtuous human beings, the opportunity to perform virtuous actions, and some degree of external goods still leaves virtue and happiness in the hands of chance. For, obviously, all children do not have the same opportunity to be raised and educated by excellent adults or to make use of external goods.¹¹⁷ However, few children are born into perfectly

connections. However, such a person might still be incapacitated as regards virtue by other mental or physical defects. A full discussion of potentially incapacitating factors is beyond the scope of this work.

¹¹⁷ And such children might be considered, at least by analogy, “maimed as regards excellence” by the circumstances into which they are born. However, as my argument suggests, such a claim would be difficult to sustain, particularly if one argues that a child is literally incapacitated as regards excellence by external circumstances, rather than merely disadvantaged. While such

virtuous families or perfectly wicked families, and even fewer have no opportunity whatsoever to be influenced by human beings of all sorts: those who are virtuous, those who are wicked, and those who are intermediate between the two. Even children who are born into the most fortunate of circumstances will rarely, if ever, perform only virtuous actions and, thereby, be habituated to perfect virtue. The neural networks of most individuals will be trained by actions that include varying degrees of virtue and vice, and the skills that emerge will reflect a mixed bag of moral knowledge. Most individuals, as I argue above¹¹⁸ and as experience suggests, will retain a *dunamis* for virtue, but will never achieve a *hexis prohairetike*.

If this is a weakness—and Aristotelian virtue ethics has certainly been criticized for being overly demanding of ethical agents and entirely unrealistic about the potential for the average person to achieve *eudaimonia*¹¹⁹—the weakness may be one of human biology and human society, rather than one of virtue theory. Aristotle clearly recognizes the need for habituation and training, and he recognizes the need for social conventions and institutions that encourage the development of virtue. His arguments aim at creating the best possible citizens, *not perfect citizens*, particularly given the limitations of the human mind and human society. He begins with habituation, as do modern neurobiologists, and he suggests that rules and guidelines are supplementary to the development of character (though, of course, they also help develop character). He seems to understand that the most over-demanding and unrealistic theory would be one that demands strict adherence to canonical rules without, first and foremost,

possible claims, especially in combination with notions of mental and physical incapacitation, suggest future implications, a detailed treatment is beyond the scope of this work.

habituating moral agents, from earliest childhood, to the rules themselves, the values that they represent, and, most importantly, the skills necessary to abide by them. Clearly, no ethical theory can promise equal success for every agent. However, one that begins with training the mind, which will inevitably occur in one fashion or another anyway, has the potential to develop agents who are better-equipped to handle misadventure, a lack of external goods, and the strains of human existence than one that begins by imposing rules.

For Aristotle, habituation and the development of virtue require activity, and activity requires choice. Choice, as we know from *EN* 6.2, is desire and reasoning with a view to an end. Since excellence is concerned with both actions and passions, and since desire is an integral aspect of choice, we must next examine the relationship between the passions and virtue. Indeed, we cannot fully explicate habituation or virtue, or formulate a definition of the moral virtues, without examining emotion.

3.3

On Aristotle's view, emotions are not bogeymen that threaten to overthrow reason and weaken moral fortitude. Instead, they are necessary components of judgment and choice, and the emotions that motivate or accompany an action must be appropriate in order for the action itself to be deemed morally praiseworthy. Choice, for Aristotle, is desiderative thought or intellectual desire (*EN* 6.2.1139b4-5), and choice cannot exist without thought and intellect or without a moral state (1139a33-34). Virtuous action and its opposite cannot exist

¹¹⁸ See 2.2.6.

¹¹⁹ See Introduction and 3.1.

without a combination of intellect and character (1139a34-35), and both thought—at least insofar as practical judgment and beliefs are concerned—and character depend, in large measure, on the development of the emotions. While I will discuss some of the roles played by emotion in Aristotelian virtue ethics—namely, as a necessary aspect of action, judgment, choice, evaluation, and self-evaluation—I begin with the mean and with its dependency upon the notion that emotion is a universal and cross-culturally human experience.

As we know from *EN* 2.3, the excellences are concerned with actions and passions, and since every action is accompanied by pleasure or pain, moral excellence is concerned with pleasure and pain as well (1104b13-15). For most passions, like most actions, there is an excess or deficiency, and human beings are capable of seeking pleasure and avoiding pain to either excess or (more rarely) deficiency. On this view, the virtues can be understood as intermediates between excess and deficiency, and each one relates to a particular passion, pleasure, or pain. For example, courage is the intermediate between rashness and cowardice, and it pertains to fear. Liberality is the intermediate in regard to the giving and taking of wealth, and it pertains to the pleasures and pains of hoarding, spending, or sharing wealth or material goods. Even justice, as an intermediate, pertains to pleasure and pain insofar as the unjust man seeks more than his equal, lawful, or proportional share of pleasure (prosperity) and less than his share of pain (adversity). The common factor is passion, with an emphasis on attraction or avoidance, and human passion crosses the barriers of language, culture, or era.

Indeed, Aristotle himself finds it difficult to name many of the virtues, the excesses, and the deficiencies, in part because his conceptualization of human passion exceeds both his traditions and his language. He is attempting to describe

human passion and action, and to describe virtue in reference to specific individuals facing concrete situations, with the mean as a guideline by which virtuous states can be recognized and evaluated by all individuals. This is a daunting task at best, and one at which he is not entirely successful, but it has a more universal scope than is often recognized.

For instance, human beings, spanning oceans and centuries, can be said to have experienced (at the very least) bodily appetites, pleasures and pains, fear of death and of the unknown, and affection or sympathy towards members of their own species. No human being who has survived infancy has been entirely without a relational context, one in which he is an interdependent being, and no physically normal human being has failed to experience hunger and thirst, or attraction and avoidance. There are analogous experiences and features that characterize a human life and it would be difficult, at best, to argue that cross-cultural differences make some lives unrecognizable as human lives. Humans simply do experience emotion, pleasure and pain, and they also experience, as I will argue below, the impact of emotion on their beliefs, judgments, choices, and actions. Certainly, diverse societies may have starkly different understandings of, say, courage, but every human society recognizes both fear and responses to fear. Individuals and societies might understand virtuous states in a culturally-based and contextualized manner, but the fact of human passions, pleasures, and pains provides a universally familiar starting-point for cross-cultural dialogue and comparative assessments. To understand the mean in this manner, then, as a tool by which we may prescribe and evaluate *human* actions and states, in light of *human* passion, moves us beyond objections of cultural relativism into a more

fertile and dynamic discussion of *human* psychology, cognition, and neurobiology.

It is important to note, however, that emotions are vastly more for Aristotle than feelings or sensations to which we respond. Emotions are also integral components of judgment and action, and Aristotle suggests that there is a reciprocal relationship between emotion and belief, specifically, that emotion can influence belief and that emotion occurs in response to a belief already held concerning particular persons and events. For example, in *Rhetoric* 2.1, Aristotle suggests that a thorough understanding of emotion is necessary for any orator who wishes to influence the judgment of his audience, for, on his view, beliefs are affected by emotional states (1377b21-1378a6). He argues that a person who is feeling friendly and placable will think one sort of thing, and one who is feeling angry or hostile is likely to think something entirely different or with a different intensity (1377b31-1378a1). Moreover, while emotion is attended by pleasure and pain, it is not reducible to the physical sensations that accompany it. It is the belief upon which the emotion is based, rather than the sensation it produces, that must be negated or moderated if the emotion is to be altered. For instance, if I am angry, then I am angry with a particular person for having wronged me in a particular way. If I later discover that the act was committed by someone else, or that it never happened at all, the change in my belief will alter my emotional state. If, then, the rhetorician is to successfully influence the judgment or action of an individual, he must influence both his emotions and his beliefs.

Indeed, emotion is critical to Aristotle's conceptualization of judgment and action in that the major premise of the practical syllogism is a value judgment that often involves an emotional stance. For Aristotle, voluntary action schematized

under the practical syllogism implies a sense of purpose: I do *x* in order to accomplish *y*, based on my particular beliefs (*MA* 6.700b14-28).¹²⁰ That is, I walk because I believe that every man ought to walk (e.g. to promote health or longevity), or because I believe that it is pleasurable to walk. In theory at least, and whether conscious or unconscious, there is a sense of purpose to my action that I could explain or to which I could assent if questioned, and desire forms part of this sense of purpose. For example, desire forms part of the value judgment in the major premise of the practical syllogism (i.e. what is good, seemingly good, or pleasurable), and desire may figure in the minor premise insofar as it pertains to perception of the particular (e.g. that *this* option is attractive to me, or that *this* drink is pleasurable when I am thirsty).

Moreover, emotion is often critical to action in that it can be emotion itself, rather than desire within the context of deliberation, that first prompts correct action—even emotions such as fear and anger, which are often thought of in their most negative sense. For example, Aristotle does not praise the utterly fearless person, or the person who feels no anger, precisely because it may be the presence of either fear or anger that first motivates an agent to take correct action (*EN* 4.5.1126a4-6). This is to say that an agent, in encountering a new situation, may first realize that a problem exists by way of his emotional response to the circumstances, rather than by careful deliberation.

Within the context of deliberation, Aristotle states that the person who is without qualification good at deliberating is the one who is capable of aiming in accordance with calculation at the best things for humans attainable by action (*EN* 6.7.1141b12-14). If deliberation is to involve good practical judgment and result

¹²⁰ Cf. Sherman (1997), 69. This part of my discussion has been informed by her text.

in a good choice, both the reasoning must be sound and the desire right. Indeed, while sound practical judgment may require trained and habituated emotions, it is impossible that it could be accomplished, on Aristotle's view, in the complete absence of emotion. In order to moderate the negative or harmful aspects of uncontrolled emotion or irrational desires, however, Aristotle states that the desiring element in the soul must listen to and obey reason, in the sense that one pays heed to one's father or one's friends (1.13.1102b31-32). Quite significantly, this directive is intended to establish an appropriate balance between emotion and reason, or to aid in the struggle between rational and irrational desires, and it suggests that reason should inform and advise the desiring element, rather than dominate and suppress it.

Moreover, on Aristotle's view, by the fact that choice requires both intellect and a moral state, good action and its opposite cannot exist without a combination of intellect and moral character (6.2.1139a33-35). The act of making a choice involves reasoning skills, of course, and it involves some moral state or another, or some sort of inclination towards one thing and aversion of another. For, as Aristotle claims, what affirmation and negation are in reasoning, pursuit and avoidance are in desire (1139a21-22). When we choose, we choose between alternatives, even if one of those alternatives is to do nothing whatsoever, and our moral state, involving as it does our responses to perceived pleasure and pain, is as critical to our decision-making process as is our intellect. In fact, even this division of intellect and desire is inherently flawed, since emotions appear to affect thoughts and beliefs, at least on a practical level; thoughts and beliefs appear to influence emotions; and the major premise of the practical syllogism is a value judgment that often involves desire. Thus, while we might be capable of

mathematical or abstract reasoning without either emotions or desires, we would be incapable of making sound practical judgments.

Interestingly, this claim is supported by modern neurobiological study and research. In his book, *Descartes' Error*, neurobiologist Antonio R. Damasio discusses research pertaining to the connection between reason and emotion, and to how this connection appears to affect the decision-making process. The subjects of his study, who all suffer a type of brain damage that interferes with their ability to experience emotion, are able to reason quite competently on an abstract or entirely intellectual level—for example, "in domains concerning objects, space, numbers, and words."¹²¹ However, these patients, who Damasio describes as *knowing but not feeling*, and who discuss themselves and their lives in an utterly detached manner, as if they are "dispassionate, uninvolved" spectators, have lost the ability to make personal and social choices in the context of their daily lives.¹²² For example, a patient named Elliot, who had both a large brain tumor and some damaged frontal lobe tissue removed, demonstrated above-average intellectual ability on numerous tests. Yet, his decision-making skills are so impaired that he is incapable of making an effective plan for the hours, let alone the days and weeks, ahead of him. He cannot be counted on to perform an appropriate action when it is expected, he is incapable of following a schedule, and he no longer learns from his mistakes. Elliot, who had attained "an enviable personal, professional, and social status" before the appearance of the tumor is now "unable to reason and decide in ways conducive to the maintenance and

¹²¹ Damasio (1994), 43.

¹²² *Ibid.*, 44.

betterment of himself and his family. [and he is] no longer capable of succeeding as an independent human being."¹²³

The results of numerous tests that were performed on all of Damasio's patients suggest that this inability to make choices in the social and personal domains is not due to a "lack of social knowledge, or to deficient access to such knowledge, or to an elementary impairment of reasoning, or, even less, to an elementary defect in attention or working memory concerning the processing of the factual knowledge needed to make decisions in the personal and social domains."¹²⁴ Instead, "the defect appeared to set in at the late stages of reasoning, close to or at the point at which *choice making* or response selection must occur," and it appeared to result from an inability to experience emotion.¹²⁵

Although Damasio's research cannot be expected to give conclusive evidence concerning the role of emotion in practical reasoning, he suggests that "certain aspects of the process of emotion and feeling are indispensable for rationality" and that "emotion, feeling, and biological regulation all play a role in human reason."¹²⁶ He states:

The strategies of human reason probably did not develop, in either evolution or any single individual, without the guiding force of the mechanisms of biological regulation, of which emotion and feeling are notable expressions. Moreover, even after reasoning strategies become established in the formative years, their effective deployment probably depends, to a considerable extent, on a continued ability to experience feelings.¹²⁷

If Damasio's preliminary conclusions are supported by further research, then Aristotle's conceptualization of the relationship between emotion and reason—as

¹²³ *Ibid.*, 35-8.

¹²⁴ *Ibid.*, 50.

¹²⁵ *Ibid.*, italics added.

¹²⁶ *Ibid.* xiii.

one which is reciprocal, mutually dependent, and essential to practical judgment, action, and moral choice—will be supported as well. Just as Damasio suggests that emotion is crucial to practical reasoning, rather than to purely intellectual speculation, Aristotle argues that there is a distinct difference between speculative reason, which is purely intellectual and concerned with abstract concepts and universals, and practical reason, which involves emotion and is concerned with things human and things about which it is possible to deliberate (*EN* 6.7.1141b8-9). Indeed, practical action for Aristotle, schematized under the practical syllogism, requires the presence and integration of reason and desire.

To conceive of emotion and reason in this way, as mutually dependent and inseparable aspects of the human person, is also to suggest that human beings are unified and integrated organisms that cannot be separated into neat, dichotomous parts. Once this initial conception is fleshed out by introducing the biological aspects of emotion and reason, such as both the physical sensations that accompany emotion and the fairly obvious connection between the brain and human thought, then the implausibility of breaking up the human person into separately analyzable and dichotomous parts (e.g. mind/body, reason/emotion) becomes increasingly apparent.

This sense of integration, it seems, is part of the reason that Aristotle includes the character and motivation of an agent in his evaluation of the morality of an action. In *EN* 2.4, for example, Aristotle claims that, while an action itself might accord with excellence, it does not follow that the action was done in an excellent manner (1105a29-30). In other words, although an act might be just or temperate in and of itself, it does not follow that the action was done justly or

¹²⁷ *Ibid.*, xii.

temperately. In order for the action to have been done justly or temperately, it must proceed from a firm and unchangeable character and from one that exhibits the virtues of justice or temperance (1105a32-1105b1). Unlike the products of the arts, actions do not have their goodness in themselves; rather, the agent must also be in a certain condition when he performs the actions (1105a27-31). Of course, possessing a firm and unchangeable character is only one aspect of this “certain condition,” along with having knowledge and choosing the actions for their own sakes. But possessing a firm and unchangeable character counts (along with choosing the actions for their own sakes) for nearly everything in determining the morality of the action (1105a30-1105b4). And it is the aspects of human character that can be habituated, namely, desire, passion, practical judgment, and choice-making, that involve emotion to the greatest extent. A firm and unchangeable character, or one that exemplifies moral excellence, is one in which the reasoning is sound and the desires are habituated to excellence. In like manner, in the theory set forth here, desires and emotions play a central role in evaluating agents and in defining the moral virtues.¹²⁸

Insofar as the evaluation of either an action or an agent is concerned, emotions are also valuable tools in *self*-evaluation, and one of the most critical emotions in self-evaluation is shame. For Aristotle, shame is a passion that presents itself when one’s virtue is in question and when one needs to perform a self-evaluation. Moreover, although shame brings the kind of disgrace that makes us call ourselves into question, the disgrace is, in one sense or another, always before others. Shame, with its attending fear and pain, occurs in regard to our relationship with other individuals and with our community, and it links our well-

¹²⁸ See 3.5.

being with that of other human beings. Because of the often over-looked importance of shame, particularly as it pertains to self-evaluation, we must next examine its role in an Aristotelian conceptualization of virtue and we must analyze its place in a modern virtue theory.

3.4

In *EN* 4.9, Aristotle states that shame (*aidôs*) is not an excellence (*aretê*), for it is more like a passion (*pathos*) than a state (*hexis*), and it produces the sort of bodily affects that one experiences with passions, but not with states (1128b10-11). In the case of shame, the passion is a kind of fear of disgrace (*phobos tis adoxias*) and it produces bodily effects similar to those produced by the fear of danger (1128b11-12). People who feel disgraced blush, for example, and those who fear death turn pale, and these kinds of bodily manifestations are associated with the passions (1128b12-16). In like manner, in *Rhetoric* 2.6, Aristotle defines shame as a pain or disturbance (*lupê tis ê tarachê*) in regard to bad things, past, present, or future, that seem likely to involve us, or those we care for, in disgrace (1383b15-16). In both cases, shame is regarded as a passionate response to the imagination of disgrace, particularly disgrace before people who matter to us, and it is a response to voluntary actions.

Shame, for Aristotle, is never unconditionally good, since it is consequent upon bad actions and an excellent person will never voluntarily perform such actions, but shame does have conditional goodness (*EN* 4.9.1128b22-30). If, for example, a good person performs a wicked action, it would be appropriate for him to feel shame. Likewise, if a person, particularly a young person, is tempted to perform a wicked action, it would be appropriate for him to be restrained by

shame. Even this conditional goodness is further qualified as agents age, for shame is particularly unbecoming to older persons who should no longer be constituted to require shame as a restraint or to commit acts that bring a sense of disgrace. Shamelessness (*anaischuntia*), however, or a sense of contempt (*oligôria*) or indifference (*apatheia*) in regard to bad actions (*Rh.* 2.6.1383b16-17), is bad (*EN* 4.9.1128b31-33), and it would be characteristic of a wicked person to voluntarily commit vicious actions without a feeling of shame.

For Aristotle, we are ashamed not only of actual shameful conduct, but also of the signs (*sêmeia*) of such conduct (*Rh.*2.6.1384b18-19). He suggests, for example, that we are ashamed of the signs of sexual misconduct, as well as of the misconduct itself, and of disgraceful talk as well as disgraceful acts (1384b19-21). In keeping with Aristotle's use of *sêmeion* (sign) in *Rhetoric* 1.2.1357a33, *Prior Analytics* 2.27.70a11, and even *Sophistical Refutations* 5.167b9, we can understand his claims concerning the signs of misconduct to be logical in nature and to refer to propositions (concerning our behavior, appearance, etc.) that lead to an inference regarding our conduct. If the sign is not necessary, the inference will be refutable, of course, but Aristotle seems to be referring here to true propositions that lead to accurate assessments of our actual misconduct. For example, in *Rhetoric* 1.2, Aristotle suggests that the fact that a woman is giving milk is a sign that she has lately borne a child (1357b15-16). If we wish to place this example into a context that involves shame, we can say that the woman who is giving milk is a Catholic nun and that it is her physician and friend of many years who discovers her milk. In this scenario, Aristotle would argue that the nun would feel shame upon the discovery of the milk, as the sign of sexual misconduct, as well as upon discovery of the misconduct itself.

Notice, here, as well as in the entire discussion thus far, that shame involves some sort of relationship between the person who commits the disgraceful act and at least one other person, and that the disgrace itself is always before others. Aristotle consistently places shame within a relational context and he claims that we feel more shame about an action if it has been performed openly, or before the eyes of others, and he attributes the proverb “shame dwells in the eyes” to this phenomenon (*Rh.*2.6.1384a33-35).¹²⁹ On his view, we are the most disgraced before people who matter to us—such as those who love or admire us, those whom we love or admire, those by whom we stand to profit, those whose opinion we respect, and so forth (1384a22-1385a15). Generally, we are ashamed of different things before strangers and intimates (i.e. of conventional faults before strangers and of genuine faults before intimates), and we are not disgraced at all before those of less stature than ourselves, such as animals, children, and persons whose opinions we find untrustworthy (1384b23-27). Moreover, we not only feel shame in connection with our own actions, but also in connection with the actions of our family members, or our students, or those who model themselves after us (1385a2-7). On this view, our actions can disgrace us before others by reason of the fact that actions reflect our character and our moral agency.

It is important here to recall that actions do not exist in isolation for Aristotle. The origin of action is choice and choice itself requires intellect, desire, a moral state, and a view to an end (*EN* 6.2.1139a31-35). It is for our choices that we are praised and blamed, since these are the representations of our desires, thoughts, character, and ends, and our voluntary actions are nothing more than our

¹²⁹ Williams (1993), 78, says, “The basic experience connected with shame is that of being seen, inappropriately, by the wrong people, in the wrong condition.”

choices made manifest. We are disgraced by inappropriate actions because these actions reflect who we are, as human beings, on the level of our beliefs, emotions, and character. We are shamed by the fact that our actions betray our flawed and imperfect character to those whose opinion of us matters. Shame is the emotion that forces us to call ourselves into question and suggests that *we are flawed*.

This deep-seated awareness of our own inadequacies is less evident in a modern rendition of guilt, particularly in its purely objective or legal sense. We can *feel* guilty for our actions, of course, and this kind of subjective guilt might make us call ourselves into question as persons and moral agents in a manner similar to that of shame. But we can also *be* legally or objectively guilty of actions that might arguably involve our circumstances, such as our economic, political, or social situation, as much as they do ourselves. A man might, for example, be guilty of committing fraud on his income taxes, but argue that he, as a perfectly good and moral agent, is rightfully acting in opposition to an inherently flawed economic and political system. Here, while he is clearly guilty of the action in the objective or legal sense, he might feel no guilt whatsoever. Or, if he normally accepts and adheres to a standard forbidding fraud, he might feel that, while he has failed to live up to this particular standard and has, thereby, committed a wrong action, he is still someone of whom he generally approves.¹³⁰

¹³⁰ “According to Gabriele Taylor, the identificatory belief in shame is that I am not the person I thought I was or hoped I might be. It is not simply, as in embarrassment, that I wish I hadn’t been seen doing something (even though I don’t think I’ve done anything wrong) or, as in guilt, simply that I have failed to live up to a standard I adhere to. If I thought the latter, I could still entertain the possibility that I can set the record straight, for in such a case what troubles me about what I’ve done is quite local: I’ve *done* something I don’t approve of, but I’m not *someone* I don’t approve of. As Gabriele Taylor puts it: ‘When feeling guilty...the view I take of myself is entirely different from the view I take of myself when feeling shame: in the latter case I see myself as being all of a piece, what I have just done, I now see, fits only too well what I really am. But when feeling guilty I think of myself as having brought about a forbidden state of affairs and thereby in this respect disfigured a self which otherwise remains the same’” (Spelman, in Card, ed., 1991, 225, italics in original, quoting Taylor, 1985, 92).

There can be a meaningful divorce between the person (on a deeply intimate level) and his action (particularly if it rests upon some principle) that is entirely impossible to achieve on an Aristotelian view. Indeed, on an Aristotelian view of action, the choice to commit fraud, and thereby to steal, suggests a lack of internal excellence, regardless of any principle that might be utilized as justification.

Although a separation of the person from his action might provide some measure of comfort, it can be accompanied by long-lasting consequences. In a scheme in which legal or objective guilt takes center stage, each person remains guilty of his inappropriate actions forever, however changed he might become as a moral agent in the intervening years.¹³¹ For example, if one steals, then one is guilty of having committed theft forever (and the focus often involves violating a particular standard and victimizing particular others). The action stands by itself, regardless of the opinion of others. Conversely, a person who is disgraced by shame can become honorable once again in the eyes of others by consistently acting in an honorable manner. Because disgraceful actions were committed, they remain in some sense,¹³² but since the locus of shame is the person himself, just as the locus of honor is the person himself, there is a continuous spectrum of praise and blame that remains focused on the character of the person. The man who runs from the battlefield can pick up his sword and win praise for his courage and glory

¹³¹ Moreover, Williams (1993), 89, discusses the thought that guilt would follow one, even if one disappeared. He says that “the expression of shame, in general as well as in the particular form of it that is embarrassment, is not just the desire to hide, or to hide my face, but the desire to disappear, not to be there. It is not even the wish, as people say, to sink through the floor, but rather the wish that the space occupied by me should be instantaneously empty. With guilt, it is not like this; I am more dominated by the thought that even if I disappear, it would come with me.”

¹³² For the Greeks, of course, *miasma* (pollution) could result from the killing of a person, either intentionally or unintentionally, and this (supernatural) effect could remain long after the shameful action. See Williams (1993), 59-61, 70-1, 151.

in battle. The cowardly action remains, of course, but the man himself can be called courageous without contradiction.

This brief discussion is meant only as a note on one possible difference in emphasis between guilt and shame.¹³³ It is not an argument for the superiority of one emotion, label, or cultural standard over the other. Such an argument is beyond the scope of this work and, fortunately, it is not necessary to the task at hand. At most, we need only establish that, on an Aristotelian view, shame attaches to the character of the agent himself, rather than merely to his actions, and that claim is established by Aristotle's renditions of choice and action. It is this aspect of shame, namely, that it is an emotion that calls the person who experiences it into question, which is important here.

It is also important to note that, even on Aristotle's view, it is at least possible for a person to feel the pain or disturbance of shame if he has committed an inappropriate act in secret. Clearly, Aristotle's focus is on the disgrace that one feels before others, and the bulk of his discussion of shame involves the public aspects of the emotion. But, in *Rhetoric* 2.6, Aristotle claims that we feel *more* shame about an action that is done openly, or before the eyes of others (*kai ta en ophthalmois kai ta en phanerôi mallon*), and that we feel *more* shame before those persons who will always be with us or who attend to what we do, because in both cases eyes are upon us (*dia touto tous aei paresomenous mallon aischunontai kai tous prosechontas autois, dia to en ophthalmois amphotera*) (1384a34-1384b1). His use of *more* (*mallon*) here sets the discussion in comparative terms and suggests that we feel some sense of shame when the eyes of others are not upon us. At the very least, his terminology allows for the possibility of feeling pained

by one's actions on a purely internal level, perhaps under the gaze of an internalized other,¹³⁴ rather than merely experiencing the fear of public disgrace.

However, Aristotle's use of comparative terminology is set within a discussion that involves, first, a definition of shame and a discussion of the deeds that might rightfully prompt the emotion and, second, a list of all the persons before whom we might feel shame (1383b13-1385a15). He makes it clear that shame involves our relationship with others and with society, and, by so doing, leaves himself open to the criticism that shame is not a psychologically developed or mature emotion in that disgrace depends upon the opinion of others more than it does upon self-awareness or self-criticism.¹³⁵ However, shame can be viewed as a valuable moral asset and it can coexist quite peacefully with guilt, however one classifies or conceptualizes guilt.¹³⁶ For if character can be meaningfully linked with choice, and choice with action, then disgrace never applies merely to our actions, but also to ourselves. Disgrace asks that we call our character into question and that we face the possibility that we are flawed. Moreover, shame

¹³³ For a full discussion see Williams (1993); Taylor, G. (1985).

¹³⁴ See Williams (1993), esp. 82-6. He states, "Even if shame and its motivations always involve in some way or other an idea of the gaze of another, it is important that for many of its operations the imagined gaze of an imagined other will do... The internalisation of shame does not simply internalise an other who is a representative of the neighbors... The internalised other is indeed abstracted and generalised and idealised, but he is potentially somebody rather than nobody, and somebody other than me. He can provide the focus of real social expectations, of how I shall live if I act in one way rather than another, of how my actions and reactions will alter my relations to the world about me" (82-4). Also, see Gill (1996), 66-7, 74-5.

¹³⁵ Williams (1993), 94, argues against such criticisms of shame. He states, "To the modern moral consciousness, guilt seems a more transparent moral emotion than shame. It may seem so, but that is only because, as it presents itself, it is more isolated than shame is from other elements of one's self-image, the rest of one's desires and needs, and because it leaves out a lot even of one's ethical consciousness. It can direct one towards those who have been wronged or damaged, and demand reparation in the name, simply, of what has happened to them. But it cannot by itself help one to understand one's relations to those happenings, or to rebuild the self that has done these things and the world in which that self has to live. Only shame can do that, because it embodies conceptions of what one is and of how one is related to others."

¹³⁶ Williams (1993), 93, argues that shame can help us understand guilt. He states, "The structures of shame contain the possibility of controlling and learning from guilt, because they give a conception of one's ethical identity, in relation to which guilt can make sense. Shame can understand guilt, but guilt cannot understand itself."

relies on fear, as does pity, and on our interconnectedness with others, and, by this reliance, it has the potential to restrain and direct our actions. Indeed, it reminds us that disgrace before others *matters*. By its juxtaposition with honor, shame also reminds us that honorable lives depend upon honorable character and, even if we mean nothing more by honor than a life without shame, we can use the word to describe a condition that requires (at the very least) personal development, acknowledgment of others, and a critical understanding of social roles, tensions, and values.

At this point in the discussion, it seems clear that an Aristotelian model encourages character development and critical self-evaluation, even in the face of varying external circumstances and differing natural abilities, and that an Aristotelian conceptualization of habituation accords with modern neurobiological arguments. Such a model seems to encourage both intellectual and emotional development, and, as a framework for moral theory, it appears to have the flexibility to integrate modern perspectives and developments. However, it remains to provide a definition of the moral virtues that both accords with an Aristotelian framework and incorporates modern neurobiological perspectives, as well as to explicate the relationship between virtue and induction.

3.5

It is one thing to discuss Aristotelian ideas of virtue and another thing altogether to explicate the moral virtues and give them a place in a modern ethical theory. Indeed, although Aristotle describes several moral virtues at length, he does not attempt to provide an exhaustive list of the virtues, and perhaps the

characteristics of the virtues themselves rule out such a list. However, a defensible definition of the moral virtues must be included in any formulation of virtue ethics and the role of virtue must be explicated in terms of this definition. This being the case, I intend to define moral virtue in stages, first, by offering a basic definition and, then, by limiting it.

To begin, I turn back to modern neurobiology,¹³⁷ specifically the version offered by Paul Churchland, and to its identification of the moral virtues with skills, which are acquired slowly and which can be understood in terms of trained neural networks. On this view, a morally knowledgeable adult is one who has acquired a sophisticated family of perceptual or recognitional skills, along with a complex set of behavioral and manipulative skills. Significantly, to categorize moral virtues as skills—which human beings have the capacity to develop over a long period of time, with repeated exposure to, and practice of, various examples of these skills—accords with and strengthens the Aristotelian conceptualization of virtue. For the time being, then, in agreement with Churchland, *I will define the moral virtues merely as skills* and briefly place neurobiology and Aristotle side by side.

First, neurobiology offers a scientific explanation for Aristotle's claim that, although human beings do not possess the virtues by nature, they are adapted by nature to receive them. Through the human capacity to acquire virtue, understood as the neural networks within an anatomically normal human brain, individuals can be habituated to either virtue or vice and, in either case, they will develop specific skills. Second, neurobiology supports Aristotle's claims that the moral virtues are acquired slowly through habituation and practice, and that the

process of actualizing the human potential for excellence is a gradual one. Finally, it supports and strengthens his claim that, after a time, human beings are so habituated to either virtue or vice that it is extremely difficult, if not impossible, for them to *become* the opposite.

Since human beings develop all sorts of skills, however, and since even vices can be defined on a neurobiological view as skills, it is necessary to limit the definition. *A moral virtue, then, will be temporarily defined as a skill that promotes, enhances, or honors the end, or eudaimonia, for human beings.*¹³⁸ If we were to continue in this fashion, in the hopes of achieving purity of definition, we might define a non-moral virtue as a skill that promotes, enhances, or honors a specific, non-moral end, art, or craft. An example of such a skill might be typing and this skill might be acquired to promote the art of copy editing. However, as we have seen in Section 1.2, there is a strong intersection between the acquisition and utilization of moral and non-moral principles, and this intersection may be dependent upon the intersection of moral and non-moral skills. In other words, at the level of skills, any sharp demarcation between the moral and non-moral realms must be considered arbitrary and we will remain on firmer theoretical ground if we grant the possibility that certain moral and non-moral skills may depend, at least in part, on the same neural networks.

This is not to claim, however, that the possession of a moral virtue, understood as a particular skill, prepares one to act virtuously and to act viciously. Once the end for human beings, understood as *eudaimonia*, is included in the definition of a moral virtue, there can be no arguments concerning, say, a

¹³⁷ See 3.2.

courageous murderer.¹³⁹ The family of perceptual or recognitional skills, along with the complex set of behavioral and manipulative skills, that prepare a person to murder under a given set of circumstances are a sufficient explanation for the murderer's ability to commit such an act. The prior state of the murderer's neural network, when confronted with particular sensory input, would promote murder, rather than some alternate response. Nothing resembling the idea of courage need be added to explain the murderer's ability to kill. Courage would be a separate skill altogether and, if the circumstances surrounding the murder happen to involve fear, the possession of courage might allow the (potential) murderer to refrain from murdering, even though s/he was so inclined. While courage assists in performing certain actions (e.g. walking onto a battlefield), it also assists in *not* performing certain other actions (e.g. refraining from fleeing from the battlefield when one is inclined to flee). In other words, courage assists in performing an action that one is not predisposed to performing and in refraining from an action that one is predisposed to performing. In any case, even if courage is not necessary for refraining from murder, it need not be tacked onto an already adequate explanation of the skills that prepare someone to murder. And murdering alone, seen as a distinct skill or family of skills, fails to promote, enhance, or honor the ultimate end for human beings.

Again, human beings may develop or possess numerous skills that promote or enhance their ultimate end, but many of these skills would still fail to qualify as moral virtues. A volunteer firefighter, for example, may be highly

¹³⁸ "Human beings" here indicates the agent or others. See Chapter 4 for the agent in relation to others.

¹³⁹ Providing, perhaps, that the *form* of *eudaimonia* is accepted as a *regulating notion* and that the values necessary for achieving *eudaimonia* are also accepted. See 4.3 for a discussion of the relationship between *eudaimonia* and values.

skilled at putting out fires and these skills might save the lives and property of his fellow citizens. But fire-fighting skills *per se* would not be categorized as moral virtues simply because they happen to promote or enhance the end for human beings as a secondary effect. Instead, we might say that the firefighter possesses several moral virtues if he volunteers out of a *desire* to help others, and if he is in control of potentially negative *emotions*, such as fear and anger, and if his actions, as the manifestations of his *choices*, are noble. For if the moral virtues are to be described in terms of the character of the person who possesses them, and if they are to retain Aristotelian content, they must directly pertain to reason and emotion. Indeed, on this view, we must be adapted by our nature to receive the moral virtues, and we must be able to explain the virtues both in terms of our distinctive nature as humans and in terms of the formulation and manifestation of human character. Fortunately, on a neurobiological view, skills are the manifestations of trained neural networks and, given adequate information, the character of a particular individual could be explained, at least in part, in terms of the aggregate of these skills. In general, virtuous persons possess a certain type of family and set of skills, skills that pertain to and direct their desires, emotions, and choices, and these skills are moral virtues.

On this view, then, a complete definition of the moral virtues would be: *Skills, pertaining to the formulation and manifestation of desire, emotion, and choice that promote, enhance, or honor the ultimate end for human beings.*¹⁴⁰ Thus, in the case of desire, the morally knowledgeable or virtuous adult will possess the skills necessary to either develop desires that are in accordance with

the ultimate end or moderate those that are not. Likewise, she will have the skills necessary to recognize, moderate, or control any potentially harmful emotions that may accompany desire. Finally, she will possess the skills necessary both to make choices that accord with the ultimate end and to act in accordance with her choices.

Clearly, the relationship between desire, emotion, and choice can be complex and an agent may have a wide array of emotions and desires to contend with simultaneously. Even in the case of a single emotion, where the relationship is initially between the agent and an event (e.g. the agent encounters a fearful situation and experiences fear), the agent's reaction to the emotion may involve an element of desire. Strong emotion, for instance, may prompt the agent to choose an action that will moderate or eliminate the emotion, and that action would then result, at least in part, from the desire to escape, alter, or satisfy the emotion. For example, let us say that a man encounters his adulterous wife and her lover. He would be likely to feel shock, anger, grief, fear for his marriage and future, and so forth, and these emotions, or some combination of them, would result in a desire or a combination of desires. The desire might be for vengeance, or an end to the affair, or reconciliation with his spouse, or a quick divorce, or some combination of these possibilities. In any case, the original and subsequent emotions, in combination with the resulting desire(s), will affect the man's choices and actions and, if he is to act virtuously, he will need a combination of skills.

Virtuous choices and actions, then, require a family or set of skills, which work in conjunction with one another, and which cannot necessarily be cleanly

¹⁴⁰ With this definition of the moral virtues in place, we might be able to move to a definition of the intellectual virtues. However, an adequate discussion of the intellectual virtues is beyond the

delineated. Without practical wisdom, for example, it is unlikely that a person could consistently identify and choose the best means to, or the constituents of, a desired end. Likewise, without courage, temperance, and justice, it is equally unlikely that a person could consistently carry out even the most virtuous of choices. In the same way that a craftsman is enabled by a particular family and set of skills to choose and to act in accordance with the end of his craft, a moral agent is enabled by the possession of the moral virtues to choose and to act in accordance with the ultimate end for humans. To a vastly larger degree than the craftsman, however, the moral agent can expect to face broadly conflicting desires, competing means to a given end, choices between incommensurate goods, and great emotional upheavals, and he must possess a proportionately larger and more diverse set of skills.

This scenario not only accords with modern neurobiological views, but also it both parallels Aristotle's notion of the moral virtues and helps to further reconcile Aristotle's classification of *aretê* as a *dunamis* in the *Rhetoric* and as a *hexis* in the *Nicomachean Ethics*.¹⁴¹ Indeed, on this view, a family and set of skills are part of *aretê* in the same sense that Aristotle's moral virtues are part of *aretê*. For example, Aristotle claims in *Rhetoric* 1.9.1366a36-1366b3, "Excellence, it would seem, is a capacity of providing and preserving good things, and a capacity of conferring many great benefits, of all kinds in all cases. The parts of excellence are justice, courage, temperance, magnificence, magnanimity, liberality, practical judgment, and wisdom" (*aretê d' esti men dunamis hôs dokei poristikê agathôn kai phulaktikê, kai dunamis euergetikê pollôn kai megalôn, kai*

scope of this work.

¹⁴¹ See 2.2 for the full argument.

pantôn peri panta: merê de aretês dikaiosunê, andreia, sôphrosunê, megaloprepeia, megalopsuchia, eleutheriotês, [note: some manuscripts include praotês, gentleness, in this list], phronêsis, sophia). In like manner, I am claiming that for the average agent *aretê* is a *dunamis* and that the virtues (i.e. skills) are parts of excellence. For the *phronimos*, of course, *aretê* is a *hexis* and the virtues are part of this state of character. Yet, no one moves directly from being adapted by nature to receive the virtues (i.e. from possessing a capacity for *acquiring* excellence in the first place, understood in light of modern neurobiology as the neural networks within an anatomically normal human brain), to possessing a *hexis prohairetike*. For some period of time after first acquiring some degree of excellence, each person (who will *become* excellent) continues to acquire, develop, and perfect excellence and, during this period of time, *aretê* remains a *dunamis*. For without acquiring some excellence, it would be impossible for an individual to act from excellence or to act in a virtuous manner; yet, without perfecting excellence and, thereby, fully actualizing the human potential for excellence, it would be impossible for an individual to possess a *hexis prohairetike*. Thus, it is by way of *aretê* as a *dunamis*, including the moral virtues as parts of excellence, that each agent (prior to achieving a *hexis prohairetike*) both further develops and acts from excellence. On this view, *aretê* is, first, the *dunamis* of developing and acting from excellence, and for those people who acquire some degree of excellence, but who fail to fully actualize their potential for excellence, *aretê* remains a *dunamis*. The moral virtues, as a particular family and set of skills, enable an individual who possesses them to chose and act in accordance with the ultimate end for humans. In the ideal case, the process of actualizing excellence would involve, first, the capacity to acquire excellence (i.e.

humans are adapted, by nature, to receive the virtues); second, the capacity to further develop and act from excellence (i.e. *aretê* as a *dunamis*); and, finally, the development of a stable state of character, from which excellent decisions and actions proceed (i.e. *aretê* as a *hexis*).

Even in this ideal case, we can recognize and discuss particular parts of virtue (e.g. temperance, courage, liberality, and so forth), and, in like manner, we can recognize and discuss particular skills. Given the dependency of some skills on others, however, and the general need to exercise certain skills in conjunction with others, the moral virtues can be separated for purposes of discussion in a way that they cannot in practice. Moreover, just as I have declined, quite intentionally, to define or describe the *content* of *eudaimonia*, I am intentionally declining to provide an exhaustive list of the moral virtues, even for the purpose of discussion. For while the moral virtues must promote, enhance, or honor the ultimate end for humans, they are closely related to the *content* of *eudaimonia*. For example, the relationships that we have with others, our ability to make effective decisions, the formulation of our desires, our ability to handle emotion, adversity, and the turmoil of daily life, our personal tastes and needs, and so forth are all intimately bound up with our particular family and set of skills. We cannot possibly claim that if *X* possesses *Y* skills, then *X* will achieve *eudaimonia*, for this claim would limit *eudaimonia* to the same extent that it would be limited by a comprehensive and exhaustive list of its *content*. The best that we can hope for is to link the moral virtues with moral values and to further link both of these elements with the ultimate end for human beings.

Such a link does not depend, however, upon a complete, cross-cultural agreement as to the definition and delineation of values. It depends more upon the

fact that certain values accord with the end in a manner that others do not.¹⁴² For example, if we value human life (since *eudaimonia* is an activity of the living), and if by that value we imply that human life should be protected and preserved, we are likely to consider such things as courage, generosity, beneficence, compassion, kindness, and justice to be moral virtues. It is the ultimate end that provides the starting-point for discussion or argumentation concerning what should or should not be considered a value, and it is the values that provide the starting-point for discussion or argumentation concerning what should or should not be classified as a moral virtue. Even classifying the ultimate end for human beings as *eudaimonia* provides evidence for the necessity of the moral virtues, particularly when they are understood as aspects of human character. For while we may never reach a general or cross-cultural agreement on what, very precisely, is meant by the phrase “human flourishing,” or by the description “living well and faring well,” we can identify some of the components that would be necessary to achieve these things and we can argue that moral virtues are necessary on several fronts.

For example, whatever else human flourishing may entail, it seems to include some kind of internal contentment, satisfaction, or balance, for it would be difficult to describe someone who is consistently besieged by internal conflict and turmoil as flourishing. It seems, as well, that Aristotle is correct in claiming that a person who is without virtue will experience conflicting desires, guilt, hasty emotional responses, and the pursuit of fleeting pleasures. In like manner, if human flourishing requires the ability to make good choices and act effectively upon those choices, then an individual who lacks the moral virtues will be

¹⁴² See 4.3 for a full discussion of moral values.

incapable of flourishing. For even if an individual is not overtly wicked, but simply lacks courage, compassion, justice, practical wisdom, and so forth, it seems that she will flounder in her choices and fail in her efforts frequently enough to be at the mercy of her own inadequacies. If this is the case, we can argue for the necessity of moral virtue, as the development of a certain type of character, even if we cannot name or agree upon each and every moral virtue.

At this point, we can also attempt to explicate the relationship between the moral virtues and inductive reasoning. We will not be capable of claiming that every value is a result of inductive reasoning, or even that inductive reasoning alone is enough to show that every moral virtue supports a particular value. But we can argue that the moral virtues, along with the actions that involve these virtues, can be shown to support or uphold a particular value by way of induction and experience. For example, if we value human life and human success, we might be able to decide through reason and the definition of generosity that generosity should be considered a moral virtue. But such a classification would be without content and it would be difficult, at best, to describe what it might mean to be a generous person. Human beings learn through experience that generosity has numerous manifestations, from generosity of spirit to financial generosity, and we know that generosity entails a willingness to give of one's personal or financial resources. We learn what works in a pragmatic sense, for individual people in concrete circumstances, by seeing numerous examples of successes and failures and by teasing out the common elements in both. We experience the generosity of others and we come to know, through personal experience and the narratives of others, which instances of generosity helped the

recipient, which harmed the giver, which harmed the recipient, and which resulted in a combination of help and harm. Hopefully, we subsequently make our own choices about generosity, and about the correct time and way to give to particular others, based on an inductive familiarity with the content of generosity.

At the very least, it is the content of the moral virtues, like the content of general principles, that is arrived at through inductive reasoning, experience, and attention to particulars. Then, too, moral virtues do not exist in abstraction, but are attributed to specific individuals and exercised in particular situations, and this aspect also argues for an ethical eye to the particular. Although I discuss universality and partiality in the following chapter, I wish to note here that we often make particular decisions based on induction and attention to particulars. We do not change our babies' diapers when we hear a particular cry, for example, and feed them when we hear another based on some formula that unites infant distress with discomfort. We know that there are particular forms of discomfort and particular cries of distress and we have learned, through the trial and error of repeated instances, how to respond effectively to each. In like manner, it is difficult to imagine that humans could achieve an understanding of such moral virtues as compassion without experiencing particular instances of compassion.

In the end, although it is both impossible and unwise to offer an exhaustive list of moral virtues, these virtues remain central to the evaluation of an agent and important to the evaluation of an action. If moral virtues are classified as skills, and a morally knowledgeable adult as one who possesses a certain type of family and set of skills, then an evaluation of an agent must take into consideration both the degree to which she possesses these skills and her willingness to utilize them. Whether or not we consider a person to be virtuous would depend upon her

behavior, insofar as her behavior reflects her choices and her choices reflect her skills, and we could gauge the motivation of an agent by way of her history, as well as her actions. Each agent would have a context into which actions could be fitted and through which actions could be understood, and the overall character of the agent would affect the understanding of her intentions and goals in performing a given action.¹⁴³

On this view, and as argued in 2.3, the *phronimos* would represent an ideally habituated agent and a role model, or exemplar, for others. Individual agents might measure themselves against this ideal, as perhaps Christians do against their conceptualization of Christ, and they might strive for this ideal in an effort to further develop both their skills and their understanding of the ultimate end. The *phronimos* would not, however, represent an ethical standard or a measure by which an action could be evaluated. Nor would the *phronimos* represent a standard against which an agent could be effectively evaluated, except by positive analogy. The evaluation, for example, “Agent X is not as compassionate as *Phronimos* Y,” tells us precious little about Agent X. We have no idea how far short of a particular ideal Agent X falls, or under what circumstances, or even whether Agent X is a compassionate person at all. Conversely, the evaluation “Agent X is as compassionate as *Phronimos* Y” gives us a starting-point for understanding Agent X, assuming that we are familiar with the compassionate nature and actions of *Phronimos* Y. A positive analogy gives more content to the description of Agent X’s moral virtue than does the simple assertion “Agent X is compassionate,” and for this reason it may be useful. Overall, however, the role of the *phronimos* in the theory presented here is as

¹⁴³ See 4.1 for agents in context.

exemplar and, perhaps, as a mental aid in the decision-making process, such that an agent might ask himself, “What would so-and-so, the *phronimos*, do in this situation?”

The moral virtues, however, would play a role in the evaluation of singular moral judgments. In 2.6, I discussed four conditions that would count as evidence for the acceptability of a singular moral judgment and, although practical wisdom might be a factor in every condition, the moral virtues are most closely aligned with the fourth condition: consideration of human nature, as that nature pertains to human ends.¹⁴⁴ By this condition, if a singular moral judgment is to be found acceptable, it must aim at the ultimate end for human beings as that aim is determined by human nature. However, since some singular moral judgments can reasonably be expected to have varying consequences, depending upon how the particular circumstances unfold, the intentions of the agent must be brought into the evaluation.

For example, as noted in 2.6, if a singular moral judgment can result in varying consequences (and even if it appears to have an obvious aim and only one possible consequence), an obvious question in evaluating it would be, “What did the agent *intend*?” If the agent’s intentions include an eye to the end, and if the action relies on the moral virtues (e.g. the action involves courage, justice, compassion, and so forth), these elements would count as evidence of consideration (by the agent) of the end. By the definition above, the moral virtues themselves promote, enhance, or honor the ultimate end, and so an action that is

¹⁴⁴ The conditions are (1) accordance with accepted general principles or general guidelines; (2) accurate identification and comprehension of the relevant specific facts; (3) informed application of accepted general principles or general guidelines (i.e. informed by specific facts); and (4) consideration of human nature, as that nature pertains to human ends.

performed in a virtuous manner would aim at the end to the degree (at the very least) that the skills utilized in performing it aim at the end.

In evaluating an action separately from the agent, the character of the action itself would have to be taken into consideration. For example, if an action has a particular character, and if that character can be described in terms of a moral virtue (e.g. the action is just), or if it can be shown to promote or enhance the end for humans, then the action itself would meet condition four, even if the agent had no intention of aiming at the end.¹⁴⁵ In like manner, if an action results in an unintended consequence (i.e. one that promotes or enhances the end for humans) or has an unintended character (i.e. it can be described in terms of a moral virtue), then the action itself would meet condition four, regardless of the agent's motivations. In these cases (and others like them), the action itself might be deemed acceptable if it meets all four conditions, while the agent might be evaluated in less positive terms. In other words, it is important to differentiate on some level between actions and agents, so that praise or blame may be rightfully attributed to the agent. A wicked agent, for example, might accidentally perform an action that increases the human good and, although such an action might be acceptable, the agent would remain wicked. We could, without contradiction, evaluate the action as acceptable and the agent as blameworthy.

Even with a definition of the moral virtues in place, and even with an understanding of how this definition affects the evidence for the acceptability of a singular moral judgment, our evaluations (and recommendations) must take place

¹⁴⁵ In evaluating an action separately from an agent, the phrase "consideration of human nature, as that nature pertains to human ends" in the fourth condition might be replaced by "in accord with human nature, as that nature pertains to human ends." In this way, an action can be evaluated, even if the agent's intentions are unknown. See 2.6 for a full discussion of the meaning of "consideration of human nature, as that nature pertains to human ends."

within a theoretical context that prioritizes either partiality or universalizability, that includes a more detailed examination of values, and that reexamines “normativity” in Aristotelian terms. Therefore, I turn first to Aristotle and to his views on partiality and particular others.

Chapter Four

Partiality and Universalizability

4.1

For Aristotle, although some actions and passions are unconditionally bad, in that they are by nature excesses or deficiencies (*EN* 2.6.1107a9-26), excellence in the other actions and passions is dependent upon feeling and acting in particular ways under particular circumstances. With regard to the passions, Aristotle claims that to feel them at the right times, with reference to the right objects, towards the right people, with the right aim, and in the right way is both in accord with the mean and best, and that this is characteristic of excellence (1106b19-23). Likewise, with actions there is excess, deficiency, and a mean, and finding the mean, and thereby excellence, is dependent upon the abilities and resources of the agent and upon the particular circumstances. The mean is relative to specific individuals, the agents who must feel and act appropriately towards particular others in concrete situations, and moral excellence is situated within the active and rich interplay between an agent and his environment.

In this picture of moral excellence, each agent is contextualized within a narrative that spans and includes her experiences, degree of habituation, skills and talents, social and political affiliations, tastes and desires, emotions and activities, and relationships with others.¹⁴⁶ The act of *becoming* a virtuous person, of living well and excellently, is a life-long endeavor and it takes place within, and is dependent upon, this narrative. Such a view makes room for the notion of morally significant, yet non-repeatable, events and persons, and it holds open the

possibility that each agent participates not only in her own moral development, but also in the direction and development of the narrative itself. It is the picture of a life *lived*, replete with choices, responsibilities, relationships, turmoil, hardships, pains, and pleasures, and replete with the kinds of deliberation and decision-making that is characteristic of a life lived in the company of others.

To understand life in this manner, as a narrative within which each agent develops and through which each agent relates to others, is to place moral significance upon particulars—as the details without which there would be no coherent narrative—and to recognize the ethical responsibilities generated by specific kinds of relationships. On this view, although there are two main kinds of particulars, the agents and the circumstances, there is the sort of relationship between the two that would make it somewhat farcical to describe a solitary agent as virtuous or vicious (except, perhaps, in regard to her own appetites). For this reason, I will discuss the agent and her circumstances, as integral aspects of a narrative, in relation to one another.

The mean, for Aristotle, is relative to each individual and each individual is responsible for accurately assessing his own abilities, skills, and talents. This is to claim that, while each agent is expected to act virtuously and in accordance with excellence, each agent is not expected to act identically under identical external circumstances. For example, an action that could be described as courageous, if performed by a trained and experienced soldier under the fearful conditions of the battlefield, might be described as rash if performed by an

¹⁴⁶ Cf. MacIntyre (1984), 204-225.

average citizen. Virtue is always in relation to specific individuals and one size does not fit all.

Although virtue is embodied by individuals, the development and exercise of moral virtue require a relational context. For example, because each agent is habituated to virtue or its opposite by others, the initial development of virtue depends upon personal relationships and social interaction. Moreover, although each person seeks the ultimate end for himself, Aristotle claims that the best person is not he who exercises his excellence towards himself, but he who exercises it towards another (5.1.1130a5-8). Indeed, achieving *eudaimonia* depends, at least in part, on the quality of an agent's relationships with others, since each agent's happiness is affected by the choices and circumstances of others, particularly those with whom he shares a close, personal relationship. More to the point, many of the moral virtues themselves suggest an agent in relation with others, for an agent could not possibly *act* in a generous, liberal, compassionate, or just manner if he existed in complete isolation. Excellence is actualized through activity and activity itself is often dependent upon some relationship between the agent and another.

Moreover, agents have personal and social desires that involve others, which must be right and appropriate if the agents are to *become* virtuous, and they feel emotions in regard to others and to the circumstances brought about by others, to which they must respond rightly and appropriately. Even when we place virtue in terms of internal harmony and a coherence between our desires, emotions, and actions, we find that the kind of balance we are describing depends, at least in part, on the character of our relationships with others.

Indeed, once the idea of a life lived in the company of others is understood as an ongoing narrative, into which particular others are placed and through which they have moral significance, moral choice-making and moral action cannot be cleanly separated from the narrative. For example, each agent is, say, generous towards *someone*, or courageous under *some* circumstances, and a careful assessment of the particulars is necessary if the agent is to act in a generous or courageous manner, or to *be* generous or courageous. If an agent's action is to be accurately classified as generous, for instance, it must be directed towards a particular person (or group) in need. It must provide resources that the agent possesses and that the person (or group) needs, and it must take place when the agent has the resources and the person (or group) has the need. Finally, it must be intentional, rather than either accidental or involuntary. In other words, the action must be directed towards the right person, with reference to the right objects, at the right time, and with the right aim. Actions are virtuous *because* they are for the sake of, or on behalf of, or appropriate to particular persons or circumstances, and their moral significance is part and parcel of the narrative that surrounds and includes them. Without such a narrative, it seems impossible to decide how one would act generously or *become* generous. For to *become* generous an agent must consistently act in a generous manner under the appropriate circumstances, and once an agent has *become* generous, she will recognize and respond appropriately to the circumstances that require generosity. The particulars here not only matter, but they also seem to belie the notion that a virtue such as generosity could exist in abstraction.

In *eudaimonia*, as well, there is a strong focus on narrative and on the particulars. Certainly, the *form* of *eudaimonia*, as the ultimate end for human

beings, can be abstracted in thought in a way that it cannot be in practice and, in that abstracted form, it depends largely on human reason. But, *eudaimonia*, as I have argued above,¹⁴⁷ is not something over and above the goods that comprise its *content*, and the *content* itself is composed of particulars. We have relationships with specific individuals, carry out specific actions, have specific skills or moral virtues, act under specific circumstances, suffer specific losses, and so forth. We love *this* person, or we train for *that* career, or we show compassion to *those* individuals under *these* circumstances. Moreover, as Aristotle suggests, our ability to achieve *eudaimonia* is affected by our particular circumstances, as well as our level of personal virtue, and our circumstances are little more than a series of specific events and conditions involving ourselves, our relationships with others, and our environment.

For this reason, although each individual seeks his own happiness, common sense alone would promote other-regarding virtues. It would be counterproductive, for example, for a person who seeks a secure environment to disregard the education and moral development of his fellow citizens. In like manner, if a person seeks freedom of choice in his education, career, and family life, it would be counterproductive to disregard the political state of his community. In other words, each agent serves his own interests by encouraging and creating the sort of environment in which he can personally flourish.

While this much might be obvious, there is considerably more to the relationship between particular others and both *eudaimonia* and moral virtue than is contained in an egoistic account of other-directed virtues, particularly as this relationship affects the ethical standing of partiality. Indeed, I intend to argue that

¹⁴⁷ See Introduction and 2.4.

other-regarding virtues, including many of the desires and intentions that promote or accompany virtuous actions, are outgrowths of particular relationships and that they depend upon partiality in a morally significant manner. Further, I intend to argue that particular relationships generate both moral responsibilities and moral claims, and that certain other-regarding moral virtues only make sense in light of particular relationships, whether those relationships involve two individuals, an individual and his/her community or group, an individual and his/her supreme being or religious ideology, or any other relationship in which the participants share a particular bond, tie, or common purpose. Such virtues might include, *inter alia*, loyalty, fidelity, and certain degrees of honesty, and they point to a kind of morally significant partiality wherein one participant has a moral responsibility to, as well as a moral claim on, another participant by reason of the relationship alone.

In order to explicate and support this position, it will be helpful to examine Aristotle's idea of virtuous friendship and to move, through ever-widening concentric circles, from the moral claims of those with whom we share relationships to the moral sentiment that we feel for particular strangers. On this view, strict impartiality is neither possible nor morally praiseworthy, for such impartiality implies a failure to apprehend, appreciate, and act upon the responsibilities inherent in the relationships themselves and in the narrative that contains them.

4.2

As we know from *EN* 9.4, Aristotle claims that friendly relations with others and the characteristics by which friendship is defined seem to have

proceeded from a man's relationship with himself (1166a1-2). That is, humans—particularly those who are good or who believe themselves to be good—love themselves for their own sake and wish themselves well. They enjoy their own company, relishing memories of the past and looking forward with expectation to the future, and they hope to protect and preserve their own lives. They make choices on behalf of their own interests, and they grieve and rejoice most over the events that happen to them, very directly. They desire good and fulfilling lives, and they take pleasure in their own choices and actions.

Aristotle claims that, since each of these characteristics belongs to a good man in relation to himself, and since a man is related to his friend as to himself (for a friend is another self), complete friendship will be characterized by these same attributes (1166a30-33). On this view, a man will love his friend for his own sake, wishing him well and having the desire to protect and preserve his life. He will wish to spend time with him, sharing his joys and sorrows alike, and he will make choices on his behalf. He will take pleasure in the choices and actions of his friend, and he will rejoice in his good fortune. He will love his friend as a mother loves her child, extending to him all of the goods in which he shares and seeking for him the same good fortune that he seeks for himself.

Here, Aristotle is characterizing love as a passion that human beings (at least the good ones) both feel for themselves and have the ability, as inherently social creatures, to extend to others.¹⁴⁸ If human beings were incapable of loving

¹⁴⁸ Annas (1993), 254ff., argues that self-love has psychological primacy in Aristotle's account of friendship. This means, on her view, that, as a matter of psychological fact, we begin with self-concern and, also as a matter of psychological fact, we can come to extend to others the relevant aspects of that concern, and so come to care about their good for their own sakes. She points out that psychological primacy does not imply that we care for others only in a manner that makes them instrumental to our own concerns, or that we should put our own concerns first, or even that it is morally permissible to do so. However, Sherman (1997), 216 n. 85, notes that it is important

themselves, they would be equally incapable of loving others and, therefore, incapable of extending true and complete friendship to others. Indeed, it is for this reason that Aristotle claims that thoroughly wicked men are incapable of true friendship. It seems impossible, on his view, for a man who is at odds with himself, whose desires are in conflict, and who grieves over his own actions to love himself for his own sake and to take pleasure in his own existence. Internal conflict and regret characterize the thoroughly wicked man and, because he lacks the quality of being lovable, he has no feeling of love for himself. This being the case, he is incapable of extending love to others and of being a true friend (1166b1-29).

Aristotle admits that, because entirely virtuous people are rare, and because these are the people most capable of loving themselves, complete friendships are equally rare. Loving is the characteristic excellence of friendship and, since friendship depends on loving, only those who are capable of loving have true and enduring friendships (1159a34-1159b1). All others participate in friendships that are based on utility or pleasure, or they participate in relationships that resemble friendship to varying degrees, but that are incomplete in some measure, for love is a passion that can be felt fleetingly or even for lifeless things. The mutual love that is characteristic of friendship, however, is a state involving choice, and choice itself is accompanied by responsibility (1157b28-32).

This responsibility is part and parcel of the relationship itself and it cannot be cleanly separated from it. Complete friendship involves equality, in that a

to add to this account that Aristotle primarily has in mind the connection between the good person's self-love and the love of others. She takes this to suggest, first, that not any self-love can be a condition for loving others and, second, that healthy self-love is not something that happens without habituation. On Sherman's view, both moving outward to others in the right way and loving ourselves in the right way requires proper ethical training.

friend is another self, and it involves reciprocity and proportion. In other words, friendship asks a man to do what he can¹⁴⁹ to repay a friend either in kind or in appropriate measure for his love, kindness, beneficence, loyalty, support, compassion, and so forth. The gifts of friendship are on loan,¹⁵⁰ so to speak, and friends can rightfully expect to receive as much as they have given. Likewise, friendship implies ethical responsibilities and claims, such that a man would be acting incorrectly if he fed a famished stranger while his friend starved to death, or even if he failed to come to his friend's assistance under less desperate circumstances.

Friendship is accompanied by these responsibilities and claims by the fact that, on Aristotle's view, friendship and justice¹⁵¹ are concerned with the same objects and are exhibited between the same persons (1159b25-27). All communities have some form of justice, as well as some form of friendship and, while the extent of the various associations between individuals is the extent of the friendships, the extent of the friendships is the extent to which justice exists between them (1159b27-31). States form friendships to increase their respective advantage, fellow-citizens form friendships to further their mutual concerns, fellow-voyagers share a common endeavor, family members share blood and ancestry, husband and wife share love and life, and true friends share mutual love. Each of these relationships is an association and the claims of justice concerning

¹⁴⁹ See 1163b15.

¹⁵⁰ See 1162b30-35. Even though this section is discussing friendship of utility, some of its claims are relevant to complete friendship as well.

¹⁵¹ A proper treatment of justice would include discussion of Aristotle's classification of types of justice in *EN* 5, the political constitutions discussed in the *Politics* (along with their suitability for achieving both justice and the good life in general), the relationship of institutional justice to justice as a moral virtue, and so forth, and it would take us well beyond the scope of this work. Thus, I will be discussing the relationship of justice to friendship in a very limited sense.

them are based on the specific relationship and they differ depending upon the extent of the friendship.

For example, the duties of parents to children differ from those of sibling to sibling, and the duties of comrades differ from those of fellow-citizens (1159b35-1160a3). Then, too, acts of injustice differ according to the degree of friendship, such that the degree of injustice increases in proportion to the degree of friendship. On this view, while a particular act of disloyalty to a parent might be unjust, the same act of disloyalty to a fellow-citizen might be acceptable. Likewise, it would be more unjust to defraud a sibling than a fellow-citizen and more unjust to refuse to aid a son than a stranger (1160a3-6).

Clearly, this view stretches the definition of “friendship” beyond common English usage, but it relies upon a familiar concept of association and upon the degrees of association with which we are equally familiar and by which we often feel ethically bound. It does not seem extraordinary, for example, to argue that we owe something more to our parents and children than we do to total strangers, or to suggest that the association of fellow-soldiers, fighting for a common cause, carries explicit duties and obligations. Indeed, it seems as though Aristotle’s use of the word “friendship” in reference to these various associations is meant to underscore the ethical obligations that are generated by specific relationships, even if these relationships cannot be correctly classified as complete friendships.

Aristotle is arguing here that to offer less than is demanded by a particular relationship, or to turn living, breathing human beings into ethically equivalent abstractions, would be to fail to apprehend, appreciate, acknowledge, and act upon ethical responsibilities and claims. Each individual with whom we deal, or

towards whom we act, is a particular other with whom we share a given relationship, even if that relationship is little more than fellow-humans.¹⁵²

For example, when we donate money to aid the victims of famine, we imagine starving individuals who will die particular deaths if strangers fail to contribute. It is because we can imagine (and fear) facing starvation ourselves that we feel pity for those individuals who are experiencing it. Yet, precisely because we recognize all individuals as particular others with whom we share widely differing associations, we will feed our own starving children before we feed strangers.

At first blush, this view seems at odds with notions of “blind” justice, or with the idea that justice must be entirely impartial and, theoretically at least, utterly universalizable. However, Aristotle recognizes two forms of justice, one unwritten and one legal (*to men agraphon to de kata nomon*), and the relationships that he describes correspond to these forms of justice by being either moral (*êthikê*) or legal (*nomikê*) (1162b22-23). In the case of friendship of utility, for example, the legal type is of the commercial variety, with a fixed debt and terms, and with specific stipulations for repayment (1162b25-30). The moral type, on the other hand, is not on fixed terms, but the giver can rightfully expect to receive as much or more than he has given, as if he had not given to the recipient, but only

¹⁵² As William James (1987), 148, states, “Wherever such minds exist, with judgments of good and ill, and demands upon one another, there is an ethical world in its essential features. Were all other things, gods and men and starry heavens, blotted out from this universe, and were there left but one rock with two loving souls upon it, that rock would have as thoroughly moral a constitution as any possible world which the eternities and immensities could harbor. It would be a tragic constitution, because the rock's inhabitants would die. But while they lived, there would be real good things and real bad things in the universe; there would be obligations, claims, and expectations; obediences, refusals, and disappointments; compunctions and longings for harmony to come again, and inward peace of conscience when it was restored; there would, in short, be a moral life, whose active energy would have no limit but the intensity of interest in each other with which the hero and heroine might be endowed.”

lent (1162b30-35). It is the legal aspect of any relationship that corresponds with the legal form of justice and, in this form, justice can be rendered universalizable in modern terms. A contract is a contract, for example, regardless of the relationship between the parties, and if one party is in default of the contract, the law will award penalties and damages to the appropriate parties. Yet, if one of the parties to the contract is a son, and if the son has defaulted on a contract to his father, there is a moral responsibility that attends the transaction, in addition to the legal responsibility, which is entirely partial and dependent upon the relationship.

On this view, it is not only unkind or unfair to defraud a family member or close friend, but it is unjust as well. Associations between individuals are ethical relationships in the sense that they *create* the moral form of justice, and the degree of moral obligation is, therefore, dependent upon the closeness of the relationship. These associations are friendships either in reality or by resemblance, and the degree of moral responsibility moves out from a given individual in ever-widening concentric circles. For example, an average individual might have the highest degree of moral responsibility to her immediate family and close friends, then to kindred, companions and comrades, fellow-citizens, and finally fellow-humans. In any case, although the claims of each class must be compared with respect to nearness of relation, excellence, or usefulness (1165a32-36), that which is appropriate and becoming should be rendered to each class accordingly (1164b22-1165a32).

The salient point here is that without personal relationships, there would be no moral form of justice, for the claims and obligations of moral justice are relationship-dependent. The very notion of moral justice includes the concept of giving and receiving in appropriate shares or to an appropriate degree, and the

appropriateness is determined by the relationship. For example, a woman can rightfully expect a degree of loyalty and honesty from her husband that she cannot rightfully expect from her neighbor. The relationship of husband and wife *creates* a situation in which both parties have claims and obligations, and to give or receive less than is demanded by the relationship sets up a scenario that includes a lack of reciprocity, or a lack of equality, or a lack of proportion. Thus, if a wife has rendered love and loyalty to her husband, and if he has repaid her with betrayal and dishonesty, he has not only acted unkindly, but unjustly as well. Yet, without the relationship of husband and wife, there would be no corresponding moral claims and obligations between the parties.¹⁵³

By the fact that relationships entail moral claims and obligations, any theoretical move to complete impartiality indicates a failure to recognize the moral significance of particular others and the moral significance of partiality. It is not ethical evolution or moral maturity to claim that all humans can be rendered ethically equivalent abstractions or premises in categorical calculations, *even though* we love, or care about, or are committed to particular others. Instead, such a claim both acknowledges the significance of particular others, at least insofar as love, loyalty, and commitment are concerned, and denies that particular people

¹⁵³ Williams (1972) points out that, while various titles, roles, and relationships (e.g. father, soldier) can conceptually carry broad standards of assessment of the people under those titles, roles, and relationships, the standards can be logically connected to the titles, roles, and relationships in a manner that they cannot be logically connected to the persons themselves. For instance, he points to people who dissociate or resign from the titles, roles, and relationships as well as from the assessments that apply to them, and to others who feel required to refrain from doing what might be expected of someone in their role. However, while Williams is correct in suggesting that an individual can abandon a title, role, or relationship, and thereby refuse to make the standards associated with the role, title, or relationship the determinants of his life, I would add that the titles, roles, and relationships from which an individual has not “resigned” nonetheless carry moral claims and responsibilities. In addition, I would add that one cannot necessarily relinquish the claims and obligations that accompany a title, role, or relationship such as “father” by merely “resigning” from the title, role, or relationship, or by refusing to make the broad standards of assessment associated with it the determinants of one’s life. See Williams (1972), 51-

and the relationships that we share with them are (or should be) morally decisive. Indeed, such a claim both abstracts each individual from the narrative of a life lived in the company of others and presents an impoverished view of the moral decision-making process.

For example, let us say that a woman can save the life of one person with whom she is traveling. Let us further say that she is traveling with her husband, a religious leader, and a corporate executive. The woman shares a deep and mutual love with her husband, the religious leader is beloved by thousands, and the corporate executive provides employment for hundreds. Each person is an individual, a particular other, and if the case is to be decided on some principle, say the greatest happiness of the largest number of people, the woman must still decide which individual best fulfills the criterion. Further, her choice must be based on the relationships that the various individuals share with others. If, on the other hand, the woman must act from duty alone (in a Kantian sense), she must decide which individual best fulfills the criterion of arousing obligation, ostensibly without emotion or personal involvement. To claim that either criterion is devoid of some form of partiality, which involves the individual and his relationship with others, is self-deceptive and inconsistent.¹⁵⁴ Yet, one of the

8. Also, see MacIntyre (1984), 204-225, for the self and its roles within the narrative of a human life.

¹⁵⁴ Gill (1996), summarizing Williams, states, “Crucial to Kant’s theory is the idea that the autonomous will is not affected by emotions and desires, by practical considerations, or by personal and communal attachments, other than those which the agent can universalize rationally. Yet it is also clear that Kant envisages the moral response as being one of total commitment, and as involving some kind of psychological unity; as he puts it, ‘duty’ means acting ‘out of reverence for the law’. Williams has, at various times, expressed deep skepticism about the possibility of reconciling these two requirements of Kant’s theory: and about the picture of human psychology that seems to underlie them. Since the claims of impartial reason (on the Kantian model) invite us to treat as, in themselves, weightless the kind of considerations that normally motivate human action—for instance, the desire to save *my wife’s* life, rather than anyone else’s—he argues that it is unclear how those claims can conjure up the required totality of moral commitment” (64, italics in original).

three individuals—as an individual and in relation to the woman—has a defensible moral claim, in the sense of moral justice, and that individual is the woman’s husband. If she has saved anyone other than her husband, she will have failed to act upon the claims and obligations generated by a particular relationship and, in so doing, she will have acted in a manner that is morally unjust. On this view, there is a sense of duty to particular others with whom we share particular relationships that is generated by the relationships themselves. This sense of duty differs from one that arises from, say, recognizing a fellow human’s rationality, potential rationality, or even humanity, and it must be acknowledged in order to make sense of certain virtues.

For example, partiality is always crucial to some virtues (e.g. loyalty) and often crucial to some others. Loyalty, for instance, is always to a particular other, whether that other is a person, group, or nation. Loyalty is an outgrowth of a relationship, and without a relational context, loyalty cannot exist or be exercised. Even self-sacrifice, if it is to be seen as a virtuous act, must take place within a context that includes particular others and a relationship of some kind. An individual sacrifices herself for another person, perhaps, or for a beloved nation. Each of these scenarios includes a relationship between the individual and some other, and the willingness to sacrifice only makes sense, or becomes virtuous, within that context. Surely, duty is involved here, but duty that arises from the relationship itself, rather than from a sense of reverence for moral law.

Partiality, then, is an integral aspect of Aristotelian virtue ethics, as it must be. If humans feel love and fear for themselves, and if love and pity for others are natural outgrowths of this relationship with the self, then partiality is built into the framework of human encounters. However, it is not enough to claim that we *do*

make partial singular moral judgments or even that we *should* make them: we must also be able to show that they have moral force. To some degree that work has been done in this section, but it is incomplete without an examination of values, both as they pertain to particular relationships and to universal claims. So, it is to that task that I turn next.

4.3

For Aristotle, there are no abstract moral values, or anything resembling the Good in Itself. Instead, the human good, including all of the attendant values and ends, is determined by human nature. On his view, a careful examination of human beings will reveal what sort of creatures they are, and towards what end they move, and an analysis of these findings will further reveal the values pertaining to the human good, at least in outline. While we might be incapable of filling in every detail and explicating every nuance, we can ascertain the ultimate human good and, using it as our starting-point, determine the various values that contribute to that good. There is no reason to invent some abstract moral order, which is somehow over and above the human good, and to do so would merely complicate the matter in a way that could not be adequately justified by either experience or reason. For Aristotle, the human function and end provide a sufficient explanation of and justification for values.

As we know, on Aristotle's view, the ultimate end for human beings is *eudaimonia*,¹⁵⁵ and so I would argue that, if moral values are to accord with Aristotelian-based notions of the human good, then all moral values must accord

¹⁵⁵ In this discussion, *eudaimonia* is understood as a *regulating notion*. See Introduction, 2.4, and n. 52.

with this end.¹⁵⁶ As social creatures, human beings attain *eudaimonia* in the company of others, so at least some moral values must pertain to the interdependency and interaction of human beings. *Eudaimonia* is dependent upon particular internal qualities and certain external goods, so moral values must promote, preserve, or protect these qualities and goods. Finally, by their nature, humans move toward the good, and so many facts about human beings must be understood to be imbued, at least to some degree, with moral value.

On this view, *primary moral values would be those values that can be derived directly from human nature and the end for humans, and that are necessary conditions for attaining eudaimonia. Secondary moral values would be those values that are derived from primary moral values.* For example, if *eudaimonia* is defined as living and faring well, then human life itself must be of value, since it is the *sine qua non* for living and faring well, and human life (or preserving and protecting human life) would be a primary moral value. Moreover, since life is required for *eudaimonia*, and since by their nature humans seek to preserve their lives, the human drive for life becomes imbued with value, and human life can be understood to be morally significant on two interrelated fronts.

Likewise, since reason is a defining human characteristic, and one without which humans would be incapable of attaining *eudaimonia*, human reason (or preserving and protecting human reason) would be a primary moral value. Clearly, such a value tells us nothing about notions of healthy mental functioning or ideals of normalcy, but it places the human capacity for reason, including the emotions necessary for such activity,¹⁵⁷ into the moral sphere. Moreover, it points

¹⁵⁶ Although this section is informed by Aristotle, the discussion of values represents my views.

¹⁵⁷ See 3.3 for a discussion of the connection between reason, emotion, and action.

to the fact that humans require more than mere life to attain *eudaimonia*: they also require certain attributes and qualities that may be as critical to achieving *eudaimonia* as is life itself. By this reasoning, the fact that humans have a particular capacity for reason, one distinct from the reasoning capacity of non-human animals, imbues the human capacity for reason with value.

Conversely, while we might value education and consider it necessary to *eudaimonia*, it would be necessary by reason of the human intellect, and would be, thereby, a secondary value that is derived from a primary value. It would be a secondary value by the fact that it accords with human nature and the ultimate end for humans (by way of, or through, a primary value) and because it supports the end for humans. Moreover, while we might respect an educated individual, or even envy her ability to reason clearly, the fact that a person is educated would not be, in and of itself, imbued with value. The human capacity to reason is imbued with value, but a specific level of education does not have such value. In like manner, while we might value honesty and consider it necessary to *eudaimonia*, it would be necessary by reason of the human intellect and by the importance we place on the human ability and desire to consent. For these reasons, honesty would be a secondary moral value, derived from the primary moral value pertaining to human reason.

If we continued in this manner, even without attempting to explicate the *content of eudaimonia*, we would arrive at a familiar list of primary moral values. Such values might include, in addition to life and reason, physical health, certain freedoms, justice, personal property, privacy (perhaps), and so forth. Each of these values can be derived from the end for humans and described in terms of it. In like manner, we might arrive at an equally familiar list of secondary moral

values—one which resembles the lists of “rights” that are granted by various state and city constitutions. Every primary moral value will be connected to a fact or facts about human beings, such that each fact about human beings that is rightfully imbued with value will correspond to some primary moral value or to some combination of them.

Moreover, human beings value themselves and others, and it is here that we find both the moral significance of partiality and the possibility of universalizability. Value, as discussed above, is placed on the self through the human ability to love oneself and the experience of living as a discrete entity. However, because of the social nature of humans, combined with their ability to love and pity, value is also placed on the particular others with whom an individual shares specific relationships. This value might first manifest itself in a self-centered manner, as in “*I love and need so-and-so and, therefore, she is of value to me.*” But human beings do recognize one another as analogous selves¹⁵⁸—selves that they come to know and comprehend through the internal relationships that they have with themselves and through the interpersonal relationships that they share with others. Thus, if an individual values herself as a human being, she will comprehend the fact that other individuals, as analogous selves, value themselves in the same, or a similar, manner. Every human becomes

¹⁵⁸ While I will be borrowing the phrase “analogous selves” from Caroline Whitbeck (she uses “analogous beings”), I wish to make it clear that she would disagree with the claim that *all* human beings can be conceived as analogous selves in an Aristotelian-based ethical theory. Whitbeck refers specifically to Aristotle's association of the male with form and the female with matter, and she claims both that Aristotle uses this dualistic opposition as his ontological starting-point and that it remains at the core of his entire philosophical perspective. However, I would argue that Aristotle considers both males and females to be social in nature, capable of both reason and emotion to a degree that distinguishes them from non-human animals, and capable of similar appetites and drives. These elements would be sufficient to establish a foundational analogy between all humans, such that only the *extent* of the analogous relationship shared by males and females would be affected by Aristotle's claims concerning women. I, of course, would disagree with him concerning the extent of that analogy. See Whitbeck (1992).

an analogous self, with greater or lesser degrees of similarity, and every individual is placed in relation, to one degree or another, with every other.

Our ability to recognize humans as analogous selves helps to explain our sympathy and concern for strangers, at least in a general sense, as well as our ability to generalize values. For example, we might contribute money to the victims of famine thousands of miles away *because* we understand them to be analogous selves, with value and with fears similar to our own. We might help a stranger on the street for precisely the same reason and *because* he is a particular other with whom we share the relationship of fellow-humans. If we accept the notion that all human beings have the same basic nature, we might generalize our values *because* we are generalizing over human beings and *because* we feel empowered to do so by our common natures. At the very least, without the ability to stand in relation as analogous selves, we would have no corresponding ability to generalize our values or to make sensible laws, principles, and guidelines. Indeed, we would have no sensible justification for our singular moral judgments.

With a picture of human beings as analogous selves in hand, and as ones whose nature and end determine values, we can more clearly outline the relationship between values, general principles, general guidelines, singular moral judgments, and moral virtues. We can suggest, as well, that values create an objective standard by which principles, guidelines, singular moral judgments, and moral virtues may be evaluated. In brief, *primary moral values are derived from the nature and end for human beings and general principles codify the primary moral values (or some aspect of the primary moral values). Secondary moral values are derived from primary moral values and general guidelines codify the secondary moral values (or some aspect of the secondary moral values). Singular*

moral judgments uphold the primary and/or secondary moral values. Moral virtues both accord with and support the primary and/or secondary moral values.

In general, each primary moral value is a necessary condition for attaining *eudaimonia* and each secondary moral value is derived from a primary moral value or from some combination of primary moral values. Through induction and attention to particulars, we make various singular moral judgments in an attempt to honor or uphold a primary moral value and, while some singular moral judgments actually honor and uphold the value, others do not (or do not to the same degree). Largely through induction, we generalize from these singular moral judgments and arrive at general principles that codify the primary moral value, such that principles are conditional conclusions. We derive secondary moral values from the primary moral values, and we arrive at general guidelines that codify the secondary moral values. Based on the principles and guidelines, and on the specific circumstances in a given case, we make singular moral judgments that either uphold the principle/guideline or suggest revision, but that (ideally) accord with the value in either case.¹⁵⁹ The moral virtues, or possession of the moral virtues, make it possible to act in accordance with the values themselves, the principles/guidelines that codify them, and the singular moral judgments that uphold them.

For example, through induction and experience, humans make various singular moral judgments that involve various acts of killing, saving, nurturing, protecting, and so forth, and they find that some acts uphold the value of preserving and protecting human life in a way that others do not. Through

¹⁵⁹ See 4.4 for a discussion on the relationship between this step and Aristotle's practical syllogism.

inductive conclusions that generalize from the singular moral judgments, they codify the value in a manner that might resemble the following: “It is always wrong to kill except in self-defense and times of war.”¹⁶⁰ In accordance with the principle and with their own specific circumstances, humans then make further singular moral judgments, again concerning various acts of killing, saving, nurturing, protecting, and so forth that either uphold the principle or suggest revision, but that accord with the value. In like manner, humans derive secondary moral values from the primary moral values, and codify the values in a manner that might include varying general guidelines concerning, say, euthanasia, abortion, capital punishment, just war theory, and so forth. In order to deliberate well, choose well, and act well, however, humans require the possession of such moral virtues as practical wisdom, courage, compassion, justice, and so forth. By the definition presented in 3.5, the moral virtues are *skills, pertaining to the formulation and manifestation of desire, emotion, and choice that promote, enhance, or honor the ultimate end for human beings*. As such, they are precisely the skills necessary to make and carry out virtuous singular moral judgments and to abide by general principles. Without the moral virtues, human beings would lack the skills necessary to live well and fare well.

Although the primary moral values are ascertained by analyzing human nature, particularly as it pertains to the end for humans, once they are ascertained, they create an objective standard by which principles, guidelines, singular moral judgments, and moral virtues may be evaluated. Moreover, they provide a starting-point for cross-cultural dialogue and debate, since all human beings seek *eudaimonia* and will require the necessary conditions, understood in the moral

¹⁶⁰ The movement to “right” and “wrong” will be discussed in 4.4.

realm as primary moral values, to achieve it. On this view, in order to be both moral and adequate, all general principles must codify a primary moral value (or some aspect of a primary moral value) and the relationship between the principle and the value must be clear and coherent. General guidelines, understood primarily as rules of thumb, must codify a secondary moral value (or some aspect of a secondary moral value), and the relationship between the general guideline, the secondary moral value, and the primary moral value must be equally clear and coherent. Singular moral judgments must meet the four conditions outlined in 3.6, since these guidelines provide a clear and coherent connection between singular moral judgments, general principles and guidelines, the relevant particulars, and the end for humans. Finally, a particular skill, in order to be considered a moral virtue, must meet the definition presented in 3.5 and, by so doing, promote, enhance, or honor the end for humans in a specific manner.

To illustrate how this schema might work in practice, I will frame a scenario, one that I encountered during my childhood, in terms of values, principles, singular moral judgments, and moral virtues. In this scenario, a physician explains to the parents of an infant daughter that, due to a defective heart, their child will die before reaching adulthood. Further, they are told that their daughter will most likely die before reaching adolescence if she is allowed to live a normal, active life, but that she might survive until late adolescence if she is kept entirely inactive. The parents choose to allow the child to live a full, rich, and active life, and they further choose to keep their daughter's condition secret from both the child herself and her older siblings. The child dies, while on horseback, at the age of ten years.

The value of human life is clearly involved in this example, and the relevant general principles, which codify the primary moral value, would be those that advance the notion of protecting and preserving human life (including, perhaps, the quality of human life). The relevant general guidelines, which codify the secondary moral values, would certainly be those that advance notions of protecting and preserving the quality of life, rather than merely the length of life, in combination with those concerning, perhaps, notions of self-expression, or of having the freedom and opportunity for self-actualization. And given the nature of human beings as we have described it,¹⁶¹ the connection between the primary and secondary moral values could be made clear and coherent. If the four conditions are applied to the parents' first singular moral judgment (i.e. to allow their daughter to live a full and active life, even though such a decision would probably shorten the length of her life), we can argue that their decision is morally acceptable. In brief, the decision (1) accords with accepted general principles and guidelines (i.e. those pertaining to protecting and preserving human life); (2) demonstrates accurate identification and comprehension of the relevant specific facts (i.e. that the child would surely die, and that their decision would affect both the quality and length of her life); (3) demonstrates an application of the principles or guidelines that is informed by the specific facts (i.e. their choice of principles is appropriate to the particular situation); and (4) shows consideration of human nature, as that nature pertains to the end (i.e. by allowing their daughter to live

¹⁶¹ Particularly as that nature involves reason, the movement towards *eudaimonia*, and social tendencies. Preserving the length of life by eliminating or severely limiting activity, social encounters, self-expression, and so forth, particularly for a person who *feels* physically healthy, might arguably conflict with a fully developed position on what protecting and preserving human life entails or includes. Indeed, although I am primarily characterizing protecting and preserving the quality of human life as a secondary moral value in this example, it could arguably be an aspect

well and flourish during her brief lifetime). Moreover, both making and successfully carrying out such a decision would most likely require, at the very least, the virtues of courage and compassion. Finally, their second singular moral judgment (i.e. to keep the condition a secret from both the child herself and her older siblings) could be evaluated by way of a similar process and, regardless of whether it was found acceptable or unacceptable, the evaluation would reveal a relationship between the values, the principles or guidelines, the specific facts, and human nature.

No ethical theory can eliminate the possibility of moral dilemmas, but because of the hierarchy of moral values (i.e. primary moral values take precedence over secondary moral values), certain difficulties inherent to some deduction-based normative theories are eliminated. For example, both human life and human dignity (particularly as that dignity pertains to the human capacity for reason) might be termed primary moral values in Kantian moral theory, if such a theory were to be placed in similar terminology. Such values accord with reason, are universalizable, and accord the status of “ends” to human beings. However, while both preserving human life and preserving absolute honesty¹⁶² are categorical imperatives in Kantian theory, and while there can be a conflict between them on such a view, no such conflict could occur in the theory set forth here. On this view, preserving human life would accord with a primary moral value and it would be codified in one or more general principles. Preserving honesty, on the other hand, might be derived from a primary moral value

of the primary moral value, or of protecting and preserving human life. Such a discussion, however, is beyond the scope of this work.

¹⁶² In this example, I’ve chosen to use honesty because dishonesty places human beings in the position of “means” and eliminates the possibility of rational consent. The fact that willing dishonesty on a universal scale may be self-contradictory is beside the point here.

concerning human reason and, would be, thereby, a secondary moral value. A general guideline of the sort, “honesty should be practiced whenever possible,” might be a rule of thumb, but it would never attain the status of a general principle that could compete with one pertaining to the value of human life. If a situation arose in which the preservation of life was dependent upon telling a lie, no moral difficulty would arise. A primary value and the principle that codifies it take precedence over a secondary moral value and the general guideline that codifies it—taking into account, of course, the particular circumstances and the specific individuals involved.

In the case of conflicting general guidelines, however, particularly ones that are intended to uphold the same secondary moral value, genuine moral dilemmas might occur. For example, let us say that secondary moral values pertaining to nurturing and providing extended care to both our children and our parents have been derived from a primary moral value concerning the value of human life. In this case, a moral agent with limited financial resources might find herself torn between the conflicting needs of a daughter who desires a college education and an aging parent who requires expensive medical care. In this case, the option of examining the primary moral value from which the secondary moral values are derived, in order to ascertain which secondary moral value best upholds and coheres with the primary moral value, is eliminated. Both secondary moral values cohere with the primary moral value to the same degree, and both personal relationships create similar claims and obligations. In this case, as in life, the decision must be made based on the particular circumstances and the specific persons involved. No objective standard can—or should—remove careful human deliberation.

Moreover, it is important to note that this objective standard, combined with the ability to generalize values, does not negate the moral significance of particular others or specific circumstances. For, as argued above, each relationship is accompanied by the claims and obligations of moral justice. For example, let us say that a son flies into a rage and kills his innocent father. In this case, the son would have breached two moral codes: one involving a general principle pertaining to human life and the other involving the claims and obligations of a particular relationship. As a son, the first man owes something to his father as a moral obligation and, as a father, the other has a morally significant claim and rightful expectations. The son can be blamed for his action, as represented by his singular moral judgment, by reason of the four conditions for the acceptability of a singular moral judgment and by reason of a breach of moral justice.

Fortunately, there is little conflict involved in recognizing the moral significance of both general principles and concrete specifics, including particular others and particular relationships. The four conditions that count as evidence for the acceptability of a singular moral judgment balance the significance of principles and guidelines with the importance of specifics and particulars. However, although we have a basic idea of the relationship between values, principles, guidelines, judgments, and moral virtues, we must discuss ideas of good/bad and right/wrong, at least in outline. Finally, we must reexamine “normativity” in Aristotelian terms.

As I have described them, the primary moral values are the necessary conditions for achieving the ultimate end for humans and, as such, they are goods. They are derived from the end for humans, or from the human good itself, as it is manifested in and explained by human nature and human function. I have categorized *eudaimonia* as a *regulating notion* and explicated its relationship to understanding, directing, and evaluating human behavior. Clearly, if one objects to the notion of *eudaimonia*, one can argue that moral values have their origin elsewhere and that human nature and human function do not adequately explain or justify moral values. Even in that case, however, although another explanation for moral values must be offered and justified, the following procedure for explaining and justifying moral principles and singular moral judgments, along with the procedure for recommending and evaluating actions, would remain essentially unchallenged. For regardless of the origin of moral values, I would argue that the procedure for determining general principles, singular moral judgments, recommendations, and evaluations relies largely on induction and on a specific relationship between good, “right,” and “ought.” Before setting out this procedure, however, a brief explanation of the terms “right” and “ought” is necessary.

In the theory presented here, I have argued that because human nature has a particular character, moral values and virtue also have a particular character.¹⁶³ Because of the relationship between human nature, moral values, and virtue, certain principles and guidelines can be described as “valuable” or “preferable,” and certain behaviors as “desirable” or “recommended.” However, while this

theory includes workaday principles and guidelines, it is not formulated as a system of rules and it does not incorporate notions of strict obligation. Terms such as “right” and “ought” are not being used in a strictly Kantian sense and, for this reason, they are placed in quotation marks throughout this section. Indeed, the terms “right” and “ought” are being used in a less stringent manner than is customary, such that “right” in this context can be understood to indicate “valuable” or “preferable,” and “ought” to indicate “recommended” or “advised.” Moreover, while this section is meant to introduce the relations upon which such terms as good, “right,” and “ought” depend, these relations suggest implications for future development and they require detailed treatment that is beyond the scope of this work.

In general, then, good, “right,” and “ought” are terms that represent the relationship between values, principles, guidelines, judgments, and moral virtues. Primary and secondary moral values, properly derived, are goods that contribute to *eudaimonia*, the primary human good and goal. General principles and guidelines, again properly derived, are “right,” in the sense that they uphold and apply the values in a practical sense, and, in this way, they are both valuable and preferable to those that do not. Principles and guidelines that conflict with the moral values are “wrong,” in the sense that they neither codify nor uphold the moral values. The status of “right” implies, at least in a practical sense, that one “ought” (i.e. one is advised) to act in accordance with it, or that one is permitted to act in accordance with it, or, at any rate, that one should not act in opposition to it. On this view, one “ought” (i.e. one is advised) to act in accordance with the necessary conditions for *eudaimonia*, or one is permitted (but not necessarily

¹⁶³ See Chapter 2 for human nature, particularly 2.1, and Chapter 3 for virtue, particularly 3.5.

required) to act in accordance with them, in order to increase one's own share of human good.¹⁶⁴ Singular moral judgments are acceptable if they meet the four conditions and unacceptable if they do not, thereby making some judgments morally praiseworthy and others morally blameworthy. Thus, we arrive at a system in which there are specified goods, "right" and "wrong" understandings and codifications of these goods, and moral recommendations, permissions, and prohibitions based on the same goods. In addition, we have the moral virtues that are necessary to act in a morally correct manner.

In practice, at any given time, we have a system of general principles in place that codifies and upholds the primary moral values to a greater or lesser degree (as well as a system of general guidelines that codifies and upholds the secondary moral values to a greater or lesser degree). Generally, in our moral decision-making process, we are either moving from these principles (or guidelines) to singular moral judgments or evaluating the principles (or guidelines) in light of our singular moral judgments. In the former case, we have a scenario that augments Aristotle's practical syllogism and, while there is a methodology here, it is one that clashes irreparably with a strictly deduction-based model, particularly if that model incorporates the claim that all singular moral judgments can be derived, by way of strict deduction, from general principles.

For example, Aristotle is careful to avoid the suggestion that ethical judgments can be reduced to a formula or method that relieves the agent of personal judgment, discretion, or attention to particulars. Indeed, he never offers explicit examples of practical syllogisms that involve moral choice and his

¹⁶⁴ Cf. MacIntyre's description of classical moral judgments. He states, "They were hypothetical insofar as they expressed a judgment as to what conduct would be teleologically appropriate for a

distinction between moral reasoning and other forms of practical reasoning concerns content rather than method. To be sure, he is limited by the fact that his account of action is not an account of human action *per se*, but an account that includes any sort of animal movement whatsoever.¹⁶⁵ This limitation reduces his ability to incorporate many of the interesting and pertinent features of human desire and intention, and it leads to an oversimplified version of action. In his account, for instance, all animals represent goods to themselves, in one way or another, and these goods, as objects of desire, become objects of thought, toward which the animal immediately moves (*MA* 700b14-29). However, this account can be enriched with a more distinctly human version of deliberation, desire, and intention, as Aristotle himself offers in *EN* 6, and, by so doing, the relationship between the practical syllogism and moral decision-making can be explicated.

In the *Movement of Animals*, for example, Aristotle claims that when one puts together a major premise, such as *every man ought to walk*, with an appropriate minor premise, such as *I am a man*, the conclusion, *I ought to walk*, becomes an immediate action (701a10-15). In this sort of reasoning, the premises of action are of two kinds, the good and the possible, and the conclusion is an action (701a23-24), which, if there is nothing to compel or prevent it, is taken immediately upon the close of the reasoning process (701a16). Aristotle also uses the example of a coat and the reasoning is a bit more convoluted: *I need a covering, a coat is a covering: I need a coat. What I need, I ought to make, I need a coat: I make a coat* (701a17-20). Again, the conclusion, *I make a coat*, is an action, but the action goes back to the starting-point, such that, if there is to be a

human being: 'You ought to do so-and-so, if and since your *telos* is such-and-such' or perhaps 'You ought to do so-and-so, if you do not want your essential desires to be frustrated'" (1984, 60).

coat, then first there must be this, and if this then that, and so forth to the action (701a20-22).

Before we place our general principles into the position of major premises, or the premises of the good, however, we must admit that these principles are content-rich and laden with prior assumptions. We do not, for example, suggest that “killing is wrong except in self-defense or times of war” without having prior knowledge of and assumptions concerning the value of human life, the definition of killing, appropriate notions of what constitutes self-defense, some theory of war, some concept of an enemy, and so forth. The premise of the good may represent or uphold a value that accords with the end, but it has been codified for specific reasons, after deliberation, and as a content-rich conditional conclusion. Likewise, the premise of the possible, however it might be worded or represented, is also content-rich and dependent upon various specifics and circumstances. We deliberate only about the possible, or about what it is possible to attain through action, and these possibilities are often situation-specific and laden with assumptions, opinions, beliefs, and emotions. For example, even if we use a major premise as simple as “nourishment is good for all humans,” we recognize it as containing numerous assumptions concerning nutritious and properly prepared foods, the physiology of the human body, adequate portions, and so forth. If we were to add premises of the possible, they would be equally loaded with assumptions concerning the available foods and nutrients, personal tastes and desires, ideas of adequate nourishment, expectations pertaining to future meals.

¹⁶⁵ See *MA* 698a1-5. Also, cf. Sherman (1997), 276-281. The following discussion is informed by her work.

and so forth. The conclusion, while it would involve the act of eating, would be vastly more than a mere movement in response to desire.

Moreover, human action can be delayed and take the form of future intentions and plans, so that the conclusion of the practical syllogism, at least for humans and arguably for some non-human animals, does not always result in immediate action. We may, for example, decide along with Aristotle that we ought to create goods for ourselves and that a house is a good (701a16-17). However, while Aristotle suggests that such reasoning will lead to the immediate creation (or, in modern terms, purchase) of a house, we are much more likely to examine our budget, research interest rates and terms, consider our future employment possibilities, research crime statistics in particular neighborhoods, and so forth *before* purchasing or building a house. In fact, it may be precisely these same calculations that determine our inability to purchase or build a house at a particular time and bring about plans for the distant future. Indeed, it is such things as prior knowledge, assumptions, the ability to delay present action or plan future action that both enrich Aristotle's theory of action and allow a meaningful reexamination of his practical syllogism.

With this in mind, we can argue that the movement from general principles (or general guidelines) to singular moral judgments replaces or augments Aristotle's practical syllogism and that it does so by way of the four conditions outlined in 2.6. In condition number one, for example, *accordance with accepted general principles or general guidelines*, the principles or guidelines stand in for the major premise, or the premise of the good, and the singular moral judgment must represent an instance of that specific good. Condition number two, *accurate identification and comprehension of the relevant specific facts*, demands a

thorough examination of the circumstances and specifics, along with deliberation concerning the possible. Condition number three, *informed application of the accepted general principles or general guidelines (i.e. informed by specific facts)* requires that the singular moral judgment cohere with an appropriate major premise (or with appropriate major premises) and it allows the major premises themselves to be called into question. For, on this view, the major premises have no claims concerning truth-value and, on these grounds, they may be revised or rejected. Condition number four, *consideration of human nature, as that nature pertains to human ends*, requires a careful evaluation of the relationship between the singular moral judgment and the end, as a final means by which the agent's intentions and the character of the action can be gauged. In addition, the four conditions may be utilized prior to action in order to evaluate proposed actions and to recommend morally praiseworthy action.

At this point, then, we can summarize the relationship between good, "right," and "ought," and suggest a procedure for recommending and evaluating human behavior. The human good is a function of the human movement towards *eudaimonia* and the primary moral values are the necessary conditions for achieving *eudaimonia*. Secondary moral values are derived from primary moral values and they must uphold primary moral values in a clear and coherent manner. General principles that accurately and adequately codify the primary moral values, and general guidelines that accurately and adequately codify the secondary moral values, are "right," in the sense of being strong inductive conclusions that aid humans in achieving *eudaimonia*. Such general principles and guidelines provide a guiding "ought," in the sense that humans are advised to act in accordance with the human good, for their own sakes and for the sake of their ultimate end.

However, because “ought” does not carry a sense of strict obligation, it may constitute either a strong recommendation¹⁶⁶ or a permission, depending upon specific circumstances and in light of particular relationships. Humans act according to singular moral judgments, which balance general principles and guidelines with concrete specifics, and these judgments can be evaluated according to the four conditions. In like manner, behavior can be recommended or advised by utilizing the four conditions prior to action, as a guideline for singular moral judgments, and suggestions for action can be offered to agents.

Such a procedure is not mechanical in nature, nor reducible to a formula that can be applied on a universal basis, regardless of the agent or of the specific circumstances. Instead, it is a procedure that relies on the human ability to deliberate and choose and, for this reason, it more accurately represents the human decision-making process than would an entirely formulaic or mechanical approach. Moreover, it stresses human character, in the form of skills, and it grounds the ethical decision-making process in the agents themselves, rather than in principles and straight-line deductions from those principles. It provides the tools for ethical decision-making, as well as a guiding process, but it does not pretend to replace complex deliberation and choice with simplistic (and generally inadequate) computations. While it does not rely on strictly logical relationships between moral terms, it need not lead to logical inconsistencies or practical absurdities.

¹⁶⁶ Future implications may also involve strict requirements and prohibitions, but these too would be based on human nature and human ends, rather than on deductions from principles or rules. An example might be a strict prohibition against killing innocent human beings. However, until such future implications can be developed, I will use “strong recommendation” rather than “requirement.”

In practice, the theory presented here requires that we focus on human character development and attempt to provide each individual with the skills necessary to make good, informed choices and to carry out those choices once made. It requires that we rely upon our stock of general principles and guidelines up to the point that they accord with our primary and secondary moral values and that, when we find them inadequate or incorrectly formulated, we revise them accordingly. It requires that we consider both our principles and our circumstances, and it suggests that no decision that ignores particular people and particular circumstances will be adequately formulated. It provides a standard by which singular moral judgments can be evaluated and recommended, but it does not pretend that such a standard will remove the process of deliberation and replace it with a formula that shifts the locus of responsibility from the agent to the theory.

Such a theory or approach also requires that we reexamine our ideas of normativity, as well as our requirements for normative theories. As I argued in the introduction, in contemporary ethics, normative theories are often understood as those that meet certain minimum requirements concerning the internal, logical relationship between requirements, permissions, and prohibitions, and these requirements tend to involve the formal relationship between general principles and singular moral judgments. In addition, I argued that by “normative” we tend to mean a system of ethics that prescribes morally correct conduct and that is evaluative, rather than merely descriptive. Such a theory has come to be rather narrowly understood as a system that establishes a standard of correctness by prescription of rules, within which singular moral judgments are derived from one or more general principles.

In contrast, I suggest that we reexamine “normativity” in Aristotelian terms. Such an endeavor requires that we determine the function of a normative ethical theory and, in order to accomplish this task, we must determine what it is that a normative theory *does*, or what it is that distinguishes a normative ethical theory from all other ethical theories. To make such a determination, I suggest that we retain familiar criterion, and state that a normative ethical theory is distinguished by the fact that it is evaluative, rather than merely descriptive, in that it provides guidelines for prescribing/recommending and evaluating human conduct. I further suggest that we add the “well” to the function, such that a normative ethical theory that accords with excellence is one that performs its function well.

To continue in an Aristotelian vein, we must examine what it would mean for a normative theory to perform its function well, or to perform its function in accordance with excellence. Surely, this requires some degree of theoretical consistency, but only insofar as the subject-matter allows. For example, human conduct is far from an exact science, since it is affected by developmental and environmental differences, as well as by situation-specific particulars and non-repeating scenarios. Thus, an ethical theory that attempts to sidestep or minimize the significance of particulars will fail to take human life, as it is lived, into consideration. Moreover, an ethical theory that is presented in anything other than outline form would lend an irrelevance, which could not be supported by either induction or experience, to particular others, incommensurate goods, non-repeating scenarios, and concrete situations. Human beings live and act in the company of others, and in complex relationships with their environments, communities, acquaintances, and loved ones, and human lives fail to demonstrate

the kind of consistency of action that can be reduced to, or evaluated in, logical terms alone.

A normative theory, then, in order to perform its function well must prescribe/recommend and evaluate human conduct with a degree of exactness that is consistent with its proper subject. It must be formulated with an emphasis on human beings, rather than on logical relations, since logic is the proper subject-matter of the relations between propositions, rather than the relations between people. The normative elements must be well outlined and functionally operative, but they must be open enough to revision to reflect human growth and development. There must be an appropriate degree of universalizability, but that degree must be determined by human nature and human ends.¹⁶⁷ Finally, there must be an equally appropriate degree of partiality, based, again, on an understanding of and respect for human nature and human life.

In the induction-informed normative theory that I have described throughout this work, which takes human nature and human ends as starting-points, the normative elements are present and operative. They are less precisely formulated in logical terms, and thus less universalizable, than are the normative elements in a deduction-based theory, but such a departure is necessary in human terms. In this theory, strict deductions from general principles to singular moral judgments are impossible to justify in terms of truth-value alone, for general principles make no claims to truth-value. Indeed, principles are value-laden and merely acceptable, rather than true, and they must be informed by specifics in order to be correctly applied or revised. Singular moral judgments must be made

in accordance with general principles, but they are never strict deductions in the formal, logical sense. Recommendations and evaluations are based on an objective standard, but because they must also take the relevant specific facts into consideration, they cannot be entirely universalized, such that one form of right conduct fits all agents in ostensibly similar circumstances. Morally praiseworthy conduct is agent- and circumstances-specific, and it requires sincere deliberation on the part of both agents and evaluators.

Clearly, such a theory avoids the logical pitfalls that involve truth-value claims or the movement from facts to values. Moreover, it avoids tension between virtue/character and general rules, for it admits that an agent who is without specific skills will be incapable of making good decisions, or acting upon good decisions, or both. Indeed, it argues that such skills are necessary for abiding by whatever rules and guidelines are in place, since, on this view, a person who is without virtue will be the one most likely to mistake immediate advantage or avoidance of immediate pain for the human good. Virtue and character development are understood as the starting-points for consistently moral behavior, rather than as mere supplements that help to inspire or explain virtuous behavior and its beneficial qualities.

In addition, while this theory provides a relative order, such that values and moral principles are derived from an analysis of human nature and ends, there is no attempt to reduce the infinite diversity of particular moral judgments to logical consistency. Human nature provides a relative order and harmony, but one that remains in the process of being discovered and analyzed. This order is both

¹⁶⁷ That is, the degree of universalizability must correlate with our ability to generalize over human beings, based on their nature as humans. On this view, values are universalizable *because* they are

stable enough to allow for a workable consistency and flexible enough to incorporate ethical evolution. By utilizing an Aristotelian framework, induction-informed theory is capable of incorporating both order and evolution without incoherence.

Because normativity is possible by reason of this relative order and harmony, Aristotelian-based virtue ethics (even with all of its diversity) may be recovered from the proponents of anti-theory.¹⁶⁸ In general, anti-theory holds that normative theories, specifically covering-law or deductivist models, are inherently flawed in that they are based on erroneous claims of order or unity. Anti-theory argues more for specificity in the moral decision-making process than for universality, and it holds not only that the endless diversity of particular judgments cannot be reduced to any order, either absolute or relative, but also that the attempt at such a reduction is either an exercise in futility or a failure to comprehend the limitations of ethical theory.

However, anti-theory fails to sufficiently recognize the order and harmony that is provided by the nature and function of human beings, which locates moral values in human persons themselves. There is a difference, of course, between such a locus of moral values and an absolute standard of order, but while such a difference negates certain logical maneuvers, it allows for a theory that is evaluative, rather than merely descriptive, and that is, thereby, normative. As long as we have an objective standard, however flexible through time or subject to reinterpretation, we have a means by which to evaluate and recommend human conduct with appropriate degrees of universality and partiality. On this view, and

derived from human nature and the human movement towards *eudaimonia*.

¹⁶⁸ See Clark, Simpson, eds. (1989).

in reference to the kinds of judgments that human beings make regularly, partiality is necessary to adequate moral judgment. That is, while values are universalizable, their application depends upon specific circumstances, and all evaluations and recommendation must take both the universal and the particular into account. Therefore, we have both an ordered system and one that makes room for, rather than attempts to reduce, the diversity of particular moral judgments.

Indeed, such a system requires human judgment, but it is insincere to suggest that covering-law or deductivist systems are devoid of human judgment and deliberation. Under such theories, agents must still determine the correct or applicable general principle or principles, rightly identify their situation as an instance of such a principle, and correctly apply the principle to their specific case in the form of an action or decision. While cases such as killing and stealing might be straight-forward applications of an obvious principle and an obvious instance of the principle, our moral decisions are rarely so clean and conveniently conceived. It is much more likely that we will face daily decisions concerning the conflicting needs of loved ones, the awkward demands of attempting to balance a career and family, the often-times conflicting demands of physical and emotional health, financial decisions and commitments, and so forth.

Besides, if all of life's rich and complex circumstances could be reduced to a formulaic approach to moral decision-making, it seems that moral development and advanced moral thinking would cease. At some point, humans would have nothing left except the rules of their ancestors, which they would follow without

examination.¹⁶⁹ When they were faced, as they eventually would be, with situations that fell outside of the rules or with conflicting general principles, they would have no alternative but to reinvent moral struggle and some sort of moral decision-making process. It seems that when abstract moral orders failed to provide an adequate explanation for the human good, they would once again be forced to turn inward to themselves, their nature, and their end. In the final analysis, we can defend the human good on human terms in a way that we cannot on abstract terms.

Let us say, for example, that we recognize an abstract moral order that can be ascertained by reason alone. In such a case, we have to either suggest an origin for this abstract order that is outside of human nature or suggest that it is created by human reason (i.e. by the universal ability of humans to reason in a particular way, based on their nature). In the former case, we are left defending a divine creator, an intelligent universe, absolute thought, or some such thing, as well as a connection between this order and the human ability to perceive it. We are left defending human nature, at least as it pertains to human reason, *and* some explanation of the origin, goodness, and authority of the abstract order. In the latter case, we are back to human nature, but to an impoverished notion of human nature that minimizes such things as emotion, an inherently social structure, complex neurobiological capacities, internalized others, and so forth. Rather than recognizing reason, in all of its complexity, as a distinctly human capacity, we must reduce humans to a particular form of reasoning. Either way, it seems that we must either over-complicate the issue and step beyond adequate justification or over-simplify it in a dangerously reductionist manner. By so doing, we might

¹⁶⁹ Cf. Hare (1961), 72-4.

arrive at some form of logical consistency, but we will have reduced the human struggle to a sanitized science fiction in the process.

Instead, we return to the narrative of human lives lived in the company of others who *matter* (and, sometimes, even the company of others who—we think—do not matter). We retain a focus on human nature and human ends, and we find that, by being necessary for attaining those ends, certain things become values. We recommend and evaluate human conduct within a context that allows for particular attachments and incommensurable goods, based upon the relationship between singular moral judgments, general principles and guidelines, and primary and secondary moral values. We promote habituation and education, based on the findings of neurobiology and in accordance with the contention that moral virtue is necessary for making and acting upon good decisions. We evaluate principles, singular moral judgments, and moral virtues by way of their accordance or lack thereof with primary moral values. We agree with Aristotle that *eudaimonia* is an activity, one that spans and takes into account the entire life of a human being. We accept that, while we can describe the *form* of *eudaimonia* and use it as a *regulating notion*, we must allow for cultural and individual variations concerning the *content* of *eudaimonia*.

Aristotelian virtue ethics, then, incorporated into an induction-informed theory, can be advanced as a normative theory that is evaluative *and* that takes into account the richness and complexity of human life. Such a claim demands a reexamination of contemporary ideas of normativity and suggests that we require a broader definition of “normativity” than is currently in vogue. However, once we advance a definition of “normativity” that is based on the function of normative theory, we have the ability to argue that ethical theory can sidestep

certain logical considerations and remain normative. Moreover, we have the ability to avoid such skeptical approaches as anti-theory, such objections as might concern the movement from facts to values, and such narrowly defined parameters as might be set by strict deduction from absolute principles.

In the end, we will have discovered that Aristotle offered a normative theory after all, and that we failed to recognize it as such by reason of our own definitions, rather than by reason of theoretical deficiencies.

Conclusion

Although the theory presented above has numerous implications, and although it raises questions concerning aspects of moral theory as diverse as neurobiological capacity and logical inference, a thorough examination of these implications is beyond the scope of this work. However, it seems valuable to conclude by examining a few of the most important implications, at least in brief.

To begin, a presentation of normative theory as functional, rather than as strictly logical, requires a reexamination and, possibly, a redefinition of normative theory itself. It can be argued, for example, that Aristotle presents an ethical theory that is more than descriptive, insofar as it contains prescriptive and evaluative elements, at least in outline. Yet, it is clear that Aristotle never formulates a normative theory in modern terms, nor develops a system that establishes a standard of correctness by prescription of rules (within which specific moral judgments are derived from one or more general principles). It is only when Aristotle's work is examined in functional terms, or in terms of Aristotelian thought and composition, that the normative elements become visibly present and operative. It is this shift in approach to a classical ethical theory that suggests that modern definitions and standards of normativity may be overly restrictive and narrow, and that we might be criticizing classical theory in terms that it neither recognizes nor represents. Once Aristotelian ethical theory is examined on its own terms, however, it offers a live alternative to modern notions of normativity.

Having such an alternative approach to normative theory suggests that relying upon one, overarching definition of normativity, particularly one that is

based on restrictive notions of logical relations between terms. is insufficient for the task of prescribing/recommending and evaluating human conduct. If this is the case, then we have created an opening for further development of normative theory itself, perhaps in unexpected directions and with unexpected implications for meta-theory, and we have invited diverse objectors to modern normative theory to the discussion. For example, feminist or pragmatist ethicists who have formerly either rejected or attempted to reformulate normative theory may find a point of departure in the notion of functional normative theory that opens up avenues of discussion and further research.

In addition, the inclusion of induction in normative ethical theory refocuses our attention on the origin and conditional nature of general principles, and it calls into questions the wisdom of relying upon a strict process of deduction from such principles to singular moral judgments. If general principles, however elevated they may have become in certain modern theories, are nothing more than conditional conclusions, then their status is far from inviolable. In this case, the process by which we arrive at singular moral judgments, as well as that by which we determine our prescriptions/recommendations and evaluations, must rely on more than strict deduction from general principles. It must incorporate some kind of attention to particulars. At the very least, calling the nature and acquisition of general principles into question requires a reexamination of such things as the relationship between human nature and ethical theory, the significance of particulars, and the scope and reliability of the requirements and prohibitions that are deduced from general principles.

Once we situate values in human nature, and we argue that the origin and force of moral values arise from and rely upon human nature, we also raise

questions concerning the logical distinction between facts and values. If facts about humans are value-laden, and if the value is inextricably linked to aspects of human nature and human behavior, then we have the possibility of inferences from value-laden facts to imperatives, at least in theory. Although these implications would require extensive treatment by logicians, it is enough to suggest here that certain practical inferences might become both plausible and acceptable.

In another area altogether, the suggestion that *aretê* remains a *dunamis* for most people, one which enables human beings to develop and act from the moral virtues, helps to clarify the process of actualizing excellence and has important implications for comprehending, directing, and evaluating human conduct. For example, if the neurobiological approach to moral virtue is correct and if the moral virtues can be correctly classified as skills, then there is no question that the character of an agent will directly affect her ability to make and carry out ethical decisions, regardless of which moral theory she embraces. On this view, humans can be understood to have the capacity for virtue, and to develop this capacity through habituation and education into a reasonably stable state of character. Deliberation, choice, and action will proceed from the character of an agent, or from the family and set of skills that she possesses, and an agent will be just as prepared for moral decision-making as she is habituated to various skills. As stated in 3.5, in the ideal case, the process of actualizing excellence would involve, first, the capacity to acquire excellence (i.e. humans are adapted, by nature, to receive the virtues); second, the capacity to further develop and act from excellence (i.e. *aretê* as a *dunamis*); and, finally, the development of a stable state

of character, from which excellent decisions and actions proceed (i.e. *aretê* as a *hexis*).

These claims suggest that character development *matters* to ethics in a central and foundational manner, and they have implications for the habituation and education of human beings. For example, ongoing habituation and education will allow an agent's skill level to be altered and expanded, and this alone suggests that it is beneficial, for all but the *phronimoi*, to retain a capacity for virtue, for a *hexis* could be as negative, in the case of vice, as it is positive, in the case of virtue. Once an agent develops a state of character, or one in which the skills are thoroughly resistant to change, the agent has very little hope of correcting behavioral deficiencies and of developing new skills. At the very least, such changes would require extensive time and retraining. This focus on neural networks redirects our attention to habituation, education, and character development, and it suggests that vicious agents will be incapable of being reformed by even the most consistent ethical theories. Indeed, our attention must be focused on the agents who are expected to abide by ethical theory and on their capacity for developing and sustaining virtue.

Such a focus also reinforces the claim that the *phronimos* is a role model, rather than an ethical standard. If human beings have various skill levels, depending upon their level of habituation and education, then the *phronimos* is simply a human being who has been habituated to virtue to a particularly high degree. He would be the person most resistant to wicked behavior, and he would be the person most capable of retaining virtue in difficult circumstances, but he would not be a standard. The *phronimos* would differ from the average person by a matter of degree and from the thoroughly vicious individual by a matter of the

highest degree. But, because we can classify the degrees, and attach names such as virtuous, average, and vicious, we must recognize some standard by which we are classifying each individual that is separate from the individuals themselves. Indeed, even if my reasoning concerning an objective standard is rejected, the claim that the *phronimos* presents no objection to Aristotelian virtue ethics can be maintained, for it seems that neurobiology supports both Aristotle's notion of a *phronimos*, as one highly skilled in virtue, and the claim that a morally knowledgeable adult must have knowledge of *something*. That something, however explained or defended, is objective and it is the standard by which the *phronimos* is judged.

Moreover, the classification of the moral virtues as specifically defined skills suggests that cross-cultural understandings of the moral virtues, as well as disagreements within a particular culture as to what should or should not be classified as a moral virtue, can be discussed in terms of a definition that is both based in modern science and consistent with classical notions of virtue. Prior to such a scientific basis, we were left to argue from cultural perspectives and for the sake of theoretical advantage, and this weakness has left virtue ethics open to justifiable criticism. However, with a scientific understanding in place, and one that relates to human nature and capacity, we can frame the moral virtues in terms that welcome both a cross-cultural dialogue and differing notions of virtuous behavior. It is one thing, for example, to frame a definition of the moral virtues in terms of human capacity and human ends; it is another thing altogether to flesh out that definition with argumentation in defense of particular skills as virtues. Indeed, even if certain aspects of my definition are rejected, particularly those aspects that pertain to human ends, it is still possible to argue in defense of virtues

as skills and to formulate other definitions that accord, at least to that degree, with the one offered here.

The understanding of *eudaimonia* as a *regulating notion* has the potential to open discussion concerning ideas of teleology and human ends that circumvents the necessity of demonstrating that humans are directed, by their nature, to one, carefully defined and stipulated end. While we may never be able to conclusively prove that human beings are teleological by nature, we can inductively conclude that humans move towards the *form* of *eudaimonia*, and we can begin to incorporate this notion, to differing degrees and with varying understandings, into ethical theory. For example, even if one rejects the particulars of Aristotelian virtue ethics, the idea of *eudaimonia* as a *regulating notion* might still be constructively incorporated into other induction-informed ethical theories, should such theories be developed. Or, such a notion might inform, for example, utilitarian and feminist theories that take either human happiness or human flourishing as ethically significant starting-points. At the very least, it provides an objection to the claim that there must be general agreement or consensus as to the *content* of *eudaimonia* prior to a meaningful application of such phrases as “human happiness” and “human flourishing.”

The fact that the *content* of *eudaimonia* is purposefully left undefined in this work suggests that an overly restrictive definition would be harmful to both our understanding of *eudaimonia* and to the formulation of ethical theory. In addition, it suggests that cross-cultural perspectives and critiques can enrich our understanding of *eudaimonia*. For example, even though Aristotle is incapable of defining every virtue and vice in terms of his culture and era, and even though he describes *eudaimonia* in outline only, he has been accused of formulating an

ethical theory that is time- and culture-dependent. Yet, it seems clear that he intends to explicate a theory that pertains to *human* conduct, rather than one that merely promotes culturally-specific behaviors and virtues. To complicate matters, it has been argued that, as long as we have no general consensus as to the particulars of living and faring well, we will have a corresponding lack of agreement as to what we even mean by the term *eudaimonia*. However, the theory presented here argues the precise opposite, namely, that cross-cultural discussion is possible only when the *content* of *eudaimonia* is left reasonably open. For instance, although notions of physical and mental health, the possession of certain external goods, and freedom from fear and oppression might be included, *inter alia*, in any description of the *content* of *eudaimonia*, the precise formulation of each of these components would vary from culture to culture. Discussion and argumentation is critical to moral evolution, and we require starting-points for such discussion and argumentation in a way that we do not require consensus. It is the lack of a precisely formulated definition of the *content* of *eudaimonia*, both in the work of Aristotle and in this work, that strengthens the theory by including the opportunity for cross-cultural interpretations and discourse.

In like manner, presenting conclusions that pertain to human nature and the function of humans as *regulating notions* provides a starting-point for discussion that is defensible from a cross-cultural or cross-theoretical perspective. These conclusions require that we accept, as *regulating notions*, only (1) that reason is a distinguishing aspect of human nature; (2) that reason bears on all other distinctly human characteristics; (3) that facts about human nature are imbued with values (whether or not we agree with the specific values); and (4)

that human nature admits of both virtue and vice. Clearly, the third *regulating notion* would be present the most difficulty, but, otherwise, we find little that would be overtly objectionable to a utilitarian or a Kantian. Such a starting-point is important to theory building, insofar as it encourages a dialogue that is set in terms of points of intersection and departure, rather than in terms of immediate dissent and foundational quarrels. This work suggests that there are areas of agreement between Aristotelians and others, and that if these areas of agreement are placed in terms of *regulating notions*, rather than in terms of absolute truth, they will have a greater potential to positively inform their respective theories.

Finally, this work has important implications for the ethical significance of partiality, particularly in its claims concerning the origin of certain moral claims and obligations. If the conclusions presented here are correct, namely those that suggest that morally significant claims and obligations arise from and rely upon particular relationships, then we must reexamine the estimation in which we hold universalizability, particularly as it relates to prescriptions and evaluations. Certainly, there are justifiable claims concerning universal human qualities and their relationship to morality, and these claims have been presented and defended in this work. However, this work suggests that we must continue to explore the relationship between particular relationships and moral theory, as well as to carefully explicate the place of partiality in ethical theory. For although partiality has often been viewed as a deterrent to normative theory, we have seen that partiality has an integral place in normative theory. In addition, we have seen that acknowledging the moral significance of particular relationships is critical to developing an ethical theory that adequately accounts for values, ethical claims and obligations, and non-repeating events and persons.

Although this brief discussion of implications is necessarily incomplete and underdeveloped, it seems clear that this work presents a challenge to modern definitions and formulations of normative theory, offers points of departure for cross-theoretical and cross-cultural discussions, and presents an enriched understanding of Aristotelian virtue ethics. It is my hope, as well, that it contributes something of merit to the discussion of both classical and contemporary philosophy.

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