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Table of Contents

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Chapter 1

1.1

In this dissertation, I defend a principled account of right action within an ethics of virtue. My view depends on the idea that general, universal standards importantly shape correct judgment, deliberation, and action. I argue that possessing a virtue or focusing moral theory in terms of virtues implicates precisely such standards. In particular, I argue that connected to each virtue is a negative principle that can determines acts as wrong. If justice is a virtue, then any unjust behavior is wrong; if temperance is a virtue, any intemperate behavior is wrong. The principles taken together determine acts as right. In short, an act is wrong to the extent that it is vicious or conflicts with some virtue, and an act is right if it conflicts with no virtue. In a slogan, an act is right if and only if nothing is wrong with it.

The view I defend here runs against the grain of most virtue ethics (and I think most moral philosophy). Proponents of virtue ethics nearly all accept particularism, the view that discounts a place for rules or principles in shaping or guiding moral judgment and action. Indeed, that is part of its roots. The revival of virtue ethics during the last 60 years originated as a critical movement against the dominant moral theories, and a central criticism of that movement targeted attempts to codify right action, that is, articulate a principle or set of principles that determined and explained the rightness and wrongness of actions. Thus it was typical to hear early proponents urge that principles are, "not…ultimate authorities against which the correctness of

particular choices is assessed."[1] By relying on pre-formulated standards about how to behave, thus having our minds made up in advance about how to assess the options before us, we won't be open to the way features of this particular case influence an act's merits and demerits. Thus virtue ethicists insisted on the importance of contextual features in shaping what it is good or bad to do and the need for sensitivity to particulars developed through experience.

Accepting the particularist line of thought undermines, I think, a common way concepts of virtue enter into thinking about what to do. If I am deliberating about how to achieve some end and some means to that end is recognized to be unjust, I will, to the extent that I am just, reject that as a viable means. For instance, if I am staring at a stack of ungraded papers, I could quickly finish by tossing the stack and assigning grades based on where they land. But I don't because it would be unfair.[2] This is so despite all that may speak in favor of tossing here and now: the dreadfulness of grading, the beautiful weather I am currently missing, the little overall help my efforts will have, the likelihood that any will read the comments given. Because I recognize tossing as unfair, it does not even show up as a viable option. Acts that conflict with virtue are ruled out of consideration. Indeed, because of my concern for justice, I am much more likely to wonder if my grading practices are fair, and will take steps to ensure I am not biasing my assessments.

Particularism, I think, doesn't accommodate this common thought. If we should not rely on pre-formulated standards to assess then we go wrong by judging an act wrong because it is unfair. If we cannot reliably determine its moral quality independently of the merits and demerits it has in the circumstances, then we shouldn't base our judgment on the unfairness of the act, but

[1] Nussbaum (1990) p. 68.
[2] I do not mean to suggest that this is the only thing we might think wrong with the action.

should look at its overall merits and demerits. This is notable because it seems particularist virtue ethics, and thus most virtue ethics, falls into a view that the original plea to revive virtue ethics sought to avoid. E.g. in her seminal article "Modern Moral Philosophy," Anscombe rails against 20th century English moral philosophy, and argues that a return to an ethic like Aristotle's would combat their mistakes. She writes:

> And here we see the superiority of the term "unjust" over the terms "morally right" and "morally wrong." For in the context of English moral philosophy since Sidgwick it appears legitimate to discuss whether it might be "morally right" to adopt that procedure; but it cannot be argued that the procedure would in any circumstances be just.[3]

She goes on to suggest that the view characteristic of modern moral philosophy reveals a corrupt mind in part because nothing is ruled out in advance.[4]

Now my goal here is not to explicitly defend Anscombe's claim, at least not in her terms. I am also not suggesting that we should defer to her judgment as some authority. But it should give us pause if what was taken as central to the revival of virtue ethics and to combating modern moral philosophy is now absent from virtue ethics. Yet my sense is that Anscombe's view is more defensible.

My general strategy has a negative and positive part. In the negative part, I articulate the main arguments for particularism and show them to be wanting. Many who argue for particularism, focus primarily on positive principles. This is bound up with a particular model of moral reasoning. On this model, we tend to see the efforts of an agent directed toward the question of what I ought to do and that it is to be answered by weighing the reasons for and against all the options and choosing that which is salient, overall preferable, or in some way

[3] Anscombe (1958) p. 16.
[4] Anscombe (1958) p. 17.

comparatively better. This model of moral reasoning and, especially its conception of right action as what is comparatively best, are deeply problematic within virtue ethics and philosophy more generally. If we reject this model, most of the resistance to accepting principles is removed.

With the ground cleared, I first make a case for negative principles associated with the virtues. Despite the tendency to reject principles, my argument will appeal to aspects of virtue ethics that share wide agreement. And, second, I try to show that these negative principles taken together constitute an adequate account of right action, in particular one that succeeds where others fall short.

Before delving in the details of what will follow, let me spend some time clarifying the nature of virtue ethics, and the debate between particularists and generalist, so I can situate my view with respect to both.

1.2 Virtue ethics

Here I am going to describe three characteristic features of an ethics of virtue. My aim is to give a general idea of virtue ethics not a rigorous definition. Thus I do not presume that each of the following features is individually necessary or that they are jointly sufficient. Nor will my goal be to show that their sum provides a way of distinguishing an ethics of virtue from every other ethical view.[5] Indeed, I will argue that we should reject the third characteristic feature of virtue ethics.

[5] The anxiety to show how virtue ethics differs from other ethical views largely arose from Gary Watson's (1990). And this worry about virtue ethics has persisted. I think the demand for this arises in part from a false sense that consequentialism and deontology are well defined.

First, for an ethics of virtue the locus of ethical reflection is a virtuous agent, or the virtues, or virtuous motivation. That is, virtue ethics assumes that understanding what goes into making one virtuous is the key to understanding a properly moral life. Because of this, virtue ethics is usually more concerned with what kind of person one should be, with how one should live, than with the particular actions one should perform, with what one ought to do. For instance, whereas forms of Kantianism and utilitarianism have been more focused on offering a criterion of right action, that seems secondary, and perhaps unnecessary, for an ethics of virtue. When attention is turned to how one should act, further, virtue ethics emphasizes different aspects: the need for sensitivity in recognizing salient ethical features, the motivation we have in acting, and the reason to which we are responsive in acting, to name a few.

The focus on the agent does not mean that virtue ethics has nothing to say about what it is right or wrong to do. These concepts, however, are derivative from aretaic ones, concepts related to virtue, good and bad. A utilitarian, e.g., may offer a theory of a virtuous individual that is dependent on their prior conception of right action as the act that maximizes utility. Within an ethics of virtue, this ordering is reversed. We don't first come up with a standard for the evaluation of right action and explain virtue as a disposition to behave in the ways deemed right. Rather it starts from a picture of the good agent or the traits she possesses and understands the evaluation of specific acts in light of them. That is to say, for an ethics of virtue aretaic concepts are explanatorily prior to the concepts of right and wrong, and thus that from which the latter are derived.

Second, virtue ethicists tend to affirm the plurality as well as priority of virtue. That is, this family of views is typically pluralistic as opposed to monistic. A simple form of utilitarianism is monistic, for all putative values and commitments reduce to a single one: the

pleasure and absence of pain. Ethics of virtue tends to be pluralistic because according to it there are multiple goods or values none of which can be reduced to some overarching value or to one of the others. Insofar as there are several distinct virtues, each a way of being good within a specific dimension of human life, and the lack of which implies a life deficient in goodness[6], virtue ethics is pluralistic. The plurality of virtues is a staple of most ancient accounts and also of the majority of accounts influenced by them. It is also a feature of several target based accounts.[7] And this feature, I think, plays a large part in the sense that our lives are too complex, variable, messy to be guided by moral principles.

Third, virtue ethics tends to deny that there are principles or reliable standards by which acts are evaluated and judgments assessed. At best, such general standards are rules of thumb that can be useful guides about what to do and judge, but are ultimately faulty. What one should do in a particular situation is too contextually dependent to be captured in principles that as such apply in a wide array of contexts. Thus virtue ethics often contains a commitment to particularism.[8]

A commitment to particularism figures pervasively in virtue ethics, and sometimes is taken as fundamental to the view. For instance, Brad Hooker, in a paper critical of contemporary virtue ethics, writes: "The view that virtue is conceptually prior to right action is partly motivated by the thought that we can't devise informative plausible principles that exhaustively specify when one of these standing requirements is more important than the others."[9] John McDowell's expresses a similar view in the opening of his, "Virtue and Reason":

[6] See Aristotle (2000) 1097b and Nussbaum (1990) p. 60.
[7] See Swanton (2003) and Stangl (2010).
[8] For the more on the connection between virtue ethics and particularism, see Slote and Crisp (1997); Statman (1997); Trianowsky (1990); Crisp (1996); Hursthouse (1999); and Watson (1990).
[9] Hooker (2002) p. 27.

> It may seem that the very idea of a moral outlook makes room for, and requires, the existence of moral theory, conceived as a discipline that seeks to formulate acceptable principles of conduct…On this view, the primary topic of ethics is the concept of right conduct, and the nature and justification of principles of behavior. If there is a place for an interest in the concept of virtue, it is a secondary place. Virtue is a disposition … to behave rightly; the nature of virtue is explained, as it were, from the outside in.
>
> My aim is to sketch the outlines of a different view, to be found in the philosophical tradition that flowers in Aristotle's ethics. According to this different view, although the point of engaging in ethical reflection still lies in the interest of the question "How should one live?", that question is necessarily approached via the notion of a virtuous person. A conception of right conduct is grasped, as it were, from the inside out.[10]

In this passage, McDowell affirms that virtue, on the view he supports, is not conceived as a disposition to act rightly, according to some independent conception of rightness; rather, right action is grasped through the concept of virtue. Yet McDowell, like Hooker, explicitly links the explanation of right action in terms of virtue with the rejection of an explanation in terms of principles. The implication is that to see right action as derivative from virtue is thereby to see principles as playing no part in the determination.

The position defended in this dissertation starts from a different understanding of the same fact. Reflection on the fact that right action is derived from virtue indicates that there is a principle associated each virtue that figure in the determination of right action. In other words, the most defensible version of virtue ethics is not particularist but generalist. Now I turn to the debate between particularism and generalism.

[10] McDowell (1998a) p. 50.

1.3 The Debate between Particularism and Generalism

I have described my view as a form of generalism since principles play some role in the selection of which act to perform and in the justification of actions more generally, and opposed it to forms of particularistic virtue ethics which tend to downplay a role for principles and emphasize sensitivity to features of context. I want to now give more precise characterizations of particularism and generalism and the dispute between them. That will help clarify my view. It is also important because though philosophers are familiar with attacks on principles, there is a lack of explicitness and consensus about what this amounts to. Philosophers do not always recognize or register the fact that there are stronger and weaker conceptions of principles and correspondingly stronger and weaker positions taken with respect to them; and some particularist arguments would call into question a certain role or form of principles but not others. So after indicating what these positions come to, in general, I give a taxonomy of the forms particularism and generalism can take in light of the form or roles assumed of the principles such positions attack or defend.

As I understand it, generalism is the view that principles figure in the determination or explanation of an action's moral status and in our attempts to settle on what to pursue or avoid. A moral principle, in general, expresses a relation between some grounding property, usually a description of some behavior, and a moral property, usually the property of being good/right or bad/wrong.[11] As such, principles codify a general evaluative standard associated with the grounding behavioral description, which highlights the normative role principles are assumed to

[11] I lift this characterization of principles from Shafer-Landau (1997). Here is the quote from his text: "A moral rule states or expresses a relation claimed to obtain between a moral property and other, grounding properties that are correlated with its instantiation," (p. 584). Though I agree with Shafer-Landau about the general nature principles, I think he is wrong to characterize principles as always universal. This issue will recur below.

play. Thus, on a generalist view, the moral status of some prospective act, and the sense that it should be avoided, say, is part of a more general stance toward the kind of behavior in question. The impact of contextual features in altering that status is minimized. For if we take it is as a principle that one acts wrongly in failing to pay one's debts, then our stance to an instance of welching, here and now, is not determined by any merits or demerits the act has in the context, but instead by this general fact about welching. A generalist view thus seems to encourage having one's mind made up in advance about how to assess and respond to some kinds of behaviors.

Particularism is the denial of generalism: general principles do not figure in the determination of an action's moral status or in our attempts to settle on what to pursue or avoid. That is, principles do not express correct or reliable standards either for determining what to do or how to assess an action. Correct determinations depend on particular facts of the situation in which one needs to judge or act. Instead of a set of pre-formulated standards, we need to be sensitive to the particular configuration of relevant features that obtains, and a capacity to see what to do in response to them.

It is important to emphasize that a position won't count as particularism if it attacks a subset of principles of a particular form, but defends or countenances others of that form.[12] For instance, both utilitarianism and Kantianism are generalist positions because for each, there is a general, exceptionless principle that serves as the criterion of right action or morally appropriate behavior. But a Kantian is not a particularist simply for denying the principle of utility, and a utilitarian is not a particularist simply for denying the categorical imperative. For particularists'

[12] The caveat about form is important for a distinction I will make below. A particularist can target principles of one form without attacking those of another. The point here is that to be particularist, it won't be sufficient to attack a select set of principles of some form, one must attack all principles of that form.

arguments to be effective, they must apply generally to (most?) all principles of a particular form.[13]

I will describe, in the next section, different versions of particularism and generalism. But first I want to defend my conception of particularism and generalism, for it is at odds with another prominent characterization.

Jonathan Dancy, the most prominent defender of particularism, describes it as the view that, "the possibility of moral thought and judgment does not depend on the provision of a suitable supply of principles."[14] If particularism is the denial of generalism, then generalism, according to Dancy, is the view that moral thinking and judging *to be so much as possible* must depend on a suitable supply of principles. In short, a putative moral conception bereft of principles would not count as a moral conception at all. This characterization of particularism is not a quirk on Dancy's part, for it parallels McDowell's picture of the temptation toward generalism: "It may seem that the *very idea of a moral outlook* makes room for, and *requires*, the existence of moral theory, conceived as a discipline that seeks to formulate acceptable principles of conduct."[15] The accusation is that, according to generalism, for one to be in the business of evaluating particular actions, one must determine their moral status on the basis of principles identified or formulated by moral theory.

Some philosophers have likely held or assumed that we could not so much as understand particular actions as enjoying a certain moral status without relation to general principles.

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[13] Indeed, it seems particularist arguments must attack something in principles as such, not something that belongs to this or that specific principle.

[14] Dancy (2004) p. 8. He gives a similar, though not identical characterization, in his entry on particularism in the Stanford Encyclopedia of Philosophy: "The strongest defensible version [of particularism], perhaps, holds that though there may be some moral principles, still the rationality of moral thought and judgement in no way depends on a suitable provision of such things; and the perfectly [sic] moral judge would need far more than a grasp on an appropriate range of principles and the ability to apply them." See Dancy (2017).

[15] McDowell (1998a) p. 50. (Emphasis added.)

Regardless, this conception of generalism is indefensible. First, according to a simple utilitarian view, an act is right if and only if it produces the greatest balance of pleasure over pain. According to a proponent of this view, determining the moral status without at least implicit reference to this principle but rather with reference to one's intuition would be faulty or corrupt moral thinking. But it still counts as moral thinking. Yet this simple utilitarianism is a paradigm example of generalism. To put it differently, if a putative particularism is consistent with there being a single principle in terms of which actions can be correctly evaluated, it is not particularist at all.[16] Second, Dancy and McDowell put forward and defend claims that go beyond the position affirmed in the quotes above. Though McDowell does try to show that rational thinking is possible without a deductive paradigm, he also holds that right action is not codifiable and that, "the best generalizations about how to behave hold only for the most part."[17] Dancy thinks that W.D. Ross's theory of prima facie duties is the most subtle form of generalism, and one particularist must root out, but Ross makes no claims about the possibility of moral thought.[18] Thus, both Dancy and McDowell put forward arguments intended to show that the moral status of particular actions will not be correctly determined if assessed in light of general principles, not merely to show that it is possible or makes sense to assess actions independently of such principles.

[16] To his credit, McDowell sees himself as attacking a tendency he sees in many philosophers (and that is naturally tempting), not necessarily a view he takes them to explicitly argue for.
[17] McDowell (1998a) p. 58.
[18] See Dancy (1993) pp. x-xi. Ross' theory is first explicated in his (1930). I will say more about Ross's theory below.

1.4 Forms of Principles, Particularism, and Generalism

The above provided generic depictions of particularism and generalism. We can distinguish more specific forms of each. I will be concerned to combat two main forms of particularism. The first, and most common form, I call 'moderate particularism', which is the view that denies the existence of exceptionless principles that determine the moral status of actions. The second form, which has come to dominate philosophical attention, I call 'radical particularism', which is the view that denies there are principles that even reliably figure in the determination of the moral status of actions. We can distinguish corresponding forms of generalism. A view defending exceptionless principles that determine moral status I will call 'radical' or 'classical generalism'; whereas a view that allows principles a role in determining the moral status of actions, I will call 'moderate generalism'. The basis of these distinctions is the form of principles that are attacked or supported. Reviewing the different forms a principle can have will help differentiate these species of generalism and particularism.

To repeat, a moral principle expresses a relation between some grounding property and an evaluative one. So, schematically, a principle says when Xing is F, Xing is G. It is probably most natural when we understand the grounding property as some act or behavioral description, the moral property as rightness or wrongness, and the entire statement as a universally quantified conditional. But principles can differ with respect to each of these features, the grounding property, the moral property, and the relation between them.

The grounding property can be more general or more specific, either applying to a wide class of behaviors or a more restricted set. So a principle might express a relation between a moral property and a whole class of behaviors, for instance all forms of unfairness or injustice, or

it may express a relation between a moral property and a kind of action performed in specific circumstances, e.g. breaking a promise if an emergency has arisen. Though there have been attempts to defend specific or concrete principles, I will treat all principles as general. That feature seems bound up with their being standards by which we assess particular actions.

The moral property which holds of the grounding property may imply either a decisive judgment or a contributory one. If the moral property is rightness or wrongness, that implies a decisive status about the action. It is not like saying there is a pro or con for the act, but says something about it overall or absolutely. But some principles are thought to subsume a form of behavior under a contributory property. Such a property indicates that something can be said for or against the behavior, it is right or wrong to that extent, but doesn't determine it as right or wrong overall.

This idea finds its classical expression in W.D. Ross' *The Right and the Good*.[19] According to Ross, certain features of our actions—that my prospective action is telling a lie, paying a debt, or helping another in need—or of our past or present interactions—that I was given a gift or made a promise—place us under prima facie obligations. Despite the connotation of 'prima facie', it is not Ross' view that these features merely seem to place us under obligations, but fail to do so. Rather, his idea is that they place us under, so to speak, partial obligations. If I have made a promise, I am under partial obligation to keep it. Now whereas as my partial duty to keep the promise depends only on a single feature of my past interaction, say having promised to such and such, whether I have an absolute or overall duty to keep it depends on all the relevant features of my action, all the features that implicate a prima facie duty. Thus while I may have a partial obligation to give to those in need, here and now, I may have an absolute duty to not give, if doing so would cause me to miss a payment

[19] Ross (1930).

of debt. So a principle may either pick our properties that determine an action's moral status or those that ultimately contribute to and shape that status without settling it.

Lastly, different relations can hold between the grounding and the moral property. It is often assumed to be universal so that whenever some behavior has the grounding property, it will have the moral property. But some philosophers defend principles expressing a defeasible relation. That is, just as it is true to say that knives can cut, since it is in the nature of knives to cut, we can similarly say that failing to pay a debt is wrong, because it expresses something true about the nature of welching. Yet just as there are some (defective) knives that cannot cut, there are some instances of failing to pay a debt that are not wrong. The relation expressed in a moral principle can be defeasible or universal.[20]

Given these features, I will distinguish three kinds of principles defended in the literature.[21] What I label 'classical principles' express a universal relation between a grounding property and decisive moral status, e.g. any act of welching is wrong. It will then follow that if some act is an instance of or leads to welching, it is wrong. Classical principles are familiar, for they are form taken by most principles proposed as a criterion of right action.

I will call principles 'default' if they express a defeasible relation between a grounding property and a morally decisive one. For suppose the principle *welching is wrong* is instead a default principle. It is as such not universal, so not every instance of welching is wrong. But there is a general connection between welching and wrongness and when nothing defeats that principle, it determines the moral status of welching. A default principle, as it were, determines an act's moral status or says nothing about it.

[20] Shafer-Landau (1997) says that the assumed connection is always universal. Perhaps that was the only obvious way to think about principles when his article was written. Since then there have been more explicit attempts to spell out non-universal principles. Cf. Lance and Little (2006) and Horty (2007). Thompson (1995) defends a kind of judgment with a similar logical form, but thought to apply in a specific context.

[21] A fourth kind is possible, but to my knowledge no one has defended a principle with that form.

I will call principles 'Rossian' if they express a universal relation between a grounding property and a morally contributory one. On such a view, welching is prima facie wrong. This entails that if an act is an instance of welching, it is to that extent wrong, even if, all-things-considered, it would be right to withhold payment. Correlatively, even if it would be wrong to pay the debt, the wrongness of welching does not disappear: we are contravening a prima facie duty. In such a case, it would be warranted to feel some compunction at being unable to satisfy all the implicated prima facie duties.

Given the three kinds of principles that have been defended, and that generalism is the view that holds principles figure in the determination of the moral status of actions, we may expect three corresponding forms of generalism (and three correlative forms of particularism). But above I distinguished two forms of generalism and two corresponding forms of particularism. Let me explain why this is so.

Note that this is mainly a question about whether to give more precise characterizations of radical particularism, on the one hand, and moderate generalism, on the other.[22] For each of these positions agrees with moderate particularism in rejecting classical or radical generalism, in denying that there are universal principles that can determine an action's moral status. Most philosophers, it seems to me, deny classical generalism and support some form of moderate particularism. Nowadays, this is so prevalent, arguments for moderate particularism seem barely worth mention. Most of the focus is on radical particularism, and almost no one who resists this view does so in light of classical principles.[23] So the distinction between moderate particularism and radical generalism captures a

[22] Moderate generalism consistent with moderate particularism.
[23] When philosophers defend principles that are universal and decisive, they are almost always extremely concrete. If principles can be specified without limit, there is not difference between particularism and radical generalism. And depending on where the limit is placed, there is no practical difference. Indeed, it if takes much experience, through many generations to specify the principles, I doubt there is a clear sense in which we rely on them. Further, the move toward more and more concrete principles often seem ad hoc.

major divide among philosophers. And though there are differences between moderate and radical forms of particularism, still they share a sense of the importance of context for determining the moral status of actions.[24]

What we may want, however, is more fine-grained distinction among the forms of moderate particularism and generalism. For one may hold that neither classical nor Rossian principles figure into the determination of an action's moral status while holding that default principles do so. Indeed, McDowell might seem committed to such a view. He claims that, "the best generalizations about how to behave hold only for the most part,"[25] which on the face of it rules out any universal principle whether they determine an action's moral status—like classical principles—or only contribute to it—like Rossian ones. Yet McDowell has no issue with default principles, for he claims that elaborating a correct moral outlook:

> might include registering an ethical direction in which such a [thick ethical] concept generally points, by saying such things as this: "Other things being equal, an unpaid debt (say) should be paid." What that says is that if a situation has no other potentially significant feature, the presence of an unpaid debt is decisive for deliberation. I think it is harmless to acknowledge the availability of truths with this shape.[26]

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[24] Dancy, I think, might deny this. He suggests that in supporting particularism you should want to reject any form of generalism. Consider this passage from his (1993):

> The particularism I am here promoting is not special to me. Particularistic strands can be found in various contemporary developments; it is common to hear that moral rules, or moral theory if we take the business of theory to be the provision of rules, cannot cope with the rich multiplicity of lived situations. Although in general terms I applaud this trend, in many cases its proponents seem to me to be operating in ignorance of the most subtle form of generalism they are rejecting, namely the theory of prima facie reasons. I attempt therefore to provide genuine arguments in favor of particularism and so to turn what is sometimes (mere) rhetoric into something more like reasoning (p. x-xi).

Dancy's idea here seems to be that if you are an opponent of generalism, you should be an opponent of it in any form, and, further, if you are criticizing a place for principles in determining the moral status of actions, then unless you criticize the weakest form of this, you are not providing genuine criticisms at all. Both of these claims are false on their face, I think.

[25] McDowell (1998a) p. 58.

[26] McDowell (2009) p. 53. It is, though, hard to know what McDowell has in mind here. First, it is not clear when a situation has no other potentially significant features. Is that a world in which no one is in need? No one in need in front of me? Second, if deliberation issues in act or intention, it is not clear how it could be decisive. I have an unpaid rent debt for nearly the whole of each month. And even though I often have an opportunity to pay the debt, it is almost never decisive for deliberation and that shows no fault with me.

Similarly, one who rejects classical principles may also reject defaults while defending a set of Rossian principles.[27]

But I think these distinctions are unimportant both in the context and more generally. First, the arguments for moderate particularism do not turn on a commitment to any particular conception of principles. Indeed, one may reject classical generalism because of the existence of both Rossian and default principles. Second, at least for McDowell, the rejection of Rossian principles doesn't depend on their status as principles. He would reject such principles on the grounds that a) moral reasoning is not adequately captured by a picture of weighing reasons and b) the normal force of a reason that might codified in a Rossian principle can be silenced.[28]

Thus while it is useful to know the different conceptions philosophers have had of principles, the generalism/particularism debate concerns two major divides: that between moderate particularism and classical (radical) generalism, on the one hand, and that between moderate generalism and radical particularism, on the other.

1.5 The Objective vs Subjective Role of Principles

Principles differ in virtue of their roles as well as their form, and this difference can also be the ground of different versions of generalism and particularism. In my characterization of generalism, I speak of principles figuring in the determination of an action's moral status and in settling what to do. This corresponds to two roles that principles play. On the one hand, we can

[27] I think the view Nussbaum expresses in her (1990) comes close to this position.
[28] That is, if there is a Rossian principle of the form "Giving to others in need is always prima facie right", there is always something to be said for an act of giving to someone in need. The idea of silencing is that though our act is one of giving, in certain contexts, that will give us no reason to perform the action. McDowell's view of silencing, further, is more tied to explaining the difference between virtue and continence. See McDowell (1998b) and (1998c).

think of principles as forming part of the criteria of the rightness and wrongness of actions. In this sense principles to some extent explain what makes acts wrong or right and are perhaps most commonly conceived as an element of moral theory. On the other hand, we can speak of a particular person as accepting or abiding by a principle, of being a person of principle, of doing something on or as a matter of principle. In this sense, a principle is an aspect of an individual's moral outlook that shapes her practical orientation and guides her deliberation and decisions. Just because a principle is part of an explanation of right acts, no one may employ it; alternatively, one may abide by a principle, even if it is not part of the explanation of right action. The former role for principles we can think of as their normative or objective role. The latter we can think of as their deliberative or subjective role.

This distinction between an objective and a subjective conception of principles is important insofar as philosophers think that a criterion of right action need not be part of a person's strategy of choice. That is, correct objective principles need not always be reliable subjective or deliberative ones. As such, it is possible to be an objective generalist but a subjective particularist, and vice versa.[29] Indeed, there can be objective and subjective versions of each version of particularism and generalism mentioned above.

Given the possible separation of objective and subjective generalism (or particularism), it would follow that an argument for one would not entail the other. Just because a principle is a bad guide, the thought may go, it may still be the criterion of right action. However, throughout this dissertation I will mostly ignore this possible separation. So, e.g., I will take an argument

[29] The distinction between these two kinds of particularism is made in Audi (2008). A similar distinction, though not between kinds of particularism, is made in Little and Lance (2006). My use of the terms 'objective' and 'subjective' to mark these roles comes from Railton (1984).

that might be most naturally thought to favor subjective particularism to support objective particularism too. Ignoring the distinction seems to me justified.

First, I do not think our default position should be to insist on this distinction. Although a criterion of right action may not always be among the standards we employ in deliberation, it generally should be. At least, it should not be restricted from deliberation as such. Deliberation involves evaluating both the ends we have in prospect and the possible means to them.[30] If we light on a feasible criterion of right action, surely that should influence our choices and how we arrive at them. That possible (positive) influence is the whole point of engaging in moral theoretical reflection, and why philosophers can so blithely demand, especially in the context of criticism of virtue ethics, that a moral theory be action guiding. Thus we should be skeptical of separation absent a special argument in its favor.

Second, the basic reason for separating these two roles is that employing an objective principle in deliberation can be self-defeating, for its employment may cause us to fail to live up to that very principle's recommendations. E.g. within a utilitarian view, the time it takes to calculate the effects of my all my available options may cause the opportunity for action to pass me by. But this means only that *in some situations* objective principles are not good to employ subjectively. I doubt we'd readily accept the separation of these roles for principles if the suggestion were that employing such and such a criterion as such corrupted deliberation and choice. That would undermine its status as a viable objective principle.[31] But no virtue ethicist has suggested that principles should be rejected because their employment is self-defeating..

[30] This need not imply any stance on Humeanism. If some ends are never the object of deliberation, or some ends can never be challenged in the context of deliberation, we do assess possible ends, even if only in light of other ones.
[31] Other examples of disconnect between an objective and subjective principle that are meant to be addressed by "sophisticated consequentialism" are more troublesome. The beginning of Railton (1984) describes a person going to visit a friend in the hospital because it maximizes utility. Now that description seems to undermine our idea that the visiting friend is acting well. This sort of case, it seems to me, would not be adequately addressed by saying that

For these reasons, I will ignore the difference between objective and subjective forms of particularism and generalism. Thus, if an argument turns on how an agent behaves in light of abiding by a principle, I will take that as evidence for objective generalism or particularism as well as subjective.[32]

1.6 Breakdown of Chapters

To repeat, I defend a version of classical generalism within an ethics of virtue. My view is a form of classical generalism because I take there to be universal principles that determine the moral status of actions. My view is virtue ethical because of its commitment to the priority and plurality of virtue. These two aspects are connected.

The priority of virtue means that the concepts of right and wrong are derived from the concept of virtue. In particular, we can say that if an act conflicts with virtue, it is wrong. This follows from the fact that a) acting contrary to virtue makes one bad, and so is bad itself, and b) being bad in some respect makes an act bad overall, i.e. wrong. Given the plurality of virtues, to speak of virtue in general is shorthand for what is implied by the individual virtues. As such, if an act conflicts with some virtue, it is wrong. If an act in no way makes me bad, is not bad in any respect, then it is right. Thus these principles associated with each virtue, taken together, determine acts as right. In short, an act is right if and only if nothing is wrong with it.

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we should not think in terms of the utilitarian principle, for the example makes the principle seem to be corrupting as such.

[32] Let me mention a few more terminological points. We could distinguish principles in light of whether they are more evaluative or action-guiding, either determining X as wrong or as what out not be done. I will often separate negative and positive principles. Negative principles would characterize behavior as bad or wrong or proscribe it. Positive principles characterize behavior as good or right or prescribe it.

My argument for this proceeds in two stages. In the first or negative stage of the argument, I evaluate the reasons for the central forms of particularism.

In chapter 2, I consider the argument for radical particularism, which is espoused by Jonathan Dancy, Christine Swanton, and Rebecca Stangl. The argument turns on establishing holism, the view that some consideration that favors Xing—is a reason for Xing—in some context may count against it, or be silent with respect to Xing, in another. I try to show that a) to establish radical particularism as opposed to a merely moderate version, we must show that considerations can switch their valence—sometimes count for, sometimes count against a particular behavior—not merely be silenced and b) that we are given at best grounds for thinking some considerations can be silenced.

In chapter 3, I consider two arguments for moderate particularism, which is defended by John McDowell, Martha Nussbaum, and Rosalind Hursthouse, among others. What I call the conflict argument tries to show that given a plural set of principles, conflicts among them will result, illustrating that no principle is universal. I argue, however, that the argument fails to provide sufficient grounds of the existence of conflict, and, as such, for the limitation of principles. But even if we presuppose that conflict, I think there is nothing especially problematic about it for the principles I wish to defend. What I call the competition argument holds that the rightness of actions is a product of competition among reasons or principles, which is taken to show, again, that no principle is universal. I claim that this argument turns on a maximizing model of moral reasoning, which while tempting and widespread, saddles virtue ethicists with numerous implausible consequences.

With the ground cleared, in the second stage, I begin offering positive support for my generalist ethic of virtue.

In chapter 4, I provide positive support for the negative, universal principles I maintain are associated with the virtues. First, given the thesis that virtue is explanatorily prior to rightness and wrongness, conflicting with virtue in general is wrong; and given the plurality of virtues, i.e. given that each virtue marks a way of going right in a particular sphere of human activity, we go wrong by conflicting with any one of them. Second, given the characterization of virtue as a kind of habit, one that involves performing a range of actions for their own sake, possessing a virtue entails accepting a principle.

In chapter 5, I show the viability of a virtue ethical account of right action that depends on universal principles. That is, I aim to show that in addition to there being a set of true universal principles, they are jointly sufficient to adequately account for right action. I do so by comparing my principle-based account with that propounded Hursthouse. At minimum, my account is preferable to the most common and plausible account.

Two general consequences issue from my principled virtue ethics. First, it offers a novel virtue ethical account of right action that fares better than the currently dominant accounts. Second, whereas most take for granted that pluralism will lead to particularism and that any form of absolutism is a dead end, my account shows that that depends on accepting a problematic model of moral reasoning. Thus my account shows in turn how one can be both a pluralist and absolutist, either within the framework of virtue ethics or without it.

Chapter 2

2.1 Intro

In the previous chapter, I distinguished two versions of particularism—a weaker and a stronger version—by reference to the sort of principles they call into question. Here I consider the case for radical particularism. According to radical particularism, all moral principles are false, and thus if one assesses actions or regulates her behavior in light of principles, that will prove a hindrance to getting things right. To repeat, my overall goal is to defend a set of classical principles associated with the virtues. If radical particularism is true, then my generalist conception of virtue ethics is false. So in what follows I head off one avenue of resistance to that view. In particular, I aim to show both that one cannot comfortably be a radical particularist and a virtue ethicist, and that the examples intended to evidence holism, the ground of radical particularism, do not rule out default principles. As such, it is just a version of the family of views opposed to classical principles.

Jonathan Dancy is the most well-known proponent of radical particularism. Although Dancy is not a virtue ethicist, he makes clear that accepting an ethics of virtue does not undermine the truth of particularism.

[1] However, both Christine Swanton and Rebecca Stangl have both argued for versions of virtue ethics that incorporate the truth of holism.[2] Swanton's position is interesting because there is

[1] See both Dancy (2004) and (2017).

[2] Swanton argues for such a conception of virtue ethics in her (2003). Stangl has been mostly critical of the place of radical particularism in virtue ethics, but recently she has argued (2010) that virtue ethics might be at least partly particularistic.

considerable overlap between her target-centered virtue ethics and the view I want to espouse. According to each, there are multiple virtues each with its own associated standards. As Swanton puts it, each virtue has a target within a field of activity and excellence of response within that field requires hitting the target. I take this to show that an act cannot be right if it conflicts with some virtue, since this would be failing to live up to the standards in one field of activity. But Swanton urges that the contribution the virtuousness or viciousness of an act makes to its overall ethical status is too variable to claim any such thing. Thus Swanton's argument will be of special interest.

Here is how the chapter will unfold. First, in §2.2, I clarify holism, which is the position on which radical particularism depends. Second, in §2.3, I explain why virtue ethics seems in tension with holism. Third, in §2.4, I reconstruct two arguments intended to show the truth of holism. Lastly, in §2.5, I explain why the arguments reconstructed in §2.4 fall short of supporting radical particularism.

2.2 Clarifying Holism

As I understand radical particularism, it amounts to the view that accepting and abiding by principles engenders acting badly and evaluating actions in unreliable ways. Suppose we understand principles to make a claim about reasons.[3] Take for instance the idea that one should not steal. Understood as a classical principle, this means there is *decisive* reason against stealing; insofar as it is stealing, it is wrong. Understood as a Rossian principle, it means that insofar as an act is an instance of stealing there is *some* reason against performing it. That is, there is pro tanto

[3] I am following Dancy's way of conceptualizing matters here.

reason against stealing, but not decisive reason, for that reason can be outweighed or overridden. Both conceptions of the above fact assume an atomistic conception of ethical reasons: a feature that counts against an action here does so because it counts against the action everywhere.[4] The same can be said for principles that articulate facts about what we should pursue, instead of what we should avoid: p will be a reason for Xing here because it is a reason for doing so as such.[5]

Now default principles are not atomistic, as Dancy understands that term, for default principles allow that whether some feature is a reason is affected by context. For example, suppose we understand the fact that one should not steal (or partake in injustice) along the lines of a default principle. Then the fact that an act is an instance of theft (or injustice) will provide *decisive* reason against it *given that some competing reason does not defeat it*. If, for example, an action falls under two default principles, one that characteristically provides decisive reason against that action and another that characteristically provides decisive reason in favor of it, one default will take precedence, canceling or undermining the reason-giving force of the other.[6] Thus just because being an instance of theft counts decisively against an action here, it does not follow that in another context it will also count decisively against it, for if it the default is undermined, it no longer provides any reason against the action. Still, understood as a default principle, it would follow that being an instance of theft either counts against an action or does not. Whenever it counts, that feature always counts against an action.

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[4] Dancy (2004) p. 7.

[5] One caveat needs mentioning about positive classical principles, for in my view they do not exactly parallel their negative counterparts. In particular, if I should act kindly, it does not follow that I have decisive reason to perform any act insofar as it is kind. It also does not mean that I have to always act kindly, if always here means 'in every situation'. One can accept a classical principle with respect to kindness and think there is no failing in a person enjoying an evening to himself. Thus a positive classical principle should be interpreted to mean that whenever I am interacting with a fellow human, that interaction should be characterized by kindness.

[6] If one default takes precedence over another, that need not always be the case. Indeed, many who think ethical truths can be captured in defaults, would reject that we can give them a determinate ordinal ranking. The precedence one takes over another may itself only be captured by a default. See Horty (2007).

Radical particularists claim that reasons cannot be codified in principles, for in their estimation reasons operate holistically. Reasons holism, according to Dancy, is the view that, "a feature that is a reason in one case may be no reason at all, or an opposite reason, in another."[7] The basic idea is that when a consideration functions as a reason it has a polarity or valence, just as an atom or molecule can be positively or negatively charged. If some consideration, p, counts in favor of Xing, then it is a reason with a positive polarity or valence. If p counts against Xing, then it is reason with a negative valence. And if p, counts neither for nor against Xing, then it is not a reason (or functioning as a reason) with respect to Xing: it is neutral or has its valence switched off, silenced, or canceled. According to holism, it holds generally if p is usually a reason for Xing, it can be neutral with respect to Xing or be a reason for not Xing. It therefore follows from holism that though the injustice of an action usually is the (or part of the) reason it is wrong, in other contexts it will not affect the action's ethical status or will be the (or part of the) reason the act is right; the same holds *mutatis mutandis* of the fact that an act is just. So radical particularists stake their position on the claim that ethical reasons, like any others, can have their usual valence reversed or switched off.

There is a gap here. If holism requires either valence switching or having it turned off, this could be satisfied by only the latter condition. In that case, holism would be consistent with default principles. So if there is a form of radical particularism that follows from holism, it must hold that both conditions of holism generally hold of reasons. Given Dancy's belief that a particularist should attack the subtlest form of generalism, we should expect that to include a generalism founded on default principles. And his arguments are aimed at showing valence switching as well as the canceling of a consideration's valence.

[7] Dancy (2004) p.7

It is worth dwelling on the idea that a consideration can reverse its valence, for this is crucial to establishing radical particularism. To illustrate what is needed to establish holism, suppose that in some situation an act that is usually wrong happens to be right (or vice versa). For instance, lying is usually wrong, but it may be that, since here and now I can save many lives if I tell some lie, it is not wrong to do. That, as such, conflicts with neither Rossian nor default principles, for a both a Rossian and a default generalist accept that although lying is usually wrong, the reasons against it can be overridden, outweighed or defeated. To demonstrate holism a radical particularists needs to show that there is a situation in which lying is the (or part of the) reason an act is right. Indeed, he needs to show that being a lie is itself the reason the act is right, not simply that it counts in favor of the act when part of some complex reason. Dancy leaves no doubt about this:

> Holism in my sense is the claim that a feature which has a certain effect when alone can have the opposite effect in a combination. It is one thing to say, as Brandom does, that though *a* alone speaks in favour of action, *a*+*b* speaks as a whole against it; it is another to say that though *a* speaks in favour of action when alone, *it* speaks against action when in combination. The difference lies in what is doing the speaking against in cases where features are combined. In the former case (Brandom's) it is the combination; in the latter case (mine) it is the feature that originally spoke in favour.[8]

So to establish holism we need evidence that p, which is normally a reason in favor of Xing (or against it) is sometimes a reason against Xing (or in favor of it) and is so not because it is part of some complex reason counting against the action. Given that radical particularism hinges on the claim that a reason's normal valence can be reversed, I will focus on the motivation for it in reconstructing the argument for holism.

[8] Dancy (2004) p. 8.

Provided that holism is true, it seems to me quite clear that radical particularism follows.[9] Part of the idea behind particularism is that I need to be open to the ways that reasons can vary. If I accept even a default principle, I won't be sufficiently open to the way reasons can vary if holism is true. In any case, if holism is true, a virtue-based form of classical generalism is a non-starter.

2.3 Holism and Virtue Ethics

Given that most forms of ethical theory aim to articulate a central moral principle, holism runs against the grain of much ethical thinking. But both Kantianism and utilitarianism are contrasted with virtue ethics in light of their tendency to champion principles, while virtue ethicists tend to reject them. Is the envisaged attack on principles amenable to an ethics of virtue?

There are at least two reasons a virtue ethicist should reject holism. The first is that just as the principle of utility is, for utilitarianism, a standard for correct action, and the categorical imperative within Kantianism a standard for correct action, the virtues are standards of correctness within an ethics of virtue. But if holism is true, the virtues are not fit to serve this role. Second, virtues are excellences of human beings. As Aristotle says, they make their possessor good and her work done well. But if holism is true, virtues are not excellences precisely because they can just as well issue in acting badly as acting well.

[9] McKeever and Ridge (2005) argue that this does not necessarily follow. But their argument depends on a) the fact that there is a single source of reasons, pleasure and pain, and b) an instance of holism satisfied only by a consideration's valence being switched off.

The characteristic move of an ethics of virtue is to ground a theory of action assessment in a conception of good character. The idea is that instead of starting with a conception of which actions are good and reading back from them to a conception of a good human being, virtue ethics starts with a view of a good human being—or with the qualities that make someone a good human being—and reads back from there to a conception of what acts (and emotional reactions) are good. This is reflected in the order of priority in virtue ethical accounts of right action: virtue or a virtuous person is meant to explain right action, instead of the other way around.

Let us suppose, then, that a virtuous person is simply a person with a full complement of virtues, such that what she would do just reduces to whatever is entailed by possessing a virtue. In that case, right action would be explained in terms of the virtues, and there are several ways this may go. According to one way, that an act accords with a virtue—i.e. is not contrary to it—will either determine it as right or contribute to its rightness.[10] If an act fails to accord with a virtue, that will either contribute to its wrongness or outright determine it as wrong. For instance, on Aristotle's view, one's act is wrong if it misses the mean, and there is no mean for an act of injustice or intemperance. Thus the virtues are the ground for correctly assessing actions in at least this sense: if an act conflicts with a virtue, it is wrong and, ideally, to be avoided. Further, if according with a single virtue is not sufficient to make an act right, it will be sufficient if it accords with them all.[11]

But if holism is true, the virtues cannot serve as reliable bases for action assessment. Since a consideration can reverse its valence, the fact that my act conflicts with some virtue may be precisely what accounts for its rightness. Similarly, although an act accords with some virtues,

[10] Alternatively, we might say that there is nothing wrong with the act in that respect.
[11] A person's view about whether according with a single virtue is sufficient for acting rightly will depend on his collateral commitments, especially those concerning the unity of the virtues.

it can be that its virtuousness is here and now a feature that contributes to its wrongness. Indeed, if holism is true, there is neither anything that precludes many forms of viciousness all contributing to the rightness of an action in a particular case, nor anything that precludes many forms of virtuousness all contributing to its wrongness (if not determining it). Consequently, an action that is virtuous in several respects and vicious in none can be wrong; and an action that is vicious in several respects and virtuous in none can be right. It seems to me that the lack of systematic connection between virtue and rightness (and viciousness and wrongness) undermines the attempt to ground right action in a conception of good character. The rightness of action is determined as much by bad character as by good.

Now one may accept that this point is cogent so far as it goes, but think it holds little weight because it applies only to specific forms of virtue ethics. For instance, Swanton supports holism, and she defends a virtue ethical account of right action.[12] But whether this amounts to a counterexample to my claim depends on whether she is justified in doing so. I think she is quite clearly not. On her view an act is right if and only if it is overall virtuous, i.e. the best action, while wrong acts are ones that are overall vicious. Suppose that some act, X, is vicious in some respect and virtuous in none. I do not see how that can fail to be an overall vicious action.[13] Yet if holism is true the viciousness of an act can be what makes it right. Thus, suppose further that the viciousness of X is in the circumstances right-making. Since we have no good reason for

[12] I also left open the possibility of holding that what a virtuous person would do does not reduce to just whatever is entailed by possessing all the virtues. That seems to me to be true of Hursthouse's (1999) view of right action. So perhaps one thinks this is another form of virtue ethics for which my point would not hold. But I argue in chapter 5 that an account like Hursthouse's is inadequate.

[13] For Swanton, an act will not be overall virtuous simply because it is virtuous in some respect but not vicious in any, for an act can meet that criterion without being the best action. Some other action that also meets that criterion can be a better act. But I find it implausible to think an act is overall vicious in the same sort of way, for it is not only the worst action that is overall vicious.

thinking that X cannot be the best act in the given situation, Xing will be right.[14] Thus if Swanton accepts holism, the same act can be the best, and hence right, and overall vicious, and hence wrong.[15] Holism cuts against her own conception of right action.

For similar reasons, holism also conflict with the idea that virtues are excellences. The idea that virtue is an excellence is captured in Aristotle's definition of it as a state that makes its possessor good and their work done well. If virtue is an excellence, the thought goes, it must only issue in good actions, and that means the acts of that virtue must themselves be good (at least in that respect). But the truth of holism means the virtuousness of an act can be the reason it is wrong. Under that assumption, justice issues in bad as well as good acts. So that in virtue of which a person is good is precisely that which makes them act badly. Further, the virtue hinders my acting well. A just person habitually refuses to participate in injustice.[16] Thus when the injustice of an act counts in favor of it instead of against it, a just person won't be in a position to appreciate that fact and act on it. What one needs is not to possess a virtue, but to remain open to avoiding justice and pursuing injustice, so that when justice is wrong-making, his disposition will not interfere with doing what is right. So whereas from the perspective of virtue ethics one should encourage the habituation of virtue, the acceptance of holism implies one should discourage it.[17]

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[14] Since in the supposed case, the viciousness of the act is what makes it right, this situation in which this action is best need not be one in which all our options are in some way bad, a situation in which we are in a tight corner.
[15] Even if we suppose that such an overall vicious action is not the best in the situation, there is a problem. For if the act viciousness of an act counts is its favor, then even when it is not the best, it is still "all right" in her estimation, for nothing counts against it. But then an act can be both all right and wrong, which is just as problematic.
[16] See Anscombe (1958).
[17] The position is essentially similar to that Thrasymachus takes toward justice in the Republic. According to him, it would be stupid to be just because it does not really ensure doing well, which seems to consists in getting as much of what you want. Now he seems to overstate his position, thinking that therefore one should just be all in for injustice. Really what one needs is to be prepared to commit injustice if one needs to or to act justly if one needs to. Neither ensures doing well.

Someone committed to both virtue ethics and holism might suggest the tension depends on a particular conception of virtue, and that picture is not necessary. The tension will disappear if we reconceive the notion of virtue to incorporate particularist insights. A just person is not one who habitually acts justly and refuses to act unjustly, does so for its own sake and does it readily or without impediment. Rather, she is a person who can tell when the justice of an act makes it good and when it makes it bad; similarly for the injustice of an action. And their motivation is shaped such that she is prepared to act justly or unjustly depending on the way its goodness varies with the situation. In that way, she will possess the virtue without it leading to acting incorrectly.

A defense along these lines would need to be further elaborated. But I think the basic idea is problematic. In particular, it gives an overly intellectualist picture of virtue, for virtue reduces to the ability to tell if some feature of an action is a reason and with what valence. Virtue seems to no longer involve any particular disposition of the emotions or a person's desires. It instead seems to reduce to a specific form of conscientiousness.

Further, this conception of virtue reverses the order of explanation between virtue and right action. The point of an alternative conception of virtue is that it would ensure being virtuous was an excellence by ensuring that a virtue doesn't lead to acting incorrectly, in light of the truth of holism. If that is so, we are building into the condition of having a virtue or an act being virtuous a view of what makes acts wrong or right. Virtue would be explained in terms of rightness and wrongness, but these concepts are meant to be derivative of virtue.

A virtue ethicist, then, should reject the alliance of holism with her view.[18] But then there must also be something wrong with the argument for holism if this rejection is to be justified. I now turn to this argument,

2.4 The argument for holism

There is no principled argument for holism, that is, no attempt to show from general considerations that reasons are such that they can have their normal valence reversed and switched off. While, in general, an argument of that kind would be ideal, there are grounds for thinking that a radical particularist should not support holism in that way. Dancy, for instance, wants to allow that there may be some reasons with invariant valence. He does not want to deny outright that being an act of murder is always wrong or at least always wrong-making.[19] That would be reason for thinking that holism does not hold for absolutely all moral reasons. And there are grounds for thinking we could give no principled argument for the holism of reasons in general, for the fact that p & (p ⊃ q) always counts decisively in favor of q and the fact that ~q & (p ⊃ q) always counts decisively against p.[20]

The two arguments marshaled to support holism, therefore, proceed differently, namely by appealing to intuition. That is, each presents putative cases of valence switching. If we can demonstrate such cases clearly and with ease, there is some merit to the idea that we can

[18] Indeed, any philosopher espousing a form of ethical theory would want to reject holism. If there are some ultimate standards of right and wrong, these features will be universal and not alter from context to context.
[19] I do not mean that Dancy thinks it is always wrong or wrong-making. He simply wants to leave open the possibility.
[20] At least where '⊃' is the symbol of a material conditional. Sometimes philosophers use the same symbol to capture a default generalization. In that case, p & (p ⊃ q) would not count decisively for q, since a default generalization has different truth conditions.

generalize from them to the claim that the majority of reasons operate holistically. And it is a merit of the examples constructed that they are not extraordinary—i.e. cases that are bizarre, outlandish, dire or tragic. That is important if we want to maintain that holism is fact about the ordinary operation of reasons.

The first argument is indirect in that its aim is to show that ethical reasons operate holistically, but it does not try to show that by means of examples involving ethical reasons. Instead it cites examples of epistemic, (non-ethical) practical and aesthetic reasons switching their valence. Here are the examples Dancy gives to establish the holism of epistemic and practical reasons.

First, an illustration involving epistemic reasons. In most cases, the grounds for thinking some object is red is that it looks red. Although that is usually so, looking red can be a reason for thinking an object is not, in fact, red. If I am in a situation in which red things look blue and blue things look red, say because I have taken a pill with this effect, looking red will no longer provide grounds for thinking an object is red. Instead, when I have taken the pill, looking red is grounds for thinking the object in question is not red. Thus depending on the context looking red can have either a positive or negative polarity with respect to being red. If this case generalizes, epistemic reasons operate holistically.

Now, some illustrations with practical reasons. In some cases, according to Dancy, the fact that someone wants the job that is open is a reason to offer it to her, but in other situations it is a reason not to do so. Similarly, sometimes we may avoid a place because it is (relatively) devoid of people, while other times that is the reason for going there. So the context can alter the valence of normal practical reasons, too, causing a consideration that normally counts in one

direction to count in the opposite. I will take it for granted that similar cases can be provided for aesthetic reasons.

According to Dancy, we should be moved by the above to think that ethical reasons also operate holistically. Now even if we have shown that each other kind of reason operates holistically, it does not follow that ethical reasons do too. But if ethical reasons are different in this respect, then there should be some explanation for why ethical reasons are different. And, by Dancy's lights, we should be somewhat skeptical that an adequate explanation is in the offing. Since we lack clear grounds for differentiating ethical reasons from ordinary practical ones, it is implausible that there is, as Dancy suggests, this deep difference between them. Given the holism of epistemic, aesthetic, and practical reasons it seems the burden is on the ethical generalist to explain why ethical reasons operate differently.

The second, and direct, argument tries to articulate clear cases of moral reasons themselves switching their valence. Since I am here concerned with the connection between virtue ethics and radical particularism, I will look at examples, developed by Swanton, meant to illustrate that the justice or kindness of an act can be the (or part of the) reason an act is wrong. I quote both examples at length:

> Consider an act which hits the target of the virtue of kindness. We are at conference where a stranger looks lonely. It turns out he is a person from overseas with a poor command of English and cannot participate in the scintillating and sophisticated discussion on moral theory. Our agent Tim performs a kind act, namely, going to talk to the stranger. However, let us look further at features of the situation. Tim is exceptionally keen to participate in the discussion but leaves in order to talk to the stranger who could have made more effort to amuse himself in other ways and whose hangdog expression is expressive of a rather weak, spoiled approach to life. The conversation with the stranger is difficult, and Tim does not enjoy it. Furthermore, Tim is always doing this kind of thing, sacrificing his interests in the performance of such kind acts. He has resolved to be more self-protective and strong, and encourage other to do their share of burdensome tasks.

> But he consistently fails to abide by the resolution. In this context, the kindness of the act contributes negatively to the overall virtuousness of the act.
>
> The second example concerns intrafamilial justice. I have been training my children not to be obsessive about justice or fairness, particularly in an intrafamily context and where the stakes are not high. I want them to be more caring, magnanimous, generous. Despite my personal tendencies to be overly concerned with justice, I resolve to drive the lesson home at the next opportunity. An opportunity soon arises. A family tradition of "fair shares" requires that the person making the division has last choice. There is a cake to be cut. I allow my older son to cut the cake. I notice that he has cut carelessly, but in a state of unawareness takes the biggest piece. The target of (procedural) justice has not been reached. My younger son, apparently unnoticing and uncaring, looks delightedly at the smaller piece that he has been left with. Instead of praising my younger son, I make my older son swap pieces telling him that the division, and his action in going first, having cut, is unjust. My intervention is just, but in the circumstances that is a wrong-making feature of the situation. The justice of the intervention is in the context expressive of the obsessive, weak quality of my behavior.[21]

In each of the above cases, an agent performs some act that is virtuous in some respect. While the virtuousness of an act is usually a reason in its favor, or that contributes to its rightness, in the above cases it apparently counts in the opposite direction.[22] Tim has resolved to be more self-protective and strong and by acting kindly he thereby fails to keep his resolution. If strength is a virtue, we can say that his kindness leads him to flout the demands of that virtue, and thus act badly. In the second case, the eldest son has cut and distributed the cake unfairly and thus unjustly. So the mother acts justly by intervening to rectify the unfair distribution. But the mother resolved to not be so obsessive about low-stakes justice and, in addition, to stress the same to her children at the next opportunity. But by intervening, i.e. by acting justly, she continues to act obsessively and misses the chance to instruct her kids to not obsess about justice

[21] Swanton (2001) p. 48.

[22] In Swanton's view, an act is right if an only if it is overall virtuous. So contributing negatively to the overall virtuousness of an act is tantamount to counting against the act. She makes this clear in her commentary on the examples: "My point in the above examples is that the virtuousness of an act in a given respect (e.g. its friendliness, justice, kindness) can be wrong making (i.e., can contribute negatively to the rightness of an act)." See her (2001) p. 48.

and to be more generous and caring. Since it is through the kindness and justice that each of the imagined agents acts wrongly, it follows that the virtuousness of an act will sometimes contribute to its wrongness. If that is true of kindness and justice, it seems the same will hold of any other virtue.

2.5 The collapse of radical particularism

It seems to me that holism is false. In the remainder of this section I explain why the arguments for holism are unpersuasive.

First, given the argument for holism must rely on intuition, the support for this position is rather tenuous. I do not mean there is no place for appeals to intuition. But people's intuitions can vary wildly, and if that is the whole grounds for the position, it seems whoever does not share the intuition about the given example has no reason to believe it. This is especially troublesome in the context because holism is a thoroughly unintuitive doctrine. The variability is probably minimized if the examples are relatively clear and non-controversial, and the examples above mostly meet those criteria.[23] But if we are going to generalize from these examples to the claim that a whole class—epistemic, moral or practical—operates holistically, then the examples of valence switching should be both semi-regular and widespread. By 'widespread' I mean that we need examples of several, say, moral reasons switching their valence, not just a single one.

[23] I hedge here for two reasons. First Dancy does not present clear cases of practical reasons operating holistically. To flat-footedly say that sometimes that someone wants a job is a reason to offer it to him and other time a reason not to offer it to him is at best giving a promissory note for an example illustrating this. For this is just to assert there is a case not to provide one. Second, I am not convinced Swanton describes genuine issue of justice. If the mother's forcing the sons to swap pieces is just then the eldest son's distribution of the cake must have been unjust, for the idea is that the mother is righting a wrong. But who is wronged in the situation? It seems plausible to believe that no one has been wronged, until the mother intervenes.

By ‘semi-regular’, I mean we need examples showing that a single moral reason switching its valence in a variety of circumstances. The point is to establish holism as a feature of the normal operation of reasons. Neither the direct nor the indirect argument makes good on both desiderata.[24]

Second, even if we accept the examples and accept that we can generalize from them, it is not clear that radical particularism is true and that accepting principles will lead us astray. The indirect argument, to repeat, does not entail that moral reasons operate holistically. So even if we accept that other kinds of reasons operate holistically that has no direct bearing on the ethical case. Perhaps if other sorts of reasons operate holistically then a virtue ethicist (or a Kantian or utilitarian) needs an explanation of why ethical reasons do not. But such explanations are in the offing. Here is at outline of one. A good person is a person of virtue, and possessing a particular virtue is having a disposition that enables one to perform well in some sphere of human activity.[25] Since each virtue is a way of being good it has standards built into it, and whenever we fail to live up to one of these standards we thereby act badly. So the viciousness of an act never counts in favor of some act but only against it. In addition, even if acting in accord with the standards of some virtue does not ensure that I have acted correctly, it is never that on account of which my act is wrong. Thus the virtuousness of an act never counts against it. Of course, many will balk at this explanation and to be sure it needs to be defended more forcefully and in greater detail. But the point is that ethical philosophers have offered many explanations of this kind, and facts about, say, epistemic reasons have no relevance for their cogency.

[24] Perhaps there is some reason for thinking that the holism of moral reasons and ordinary practical ones has been shown to be widespread. But neither has been shown to be semi-regular.

[25] Performing well in one of these areas might depend on a further view of what a good human life is like or on the idea of a human full exhibiting her natural capacities.

The direct argument also has a clear limitation: it only shows that the virtuousness of an act is subject to holism, not that the viciousness of an act is. Though the radical particularists suggest holism holds of both, I do not see the examples above as sufficient reason to believe this. After all, negative demands tend to be different and stronger than positive ones. That is why there are at least plausible candidates for absolutely prohibited acts but no candidates for those that are absolutely prescribed.[26] Thus that there is a large class of negative principles looks consistent with the cogency of the direct argument.

But, third, there is a deeper problem with each argument. Neither illustrates an actual case in which a reason switches its valence. I mean that the examples do not in fact show what they must to evidence holism. Recall that to show holism is true, we need a situation where some consideration, p, though normally a reason for Xing, is actually a reason for not Xing. Put differently, though p is often that in virtue of which an act is good (or bad) in some situations it is the reason some act is bad (or good). Recall, too, that feature itself needs to be what speaks against Xing in order to support holism. If p counts against Xing only in combination with another reason—as part of a complex reason—that is not evidence of holism in Dancy's sense. For instance, if I strike a dry, well-made match, it will usually light. Thus the former is usually a reason to believe the latter. In a different context, say where I am in a strong electromagnetic field, the match will not light. This latter context is not one in which striking a dry, well-made match is itself a reason for thinking the match will not light. At best it is part of a complex consideration—striking a match in a strong electromagnetic field—that counts against thinking the match will light. Indeed, it seems more natural to say that being in the strong electromagnetic field is the entire reason for thinking the match will not light. Similarly, in an ethical case, to

[26] Even if there were, they would not be symmetrical.

show that an act which it is normally good to do is in some contexts bad to do is not sufficient for demonstrating holism. What needs to be shown is both that being an act of that kind makes the act in question bad (though normally it would make it good), and that that reason alone makes the act bad.

I contend that the putative examples of valence switching are at best examples of an act of kindness that is bad in some respect and an act of justice that is bad some respect, not examples of the kindness or justice of an act being itself the reason the act is bad. That is, we have been given no reason to think any reason switches its valence. Indeed, since all the examples fail in the same way, I think we have reason to believe that there will be no cases demonstrating holism. radical particularism lacks argumentative support.

Let's first consider the case of Tim and his act of kindness. For the sake of argument, I will grant that Tim acts badly on this occasion. What the radical particularist wants to say is that the act is bad in virtue of it being an act of kindness. That seems to me to place the explanation in the wrong place. For it is crucial to us seeing this act as bad that "Tim is always…sacrificing his interests in the performance of kind acts" and that "he has resolved to be more self-protective and strong." Suppose, though, that Tim was not sacrificing his interests and had made no such resolution. If in that situation he does not act badly, it seems that sacrificing his interests or flouting his resolution accounts for the badness of what he actually does. If it weren't for the resolution, there would be no badness in the act to speak of.

Now one may insist that the kindness partly explains the badness as well, so that if it weren't for the kindness, the act would not have been bad. The insistence, however, is futile. First, Tim could have acted badly (by sacrificing his interests) without being kind. Many other things could have made him miss the "scintillating conversation" or break his resolution. It is

true that the way Tim misses it is by acting kindly. But that connection is happenstantial. There is no necessary connection between acting kindly and sacrificing his interests. Second, if in this situation, it is the kindness of his act that counts against it, then *any other act of kindness should similarly be bad*. That fails to hold. Suppose, for example, Tim instead had invited the man to join the conversation, perhaps after a short exchange, or Tim had invited the man to grab a drink with some others in a short while. In that case, Tim would still have hit the target of kindness, but would not have sacrificed his interests or broke his resolution. The latter would only hold if performing any act of kindness would imply breaking the resolution. But that, in effect, is a resolution to not be kind, and being a resolution contrary to virtue, I fail to see how flouting it could count as bad (or how it is acceptable to make it in the first place). So if Tim had performed a different act that hit the target of kindness, nothing would suggest he did anything wrong. The case of Tim is thus a case of him acting badly and kindly, indeed acting badly in doing something kind; but what he does is not an instance of an action that is bad because it is kind.

We can tell a similar story about the mother's supposedly just intervention. Again, the question is why the act is bad, and, according to radical particularists, it is bad because of its justice. However, if the mother had not resolved to be less obsessive or to teach her children a lesson, we would not have the grounds to say the act was bad. So it is not the justice of the action itself that makes the act bad. Rather, at best, it is the justice plus the resolution. One may object to this on the grounds that the act is obsessive whether there is a resolution or not. Even if this is so, it does not help the particularist's case. First, if the action is obsessive, why is it obsessive? It may be obsessive because no one has been wronged and to fix the cake distribution is to think that fairness means everyone must get an exactly equal amount. But that is an implausible construal of what justice requires, not an instance of acting in service of it. Or it may be

obsessive because the method of rectifying the wrong done is over the top. But if the intervention is over the top, if the punishment fails to fit the crime, then the punishment is not in fact just. Second, if the act is obsessive, it is the action's obsessiveness that makes it wrong, not the justice of it. For the act would not be wrong if it weren't obsessive and it is not in virtue of what makes it just that the act is obsessive. If the latter were the case, then any other just action in the situation would equally be obsessive and wrong. Other ways of rectifying the wrong done are not wrong acts: The mother could intervene by simply asking the older son to even out the pieces or to cut the younger son a bit more cake. Here, again, it is not the case that any way of intervening would be wrong.[27] So, analogously to the first case, we have a case of an act that is both just and bad, but not bad because of its justice.

All extant examples of valence switching follow the same pattern, and I think that any purported examples will do so as well. It will be suggested that some consideration, p, which normally favors an action, X, sometimes favors ~X. But it is not p, or at least not p by itself, that favors ~X. For the situation will involve some other consideration, q, that itself, or in combination with p, favors ~X.[28] As it stands, there is no evidence for holism, and good reason for thinking none is in the offing.

Now Dancy's may suggest there is a gap in my argument. For my claim against the two arguments for holism seems to be that since it is only in the context of some other fact being the case that some reason supposedly changes its valence—as it is only in the context of Tim's resolution that we have any grounds for thinking what he did was wrong—that additional fact must be part of the reason at issue, if not the whole reason. Thus it would be acting kindly plus breaking

[27] And not every way of intervening would be just.
[28] This holds as well of the epistemic case that Dancy takes to be so clear. It is not looking red that itself favors the belief that the object is not red. Rather, it is the fact that I have taken a drug that makes blue things look red.

the resolution that makes Tim's act wrong; and if it is only one part of that complex reason that does the work in making Tim's act wrong, it is the latter part. Yet that assumes that since Tim's resolution is a relevant feature, a feature making a different to our assessment of the case, it must be functioning as a reason. Dancy denies this. A feature can make a relevant difference to a situation even though it does not function as a reason. More specifically, by Dancy's lights, though some relevant features are reasons, thus favoring or disfavoring an action, others act only as enablers or disablers, which affect the reasons on offer without themselves counting in favor or against any action. Dancy's illustrates the distinction by means of the following example:

(1) I have promised S that I will X.

(2) I did not give the promise under duress.

(3) I will X (I ought to X).

(1) is a reason in favor of (3). If I give someone my word that I will X, that counts in favor of my Xing (of thinking I ought to X). But Dancy thinks (2) is not a reason for (3). "I want to say that my promise was not given under duress is not a second reason for doing the act, to be set alongside the first one. What is true here is that in the absence of (2), (1) would not have favoured the action. In this sense, the presence of (2) *enables* (1) to favour [(3)]"[29]

In the case above, (1) would not be a reason for (3) if not for (2). If the case was different, and my promise was given under duress, then (1) would no longer favor (3): ~(2) disables the reason giving force of (1). (2), however, is not itself a reason for (3). And if it is not a favorer, it also does not form, with (1), a complex reason in support of (3). The upshot, then, is

[29] Dancy (2004). p. 39

that changes in context can affect what it is good or bad to do, but the difference between the two cases need not be a difference in the considerations functioning as reasons.

With this distinction in mind, a holist may claim the following in the case of Tim. Tim's resolution is not itself a reason contributing to the badness of talking to the lonely fellow. Nor is it a reason from refraining from trying to engage him in conversation. Rather, it enables the kindness of his act to count against performing it, similar to how (2) enables (1) to favor (3). If that is so, then though Tim's act is wrong only in the context of making the resolution, the kindness is still the sole reason the act is wrong. An analogous argument, I assume, would be made in support of the case of the intervening mother.

In response, I want to point out first that I am not convinced that the distinction between reasons, on the one hand, and enables/disablers, on the other, is fully intelligible. I have qualms about the distinction being illustrated by appeal to promises, for the practice of giving and keeping promises seems to have its own special features. It is thus not an ideal case to try to generalize from. Further, I am skeptical that the absence of a fact enables anything. Dancy seems to gloss over this by talking of the *presence* of (2). Lastly, if the distinction is intelligible, that some feature acts as an enabler or disabler does not rule out that that feature is also acting as a reason. Reasons can disable or defeat other reasons. And in the first case, Tim's resolution is acting as a reason, for it is necessary for reaching the conclusion that his act was bad. Consider, for contrast, Dancy's example. Inferring (3) from (2), would be fallacious.[30] But I can infer (3) from (1) without appeal to (2). These two facts combine to explain why (2) is not acting as a reason. Neither analogous claim holds in Tim's case. If asked why his act is wrong, I can support

[30] If it is not, then we've been given no reason to think enables are distinct from reasons, and the reasoning of the above objection falls flat.

that by just mentioning that he broke his resolution or failed to be adequately self-protective. What is more, it would be fallacious to infer that his act was wrong simply from the fact that it is kind. I would need to mention the fact that his kindness was an instance of weakness or of exposing himself to dangers to account for its wrongness. Dancy's distinction does not rescue the either direct or indirect argument.

2.6 Wrapping Up

Thus, as I see it, the radical particularist has failed to provide any support for his view. The examples cited in favor of his position only support the idea that what it is usually good to do can be wrong in certain contexts. That thought is no more than the idea that something can be good in one respect without being good in all. That poses no threat to generalism, even one that maintains accepting and abiding by classical principles is needed to act well.

But there is still another obstacle to this view. The reason virtue ethics is often associated with particularism and reckoned to imply some form of particularism is because most of its proponents support a moderate particularism, which calls into question the viability of classical principles. If there are good grounds for moderate particularism, that casts doubt on the plausibility of my generalist conception of virtue ethics. So in the next chapter I turn to the arguments for moderate particularism.

Chapter 3

3.1

In the previous chapter, I argued that whoever espouses an ethics of virtue should reject radical particularism i.e. the view that no kind of moral principle figures in the determination of an action's moral status.

[1] Yet that does not mean virtue ethics is not still particularist in some sense. Indeed, it is often taken as a central (even if not a defining) feature of virtue ethics to reject (or at least remain skeptical of) the role of principles in reaching moral judgments. For most virtue ethicists accept moderate particularism, the view that classical principles do not serve as correct standards for evaluating actions. Again, I defend a view according to which, there is a negative principle associated with each virtue, each of which can determine an act as wrong. Thus I want to review the reasons such a view has been thought untenable.

There are two arguments meant to show that any classical principle will meet with exceptions and thus cannot be a correct standard for evaluating the rightness and wrongness of actions. The conflict argument turns on the fact that principles can generate particular dilemmas. This is taken to show each cannot hold universally. The competition argument turns on the fact that there can be reasons for pursuing different available options for action—different principles we could abide by—and we must choose among them. This, too, supposedly shows principles will be in a way limited.

[1] I distinguish three conceptions of principles: classical principles, which are universal and decisive; Rossian principles, which are universal but contributory; and default principles, which are decisive, but non-universal. For more detail on each conception, see §1.4.

In this chapter, I resist each of these arguments. I think we can only provide a thin case for the claim that conflicts will occur. Yet the existence of conflict would only show a limitation of a principle if, in any imaginable situation, some act must be right. I argue that we can happily accept that no act is right in certain cases. The competition argument depends on what I will call a maximizing model of moral reasoning. I argue that adopting this model is not compulsory and has untenable consequences within an ethics of virtue.

Here is how my argument will unfold. In §3.3, I reconstruct the conflict argument and explain why I think it fails to establish moderate particularism. In §3.4, I reconstruct the competition argument explain why we should reject the maximizing model on which it depends. Before turning to those arguments, in §3.2, I justify my claim that virtue ethicists aim to support moderate particularism.

3.2

My target in this chapter, again, is resist arguments that support moderate particularism. moderate particularism, recall, is the view that classical principles do not figure in the determination of an action's moral status or shape good deliberation. In essence, this means there are no truths of this sort: for any act X, if Xing is Y, then Xing is wrong (or right). I have been pushing for a view according to which Y would be replaced with a term of vice or a description that indicates conflict with virtue. But someone may urge that most virtue ethicists, especially in the Aristotelian tradition, do not reject such a position. They reject that acting well can be codified in terms of a decision procedure. Such a procedure need two features: a) the procedure would tell us, for any situation we confront, what would be the right thing to do and b) the procedure could be mechanically applied, by the virtuous and unvirtuous alike. It is undeniable

that many philosophers focus mostly on such a position when they talk about rules or principles within virtue ethics or at least say much that suggests they have such a position in mind.[2] But I do not think a decision procedure can be their only target.

First, as far as I can tell, no one has seriously (or half-seriously) defended the codifiablity of acting well in terms of a decision procedure. No one is cited as a representative of this view. At best we get some vague reference about the prevalence of this view in some forgotten day of yesteryear. Or someone might reference seeing a tendency to view moral philosophy in terms of problems and solving them.[3] But thinking of moral philosophy in terms of problems doesn't mean we think of the solution in terms of a decision procedure. Or someone may reference act-utilitarianism as a view offering a decision procedure. That assumes utility will be given a value-neutral specification. However that may be, surely utilitarianism is special in this respect and is never indicated as the precise target of anti-codifiability.[4] Hopefully, the attacks on codifiablity are more than bashing a position no one is tempted to defend.[5]

Second, what virtue ethicists say against rules or principles is at least equivocal. McDowell says, "the best generalizations about how to behave hold only for the most part"[6]; and he thinks we should take seriously Aristotle's "skepticism about universal truth in ethics,"[7] a skepticism which extends to "principles of broad generality"[8] whose correct application requires discretion. Nussbuam claims that principles are not "the ultimate authorities against which the

[2] Cf. Hursthouse (1999); McDowell (1998a); McDowell (1998b); Nussbaum (1990); Hooker (2002); and Annas (2004).
[3] Cf. Pincoffs (1971).
[4] Hursthouse seems to think only utilitarianism states its rules in value-neutral ways. But if that is so, would it not be the only view that plausibly offers a decision procedure?
[5] A decision procedure seems at odds with our applications of concepts as such. Almost no concept has determinate marks of application. This is not a new thought, either. Kant recognized it. This too throws doubt on the seriousness in which anyone would entertain the possibility of such a procedure.
[6] McDowell (1998b) p. 58.
[7] McDowell (1998b) p. 34.
[8] McDowell (1998b) fn. 22.

correctness of particular choices is assessed, [and are] valid only to the extent to which they correctly describe good concrete judgments, and to be assessed, ultimately, against these."[9] And Hursthouse claims that the v-rules—the prescriptions and proscriptions associated with the virtues—hold only for the most part.[10] Each of these claims is in tension with classical generalism and not just the existence of a decision procedure.

Sometimes the suggestion on the part of virtue ethicists is that all you could mean by there being principles of conduct is that there is a decision procedure, for they claim that either our evaluation of actions is product of perception or the product of a decision procedure. For instance, McDowell says, "if that capacity [the capacity to know which concern should be acted upon] cannot be identified with the acceptance of a set of rules, there is really nothing for it to be except the capacity to get things right occasion by occasion."[11] I am not sure what would motivate thinking we are forced into these two options. One reason might be that we think that just one of the actions that we could perform in the situation is the right one, it is our task to figure that out, and a decision procedure is inadequate to do so. In that case, the tendency to see any talk of principles as implying a decision procedure seems to indicate the maximizing model on which the competition argument depends. I will explain what this model is and why we should reject it below.

In short, even if philosophers attack a decision procedure, they are mostly attacking a straw man, but there are grounds to think that the attack goes beyond this.

[9] Nussbaum (1990) p. 68.
[10] Hursthouse (1999). p. 46.
[11] McDowell (1998b) p. 30.

3.3 The Argument from conflict

The argument from conflict turns on the fact that given a plurality of principles, an act can fall under several. Doing so can imply the act accords with one principle, indicating it is right, while it conflicts with another, indicating it is wrong. Usually, when I do something kind, I act well. Let's suppose I act kindly by showing consideration for and gentleness to the feelings of others, and giving a gift is a way of showing such consideration. Suppose further that in the present circumstances, the thing which I intend to give to A belongs to B. By giving the gift, I'd be giving what I have no right give. Here, although my act is considerate of A's feelings and therefore kind, it ignores B's right and is therefore unjust. My act would therefore be wrong because whatever merits my act has in virtue of being kind are silenced or outweighed by its injustice. A principle codifying a relation between rightness and kindness would thus hold only for the most part. Assuming there is no limit to which principles can apply in a particular situation or how they may overlap, any other universal principle can be shown to be similarly limited. But two qualifications need to be mentioned.

First, for the case of A and B to illustrate an exception to the principle of kindness, it needs to be the case that, in the situation, *the only way* to show kindness is to give A what belongs to B. If I can show kindness to A by doing something else, I can act kindly without failing to respect B's right. In that case, there would be conflict only under the assumption that a principle of kindness implies that any kind act is right regardless of what else is true of it. Nothing necessitates that understanding of principles.[12] When the conflict is between two

[12] In fact, I think this view would make no sense in the context of supporting a multitude of principles. The above interpretation would make it seem that principles must apply in isolation from one another.

negative principles, the need for this condition is all the more obvious. If it is wrong to hurt A's feelings, and wrong to neglect B's right, clearly we would try to do neither. Only if we have to do one or the other is there conflict.

Second, as stated the argument only calls into question positive principles, that is, principles that codify the rightness of some range of behavior. For the argument concludes that a principle codifying the rightness of kindness has exceptions because, in the case of A and B, acting kindly is unjust and therefore wrong. It seems, then, to show a limitation of the universality of a positive principle by appealing to the universality of a negative one. If the argument is to show that any classical principles will meet with exceptions, it must be that what is codified as wrong is sometimes right, e.g. that being unfair or neglecting someone's right is the thing to do.

To show that negative principles are limited, the argument from conflict needs to posit cases of dilemma. If some principle classifies unkindness as wrong, and another classifies injustice as wrong, then it is possible, the argument will go, that in some situation, we can only X or Y, where Xing means being unkind, and Ying means being unjust. Unless Xing and Ying are equally bad either Xing or Ying will be less bad and thus preferred, and since being just is generally more important than avoiding unkindness, the case will show a principle connected with unkindness to be limited. Of course, there will also have to be imaginable cases in which avoiding some injustice is less important than something else, perhaps preventing a grosser injustice. And to call into question any principle, the examples will have to get more and more horrifying. Thus philosophers imagine scenarios like this: Imagine that you are a sharpshooter in a position to kill a terrorist who is credibly threatening to detonate a bomb that will kill thousands. If you merely wound him, he will be able to trigger the firing mechanism. You must

kill him to save the innocents. Suppose that in obedience to an absolutist ethic you refrain from shooting. The terrorist detonates the bomb. Thousands die.[13]

So, schematically, the argument from conflict goes like this:

1) Suppose there is a principle that it is wrong to X, and another that it is wrong to Y
2) There will be situation in which I can either X or Y
3) Either Xing is right or Ying is right
4) Thus either the principle with respect to Xing is limited, or that with respect to Ying is.[14]

3.3.1 Objections to the Conflict Argument

One strategy for addressing this argument calls into question the second premise by denying the existence of conflict. There are several ways one might support such a denial. One would be to hold that the principles appealed to in illustrating conflict are not quite the correct ones. If we specify the content of principles further so that only certain forms of Xing are wrong or are only wrong in certain conditions, we can eliminate conflict. The putative example of conflict would just show that one of these principles did not apply in this case. This strategy

[13] Shafer-Landau (1997) pp. 603-4. He calls this argument from moral horror to distinguish it from the argument from conflict. The distinction seems illusory. There is no distinction, I think, if we are just imagining more extreme versions of the same basic scenario. Even when we commit small wrongs, aren't we committing small moral horrors, as shown by the need to flout a principle? The grounds for pressing the distinction might be that there is no real principle to prevent the morally horrific consequences. So no conflict. But the force of such examples turns on it being paramount that the consequences be avoided. Otherwise, why flout the purported absolute rule? Yet that seems to allow absolute principle in through the back door.

It is also worth noting some weaknesses in the example. I do not think the principle most people would defend is focused on killing. And that means he does not consider the possibility that the terrorist is a combatant. There is also the point I mentioned before that it is assumed that our options are thus limited. If I can kill a person with a shot, then I could also blow off the arm holding the detonator.

[14] Because of my interest in negative principles I will focus on this schema of the argument. It would need to be slightly altered for positive principles.

would deflate the argument but not aid in defending a view of the kind I envisage, which defends principles expressible in virtue terms. Further specification would undermine the status of virtues as ultimate standards of evaluation. In addition, this move concedes too much to the particularist. For once principles have been made more concrete, there will be other cases in which it comes into conflict with still other principles and needs to be further specified.[15] If more and more cases can be imagined to show the conflict and limitation of principles, and this shows the principles were not quite the right ones, they are no longer functioning as standards by which we assess our options in individual cases. They are summaries of judgments made on the spot.

Others may attempt to head off conflict by appealing to the unity of the virtues. The thesis of unity is that the virtues are importantly intertwined, usually linked through practical wisdom, in a way that entails a person cannot have one virtue without possessing them all. Some philosophers seem to move from this claim to the idea that virtues cannot conflict, and thus that contingent conflicts cannot arise among their demands in a particular case. I am skeptical, however, that the virtues are unified in more than a very limited way. It is unlikely that you can possess any virtue fully, if you are fully a scoundrel in some other respect or unless you on your way to virtue in many others. Even so, the idea that the virtues cannot conflict because they are unified would seem to mean that the possession of no virtue can preclude the possession of any other, not that no contingent conflict can arise among them. To rule out the latter, in light of unity, we would need to assume that, e.g., if I act intemperately (or can?) then I am not temperate. For the possibility that I may have to act intemperately is, I suppose, what conflict

[15] For versions of this view, see Hare (1963), Sinnott-Armstrong (1999), and Scanlon (1998).

among the virtues might entail. It seems clear, though, that a kind person may have acted inconsiderately and a temperate person may have drunk to excess.[16]

Although we don't have a strong case for rejecting conflict, we've also been given no reason to accept it. In examples meant to illustrate that principles come into conflict, that conflict turns, as in schema above, on having one of two options: kill the terrorist or let thousands die, condemn the innocent or be at the mercy of the angry mob. Yet that we have only two options is stipulated in the examples. That stipulation is not obviously justified. Life rarely presents us with choices restricted in this way. At least, we tend to view the situations as if there is another option, continuing to search for ways to do neither X nor Y. Now I am sure it is easy to dismiss this because of a presumption that such cases are in ready supply. I suspect, however, that if one attempted to provide the needed detail, the putative conflict would disintegrate before our eyes. See for yourself. Try to explain in detail why some situation necessitates a choice between two options.

Can we resist premise 3)? Is there anything to say if conflict does occur? I think we can welcome its rejection, for I do not see that it is problematic. The upshot of admitting such conflict is that we can be confronted with irresolvable (perhaps tragic) dilemmas, cases in which whatever we do we act wrongly. What is so bad about that?[17]

First, some may assume that it must always be possible to act rightly in any imaginable situation. The idea may be that we cannot hold someone responsible for some bad action that was not preventable. I agree that it would be wrong to blame such a person. The lack of responsibility would not itself show, however, there was nothing wrong with what the agent did.

[16] I give treat the question of unity more patiently in chapter 4.
[17] Some of what I say is similar to Hursthouse's treatment of dilemmas. See Hursthouse (1999).

And it doesn't mean that the person should not feel compunction, for his action. In any case, everyone seems to agree with the trope that nobody is perfect. The content of that claim is surely not that nobody has happened to act perfectly, though they very well could have.[18] It means we are bound to go wrong, indicating cases where we couldn't help or prevent going wrong. If we can allow some unpreventable wrong to arise from our nature, I don't see any special problem allowing it to arise from special circumstances too.

Another potential problem is that if we allow conflict, we recommend an irrational conception of how to live, one that cannot be followed because it has inconsistent principles. The principles form part of an irrational moral theory for they imply I should not X and should not Y, since both are wrong, when I can only X or Y. I think this worry feels most gripping when put in terms of requirements: I must not X and I must not Y, but I must X either Y. But what does being morally required to not X come to? I do not think it means much more than it is bad to X.[19] In the context of virtue ethics, one might say Xing tends to make one vicious in some respect. The idea that Xing is wrong is primarily evaluative and tied to the notions of good and bad. So if the sense that allowing conflict is irrational stems from the sense that we cannot be commanded to do two different things, the worry does not apply here. Further, the principles are not shown to be inconsistent in light of the conflict argument. If two principles are inconsistent, there must be no case in which both can be satisfied. So two principles are not shown to be inconsistent if they are not mutually satisfiable in a particular case.[20]

Lastly, one may try to force a dilemma on a generalist open to admitting cases of conflict: either deny the possibility of conflict or undermine the ability of principles to fix the

[18] I don't see that that understanding could have the consoling effect meant by the phrase.
[19] Cf. Anscombe (1958). I must X or….what? It seems all we can say is that I must X on pain of acting badly.
[20] Cf. Marcus (1980).

moral status of actions. The idea is that if we allow conflict, a principle would no longer be able to determine actions as wrong or right. Shafer-Landau articulates this point:

> We have a ready explanation of the absolutists' desire to avoid conflict among their favored rules. This explanation forces a particular reading of what it is for a rule to be maximally stringent. This notion is ambiguous between (1) never overridden and (2) always overriding. The stronger (2) is necessary if absolute rules are to fix moral verdicts. Option (1) would allow conflict among rules that would yield moral dilemma. To serve a fixing role, the presence of a grounding property in such a rule must be determinative of a verdict. If (1) alone is the proper reading of maximal stringency, then so-called absolute rules can conflict and will no longer be always determinative. Only by thinking of absolute rules as never overridden and always overriding will one ensure a fixing role for such rules, by eliminating the prospects of conflict.[21]

So, the thought goes, if a principle is not always overriding, it cannot determine an act as wrong, and it cannot be always overriding if it conflicts with other putatively overriding principles.

The thought seems clearly false if taken generally. Consider again the case of A and B. Suppose that Xing is giving A what belongs to B, and that Ying is giving B what is due to him but that is inconsiderate toward A. Thus Xing is unjust, and, according the view I envisage, it is wrong to be unjust, and Ying is unkind, and it is wrong to be unkind. Suppose, further, I can only X or Y. Though the principles conflict, the principle of unkindness fixes the status of Ying, and does so without overriding the principle of injustice. The same point applies to the principle of injustice. The above dilemma only gets a grip in one of two cases. Either a) we restrict the claim to positive principles. If there are cases in which the only way to act kindly is to act unjustly, then the principle that kindness is right will not fix the status of kind acts in those cases without overriding the principle classifying injustice as wrong. To maintain its ability to fix moral status in the case of conflict a positive principle may need to be always overriding. Or b) we must

[21] Shafer-Landau (1997).

assume that fixing a verdict means informing us of what in particular we must do.[22] That is, fixing the verdict must mean more than determining an act as, say, wrong, because the rejoinder starts from the assumption that conflict is possible, i.e. that both acts could be wrong. Nothing compels the claim that principles must determine a decision in particular cases.

It is not obvious that there are clear problems with allowing conflict. Further, allowing conflict is advantageous at least to the extent of cohering with considered moral opinions. Above I mentioned that if we confront a dilemma like that illustrated in the second example above, we think we shouldn't feel altogether happy about what we do. That signifies that something is wrong with what I do. That is obviously so if, as in the case of conflict, we think we go wrong in either case. And we do seem to admit there are cases in which all we can do is make the best of a bad job. Even those who would insist one of the options is the right one, say because better in some way, must admit these cases of doing what is right are different from a case where I do what is right by paying a debt or giving aid to someone in need of it. Even when we imagine a conflict between small wrongs, we think we might need to apologize, make up for it, feel bad, and so on. No such thing would be warranted in most cases where I act rightly. If I must still respect the principle in some way, why think it was overridden? And why shouldn't we register this by saying all my options are wrong, but one is less so? Given a virtue ethical view where right and wrong are derivative from ideas about good and bad, that is seems exactly what we should say.

Further, if horrific cases of the second kind were to occur, don't we think that the people involved should do everything in their power to keep *either* from happening?[23] In movies or TV,

[22] This assumption seems to me tied to the maximizing model I will criticize in the next section.
[23] Indeed, we think this in any putative case of dilemma. We don't simply give in and start making trade-offs.

when characters are confronted with such cases, the moral heroes always try to avoid or prevent the threatened harm without giving into the demands or temptation to do something terribly unjust. Their attempts to prevent either wrong seem noble, and, if they fail, that hardly comes across as simply allowing the terrible consequences.[24] So the refusal to kill someone does not seem to be simply *allowing* terrible consequences. If this is right, it seems to be evidence that both principles are absolute.

So I conclude, then, that the conflict argument fails to provides compelling grounds for moderate particularism. It is neither clear that there are cases of conflict nor that we should worry if there were. If we should reject the kind of generalism I am defending, and deny that there are any classical principles, it must depend on other considerations. I turn now to a second argument meant to establish moderate particularism.

3.4 The competition argument

The competition argument also appeals to the fact that more than one principle may apply in a particular case and thus bear on what to do within it. But whereas that former argument turned on the conflict between mutually applicable principles, the competition argument turns on the idea that an answer to what it is right to do arises out of competition between mutually applicable principles, a competition between reasons for the various options.

In many situations, there will be a host of available avenues for action, and many among them will be capable of engaging with a principle that forms part of a person's conception of how to live. That is, in a given case, it may be open to one to do something considerate for a

[24] *The Walking Dead*, especially the first few seasons, is full of such examples.

friend or to help someone in need. Thus there is opportunity to act kindly and another to act generously. The requirement to act well, the idea goes, is not met by simply choosing one of these opportunities over the others. As McDowell puts it, "Acting in light of a conception of how to live requires selecting and acting on the right concern."[25]

How is that condition met? How will we act rightly in the face of these options? The typical responses are some form of saying we do what is comparatively better or in some way best. McDowell says, e.g., "one rather than another of the potentially practically relevant features of the situation would strike a virtuous person, and rightly so, as salient, as what matters about the situation."[26] Nussbaum claims that in a situation with multiple options, "Aristotelianism asks about overall preferability."[27] And Hursthouse claims that if there are moral grounds favoring one option over another, each virtuous agent will choose that option.[28] Thus suppose in the case above it would be preferable to give to a person in need, since one's friend is in no particular need for cheering up. It will be right to act generously, but not kindly. As such, there can be no universal or classical principle to the effect that it is always right to act kindly. If no principle is such that it always takes precedence over the others, and if it won't always be possible to satisfy each principle that is potentially satisfiable in a particular case, no principle will universally serve as a correct standard for action.

We can schematically represent the competition argument as follows:

1) Suppose there are two principles: it is right to be kind and it is right to be just.
2) There will be cases where I can act kindly or justly.

[25] McDowell (1998a) p. 68.
[26] McDowell (1998b) p. 28.
[27] Nussbaum (1990) p. 63.
[28] Hursthouse (1999) p. 54.

3) Some cases in which I can act justly or kindly, the former will be comparatively better.

4) Thus is it is not always right to act kindly.[29]

A similar argument can be repeated for any putative principle.

3.5 Rejecting the Maximizing Model

The problem with the competition argument is the assumption that licenses the move from 3) to 4). It assumes what I call a maximizing model of moral reasoning—MM for short. The central feature of this model is the idea that the right action is what is comparatively best.[30] This terminology, though not a perfect fit, highlights the similarity to utilitarian models of moral reasoning. Consider a simple utilitarian view according to which the right action is the one among the available options that produces the greatest balance of pleasure over pain. Now it is no part of MM, as I will understand it, that there needs to be single value in terms of which we can commensurate all other judgments of putative value (in terms of pleasure and pain, say) or that all that matters for evaluation of actions is their consequences, and not say the kind of act performed. Even so, the model suggests that to determine what is right or wrong 1) we should consider all available options, all the opportunities an agent could pursue in the circumstances, 2) that among the available options, there tends to be one that is right or should be pursued, and 3) that among the available options the right one stands out from the others as, in some respect, comparatively better (salient, favored on moral ground, overall preferable, or backed by all-

[29] I do not take premise 2) to imply that I have only two option. It is not clear that this matters in the context of the competition argument. I think people may assume this restriction if pressed. Yet in context where such reasoning comes up, the idea seems to be that I should do the better thing.

[30] I try to make no specific assumptions about what makes an act best. But the idea does seem to carry generic or structural implications.

things-considered reason, etc.). Again, the conception of right action, 3), is the central feature of the model. The demand to look at my options, implied by the need to select what is comparatively best, is strongly tied to the particularist's insistence to look at the particular case.

As common as a picture of this kind is, we should note that it is neither universal nor compulsory. We can contrast this model with what I will call a Kantian model of moral reasoning or KM. The features of this model, or how it contrasts with the MM, can be elicited by considering the shape of moral reasoning informed by the categorical imperative: always act so that you treat others as ends and never as mere means.

In contrast to MM, this model of moral reasoning will not imply features 1), 2), or 3) above. For the situation to be such that only one act is right in KM, it would need to be the case that there is only one available option avoids treating people as mere means. Situations in which that is true must be exceptionally rare. As such, it will not tend to be true that a single act is right; instead it will tend to be true that there is an abundance of such acts. Now there may be grounds for thinking that if an act satisfies the categorical imperative it is overall preferable, for that may be the only relevant grounds of preferability. That might suggest that 3) holds for KM too. Suppose, though, that some action satisfies categorical imperative and it satisfies as well some imperfect duty, say to help others in need. Suppose, further, that there is another available option that while it satisfies categorical imperative, satisfies no other more particular duty. It seems to me there are some grounds for saying the former is preferable, it does more good after all, especially if the latter option is watching TV. But given KM, the first option is no more right than the second. In any event, it is clear that preferability on this model in no way depends on comparison between options. Preferability would only depend on whether the act treats someone as a mere means, which doesn't depend on its status with respect to other options. Because of

that, there is no pressure toward 1) on this model. If rightness is not a product of comparison or competition, there is no need to survey all the parties to the comparison. Indeed, on this model, if I often consider only one option, and go after it, there need be nothing wrong or irresponsible about the way a I reason, so long as I choose options that accord with the categorical imperative.

None of the features of MM seem to be clear aspects of reasoning within an ethics of virtue. Aristotle does claim, in explication of the doctrine of the mean, that while we can go wrong in many ways we go right in just one. That may suggest some tendency toward uniqueness in the acts that hit the mean and may indicate that an act that hits the mean stands out from the other actions that would be available. But if we keep with his image of the mean as a target or bullseye, then just as we can hit a bullseye in more than one way, I can hit the mean in more than one way too.

Further, the view I wish to defend fits more neatly into KM. According to my view, an act is right if and only if it conflicts with no virtue. The fact that an act conflict with no virtue does not mean it is the best and to determine whether such conflict exists I do not need to compare it to other options. So 3) does not hold and neither does 1). In any given case, there will be innumerable things I can do that conflict with no virtue. Moral reasoning guiding by this conception of right action will turn me away from many unviable options but not direct us to any one in particular. 2) doesn't hold of this view either.

In what follows, I will try to show that the MM is a poor fit for an ethics of virtue, and a problematic picture of moral reasoning more generally. My strategy will be to articulate numerous implausible implications the model generates within morality and especially within a virtue ethical approach.

3.5.1 Anything is Permitted

Utilitarian theories are sometimes criticized in light of the fact that any act or type of behavior can be permitted; nothing will be ruled out because of the sort of behavior it is or the type of act it tokens. If what allows anything to be permitted within utilitarianism is the fact that a normally bad action may be part of maximizing good consequences, the same may hold of MM. Given the commitment to a similarly maximizing view does anything within the MM prevent it from being the case that anything is permitted? Does anything preclude an injustice or murder from being comparatively best? I think absent an ad hoc restriction, this does follow given MM.

First, it is worth mentioning that many particularist virtue ethicists do leave space for the idea that anything can be permitted, even if they do not explicitly say so. Nussbaum, for example, suggests that Truman may have been right to bomb Hiroshima or that Agamemnon may have been (or was) right to sacrifice his daughter.[31] If these acts can be right, presumably anything can. Hursthouse, in the context of taking herself to defend absolute prohibitions, claims, "I am quite willing to stick my neck out and say that we find the world to be such that no genuinely virtuous person would ever sexually abuse children for pleasure."[32] If this is the only sort of thing she sees as being always wrong, a terrible act done for a terrible end, many less terrible acts for non-terrible ends will be permitted. So many at least do nothing to block the

[31] Nussbaum (1990) p. 65. Nussbaum's view is complicated. She does want to say that each action in such a case would be absolutely bad. Because of that, her view is similar to the stance I take with respect to the possibility of conflict. But she does think that the badness of any action can be overridden. (That evidences her acceptance of the MM.) If it can be overridden, there will be no demand to take every measure to avoid that absolutely bad action. Otherwise, she would be admitting some absolute demand, which she rejects. So it seems that on her view badness is not as such indicative of wrongness. Rather, rightness or wrongness is a product of the overall balance of good and bad that belong to the various options for action.

[32] Hursthouse (1999) p. 69.

implication. And how could we? For if some kind of act is always wrong, then it's wrongness cannot be a product of comparison with other options.[33] But if a just person habitually avoids injustice, I do not see why it would not be part of being just to avoid all these forms. Thus, one will insist that these cases are very rare, occurring only in the most extreme of cases.

But it is not clear that given MM it is only in rare cases that typically bad behavior seems justified. Consider, for instance, what McDowell says in motivating the unity of the virtues: "Possession of the virtue [of kindness] must involve not only sensitivity to facts about others' feelings as reasons for acting in certain ways, but also sensitivity to rights as reasons for acting in certain ways; and when circumstances of both sorts obtain, and a circumstance of the second sort is the one that should be acted on, a possessor of the virtue of kindness must be able to tell that this is so."[34] In the situation, there is a fact about the vulnerability of A's feelings and a fact about B's right that both obtain. Suppose the latter is the one that should be acted upon. Well, if that is *the one* that should be acted upon, the suggestion is that in cases of this kind the non-salient fact need not be addressed at all. Even if this fact could engage the principle of kindness, I needn't satisfy the principle at all. For if we do need to, if we do need to be gentle to A's feelings, then of course that principle of kindness must be acted upon as well and the principle of justice would not then be *the* concern we should act on. But if a kind person is pleased to act kindly, is pained by acts of unkindness, and acts kindly for its own sake, any kind person would feel the need to be gentle to and considerate of A's feelings.[35]

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[33] Can God make an act so wrong that other wrong cannot outweigh it?

[34] McDowell (1998a) p. 53.

[35] Hursthouse discusses a similar case that implicates honesty and kindness: needing to tell a student that he is not likely to succeed in graduate school. Hursthouse puts this in terms of there being no conflict since you do the student no kindness by concealing the fact about his likely performance. But this is conveniently only part of the story. Whatever we make of Hursthouse's claim, you also do the student no kindness by informing him that you think he is a blithering idiot, will be an embarrassing failure, and so on.

In any case, the idea that any act can be permitted seems to me implausible on its face. Adopting a moral outlook mostly serves to constrain behavior—correcting errant impulses and tendencies—and if everything is permitted, much of the constraining effect of morality is lost. For by being so constrained we are oriented toward the good, and if everything can be permitted, there seems nothing to anchor that orientation.

Further, it has been part of the tradition of virtue ethics to reject that potentially anything is permissible. Aristotle, for instance, claims that there is no mean—and thus no way to go right—with respect to adultery. In the case of the latter, he says its name connotes depravity. Yet Aristotle is, like most particularists, skeptical of a place for principles within moral thinking. Given that so many are influenced by Aristotle in this regard, these facts should give us pause. For if these two claims are consistent in Aristotle, his attack on principles must be importantly different than the attack under discussion. In particular, it would not depend on MM. For given MM, we cannot accept Aristotle's explanation of why intemperance or adultery is wrong. Aristotle's point in saying that adultery connotes depravity seems to be that it is wrong as such. One way to explain this would be to show that it is essentially or as such intemperate, for in committing adultery, I have sex with the wrong person. An act cannot be as such wrong according to MM. An act is wrong, according to MM, if it is not supported by the preponderance of reason, if it is not what matters about a situation, what is comparatively best. Yet whether an act is not that which is comparatively best is not something that can be determined in advance or as such, for that is independent of the point of comparison.

The features of MM suggest that anything can be permitted. To resist that, it seems we must make an ad hoc denial of the suggestion. And many virtue ethicists pay lip service to the existence of some absolute requirements. I have already mentioned Hursthouse's intentions to

this effect. McDowell admits that, "Aristotle does seem (reasonably enough) to envisage universal prohibitions on, for instance, adultery or murder."[36] I imagine, too, that they will want to deny that one could act rightly in acting unjustly or intemperately. Since these claims are at odds with a pure form of MM, we can imagine that most will accept MM in a restricted form.[37] The right action will be that which is comparatively better. But the space of options that are candidates for being right is constrained by the negative principles I envisage. That is, any available option is thereby discounted as viable and party to the comparison if it conflicts with some virtue or absolute prohibition. This concession would insulate negative principles from the particularists attack. Still, given the MM, the sheer fact that an action accords with all the negative principles is not sufficient to show it is morally appropriate. For if both X and Y are available options that conflict with no virtue, yet pursuing Y is overall preferable, I can still go wrong by pursuing X. A restricted conception of MM would show that principles cannot determine acts as right, even if they can determine them as wrong.

3.5.2 Virtue and goodness

The standard implied by MM fits oddly in virtue ethics given the way it connects virtue and goodness A virtue is an excellence of a human being and a virtuous person is a good or excellent person. A vice is an evil (bad) of a human being, and a vicious person is a bad person. And virtues and vices are built up from their instances: one becomes virtuous (good) by doing virtuous (good) things. But both 'good' and 'excellent' are threshold as opposed to superlative

[36] McDowell (1998b) p. 27 fn. 9.
[37] That philosophers have to make a concession to absolute prohibitions even though nothing else in their view tends toward such a concession should raise question about how all the aspects of their view fit together.

concepts. That is, being excellent doesn't mean being the best. Two things, including actions, can be good or excellent and one better than the other. Since virtue ethics directs us to the virtues and to avoid viciousness, and it directs us to be good and avoid the bad. It does not direct us toward doing what is best. The demands given MM are stronger than those implied by an ethics of virtue. Further, given that 'good' and 'excellent' are threshold concepts, in a given situation, two actions, X and Y, can be virtuous or excellent and one better than the other. Suppose that the better option, X, is overall preferable. Then given MM it will be right and Ying will be wrong. In the context of MM, it will be possible to act virtuously, that is, do something virtuous in some respect and vicious in none, and still act wrongly. Yet since virtue is an excellence, supposedly it issues in only right action and surely doesn't issue in any wrong action. I do not know how we can avoid this conclusion in light of MM without building overall preferability into the condition of virtuous action. I do not think this move is plausible, for it makes virtue presuppose instead of determine rightness.[38]

Given MM, it is also not clear that any virtue is necessary for being good. According to MM, a virtuous person will X when that is what is important about the situation, when that is overall preferable. Now what is overall preferable is subject to contingent facts about the situation, the way the world happens to be. It is up to chance. So it is possible, even if not very likely, that in the situations I happen to confront it is never overall preferable to help someone in need. I do not mean that maybe all need will be eliminated. I mean even if many are still in need, nothing guarantees that addressing this need will ever be the option that is comparatively best. As such, it would never be incumbent upon me to act generously. If I never act generously, then I will not be generous. Given that I was always acting rightly in never doing a generous thing, I

[38] Some of the consequences I will bring up in what follows bear on this.

am exactly as I should be. It follows that generosity at least is not a necessary part of being good. If the argument can be applied to any virtue, it seems that we don't need any of the virtues. Each virtue is an accidental part of being good. But it seems that if X is a virtue, it is an essential part of being good. If that is so, the reason we need a virtue is not that I need to be in a position to act on the relevant concern when that appears to be better. MM seems to destroy the assumed connection of virtue and goodness, on the one hand, and vice and badness, on the other.

3.5.3 Demandingness

Lastly, MM gives an overly demanding standard. I think we can see this in three different ways.

One way to register this concerns the space left for supererogatory actions. Roughly, an act is supererogatory if it goes above and beyond the call of duty, that is, if it is good, excellent, or admirable but not required. Sometimes such acts inspire awe for their heroism or saintliness. For example, when a soldier jumps on a grenade to spare his compatriots that often appears to us as an instance of almost unparalleled self-sacrifice and bravery. However, an act can be supererogatory without being, say, heroic. Many kind turns you might do for a friend are actions that you do not have to do, yet the performance of them would not render one, in any respect, saintly.

Adopting the MM tends to eliminate space for supererogatory actions. Recall that given MM, an act is right only if it is overall preferable, and therefore the right action tends to be the one that stands out from the others. If some actions are supererogatory, then a) they are better than others that we could perform in the situation and b) it would still be right to perform

another, less good, action. If a) is true, the better actions would seem to be so in light of some moral consideration or other. On the face of it, that is, a putative supererogatory action act will be that which is overall preferable, favored on moral grounds, etc. Then according to MM it is the right action. Since it is right, it will be wrong to opt for one of the available but less good options.[39] As such, any putative supererogatory actions is required given MM.

The category of supererogatory actions is important for conceptualizing moral behavior in general and in virtue ethics in particular. Aristotle, e.g., distinguishes (plain) virtue from superhuman virtue that Hector is said to possess. Part of the distinction between these two will be in the quality of the acts by which each is produced and sustained. Superhuman virtue will require acts that are superhuman, and thus better. Now if these are favored on moral grounds or are overall preferable, then according to MM the acts that produce superhuman virtue will be right. Yet while it is plausible to expect a human being to exercise courage, it is oppressive to insist that one is bad and acts wrongly for failing to exemplify the heroic courage.

In addition to revising a common way we conceptualize moral behavior, it removes the praiseworthiness from many admirable actions. In general, a person does not deserve praise for behaving as they ought to behave, but they do deserve it for many acts of bravery, kindness, generosity, and so on. But if those acts are right, and I go wrong if I don't perform them, then it seems we deserve no praise for them. You should no more be praised for taking the time to help a stranger in need as you should for not robbing the people you pass on the street. If you do deserve no praise for refraining from robbing those you pass on the street, since you ought to so refrain, you also deserve no praise for helping a stranger in need, since you ought to do that too.

[39] The assumption is not that if an act is not overall preferable, it is wrong. There can be more than one overall preferable act, but I don't see that would usually be the case.

The demandingness given MM is also evident with respect to specific virtues. Temperance e.g. is the virtue that concerns the feelings of bodily pleasure associated with food, drink, and sex. There is a need for this virtue because we are often carried away by the temptation to indulge in such pleasures. Yet although temperance tends toward moderation in the pursuit of pleasure, a temperate person is not an ascetic, but one who enjoys her bodily pleasures. Thus temperance will not excessively restrict the pursuit of ends related to, e.g., sexual indulgence. It will ensure one acts well in going after them.

Now suppose MM is correct so that acting rightly is doing what matters about the situation, doing what is favored on moral grounds, etc. It follows that I will be acting well by indulging my sexual desires only if doing so is what matters about the situation, what is favored on moral grounds. I am not sure what needs to be the case for these descriptions to ring true with respect to an instance of sexual intercourse. I must have sex because of a medical condition? If I am ever to have a baby, it has to be made now? It would have to be altogether rare. As such, if temperance ensures acting well in the pursuit of sexual indulgence it demands prudishness.

A similar point applies to drinking. If regularly having a couple alcoholic drinks is consistent with temperance, then doing so is not wrong. That is, I am acting rightly in doing so. But it is not obvious that having a couple drinks is ever what matters about the situation, or is ever favored on moral grounds. How could it be if, as seems plausible, it would always be acceptable for one to refuse to drink? Given MM, that implies it is never right. Temperance shaped by UM makes one a teetotaler.[40]

[40] A related problem will be present with respect to other virtues to a lesser degree. Part of justice is returning what is owed. Consider a recurring debt, like a rent payment. I am almost always acting rightly in paying my rent when I do decide to pay it—assuming I am not paying late. But if it was right given MM it was overall preferable. Now if it is overall preferable and I do not do it, then I act wrongly. Yet almost never am I wrong if I do not now pay the debt. It may be wrong to wait to the last minute, but it is up to me if I pay it today, tomorrow, or this coming Tuesday.

The demandingness is not only problematic in the context of virtue. It would also seem to affect our pursuit of personal ends. Now suppose that in considering my options for action I know I could watch some TV or do some volunteering. The question is: when am I allowed to pursue this personal end? It seems the answer is almost never. Anytime that I could enjoy some TV, I can likely also volunteer some of my time, do someone a kind turn, or support some just cause. These latter options will tend to be comparatively better for it is by performance of such actions that one becomes good, not by lazing in front of the TV. If I did not absolutely need the break, there are other, better things I could and should be doing. I cannot see how this would not mean most often we go wrong in pursuing our personal ends, though the opposite seems the plausible case.[41]

This is worrisome, in general, not just because there seems to be nothing wrong usually with simply relaxing or in general with pursuing one's own ends. It is worrisome because it seems to leave too little space for a life of our own. Avoiding this consequence seems especially problematic for anyone working within a broadly Aristotelian framework, given the centrality of a eudaimon life for it. A eudaimon life is indeed a life of virtue, but it is also self-sufficient, i.e. lacking in nothing. A life with almost no space for one's own pursuits is surely lacking.

3.6 Conclusion

For these reasons, I think we should reject MM. I do not assume that the arguments here are decisive. If there were such an argument, I don't think MM would be so pervasive. But the

[41] This problem also seems to generate a version of the alienation problem thought to plague consequentialism.

number of problematic consequences it generates should make us wary of adopting it. No doubt, a proponent of MM may urge that these consequences do not really follow. For instance, one may urge that if we view the model within a particular ethics of virtue, these consequences will not follow. If that is so, the case needs to be made. I don't see how they can be avoided without some ad hoc restrictions on the model, as when followers of Aristotle pay lip service to the existence of absolute prohibitions.[42]

I have been aiming to defend a principled ethics of virtue. According to this view, there are truths of this form: for any act X, if Xing conflicts with V, where V is some virtue, then Xing is wrong. In this chapter and the last, I considered the central reasons for rejecting truths of this shape. I have argued that none provides us with a compelling case to reject such principles. I now turn to the positive side of my account.

[42] At various places in the attack on MM, I have appealed to the fact that if an act is not right, it is wrong. I think two things speak in favor of this assumption. First, it conforms to how we actually use the concept. To say an act is not right would rule out saying that it is perfectly permissible. Second, this use of right is necessary for the competition argument. The point is to say that one of the principles will recommend the wrong thing, and it does so because it doesn't tell us what is right.

Chapter 4

4.1 Intro

In the previous two chapters, I tried to show that the reasons thought to evidence particularism, whether in its more radical or more moderate form, are unpersuasive. The best kind of case we can give depends on a maximizing model of moral reasoning that is an ill fit within virtue ethics and deeply problematic. That model turns on thinking that an act is right if it is comparatively best. Virtue ethics seems to me concerned instead with the contrast between good and bad, and its account of what is right or wrong is bound up with that. As I understand it, an act is bad if it is bad in some respect, and good if it is bad in no respects. And our understanding of good and bad is connected to the virtues. Thus, if an act is vicious, or conflicts with virtue, it is bad (or wrong). If an act conflicts with no virtue, it is good (or right).

Here I will motivate the first of these claims. My argument will be that if we reflect on the explanatory primacy of virtue and on the conditions of the acquisition and possession of a virtue, then we will recognize truths of the form: if Xing is unjust, Xing is wrong. I will develop an argument along each of these lines, and consider several objections to my view.

4.2 Principles and the Priority of Virtue

The first argument begins from the place of virtue within a virtue ethical moral theory. One tendency of virtue ethics is to look at the shape of the entire life one should lead instead of the individual acts we should perform. This is connected with the sense that whereas modern

forms of Kantianism and utilitarianism focus foremost on the question "What ought I do?", virtue ethics focuses instead on the question "How should one live?" As such, virtue ethics centers ethical reflection on living virtuously and what that implies and less so with what is right or wrong. This implies a related difference in the conceptual connection between right and wrong, on the one hand, and virtue, on the other. A utilitarian, after all, can recommend a life of virtue, but a life of virtue will in that case be understood through the lens of the principle of utility, such that virtue is a disposition that maximizes utility. Thus an answer to the first question shapes an answer to the second. An ethics of virtue reverses this connection, starting with some idea of what virtue is, thereby answering the second question, and shaping an answer to the first in light of it. That is, within an ethics of virtue, rightness and wrongness is explained in terms of virtue as opposed to the other way around.

Now I think that we should understand the relation of virtue and vice to the appropriateness of particular actions in the following way. Virtue is a quality that makes one good and vice is a quality that makes one bad. Virtue and vice are built up from their instances: someone becomes virtuous by performing virtuous actions and becomes vicious by performing vicious actions. Thus acts of virtue, tending to make one good, are good themselves. And acts of vice, tending to make one bad, are bad themselves. So we can say, schematically, an act is wrong if (and only if?) it is vicious or conflicts with virtue.[1] I refrain from making a related claim about virtue and rightness for two reasons. The relevant claim would then be: an act is right if and only if it is virtuous (or accords with virtue). Being virtuous is sufficient for rightness only if we think an act cannot be virtuous in some respect and vicious or bad in others. Virtuousness is not

[1] My sense is that vice is not a positive thing on its own but a falling away from virtue. I am unjust, e.g., by routinely treating people unfairly.

necessary for rightness either. Some acts we should count as right even though they have no clear connection to virtue. I can act well in reading a book or watching TV, though neither is an act of virtue. This schematic representation of the connection of virtue and wrongness is borne out by extant accounts of right action. Michael Slote argues that act is wrong if it has bad or insufficiently good motives.[2] Hursthouse says that act is right if and only if a virtuous person, acting in character, would perform it; so if it is not right, but wrong, it is one that no virtuous agent would do.[3] Thus, if an act cannot cohere with an agent's virtuous character, it is wrong.

Now, given the plurality of virtue, conflict with virtue, in general, will be cashed out in terms of the individual virtues and what conflicts with them. The basis for the plurality of the virtues is the following. There are several domains or spheres of activity in human life each of which require different concerns, sensitivities, and motivations. Each sphere tends to have its own characteristic obstacles we need to overcome or temptations to which most of us are naturally subject, and each calls for different sorts of characteristic response.[4] Thus courage concerns those situations in which we confront danger, risk, and hardship and are subject to feeling afraid, defeated, and a temptation to run away or give up. Temperance concerns those situations in which we can gratify the pleasure or avoid the pains of the body, those associated with food, drink, and sex. Being virtuous, then, is to have the full complement of virtues. That is, being good is a matter of having all the virtues, and being bad can result from failing with respect to any one. So given the priority and plurality of virtues, it follows that an act is wrong if

[2] Slote (2001).
[3] According to at least one version of the target centered approach, an act is right if and only if it is not overall vicious and wrong if it is. Swanton (2003) p. 240.
[4] Cf. Mueller (2004).

it conflicts with any virtue: for any behavior, if exemplifying this behavior is un-V, where V is some virtue, that behavior is wrong. There will be as many principles as there are virtues.

I am assuming the connection between being contrary some virtue and being wrong as holding universally, that is, in terms of a classical principle. But why not in terms of a default or Rossian principle? Suppose we understand the connection in terms of the latter. Then if an act is unjust, it is pro tanto bad, but not necessarily wrong. It would then be possible to act rightly while acting unjustly, for if being unjust isn't necessarily wrong, it may well be right. Yet if justice is a virtue, then acting unjustly will tend to make me bad by corrupting or preventing that virtue. So if being virtuous is what is primary, for an ethics of virtue, it cannot understand the connection in terms of a Rossian principle. The same argument applies if we try to understand the connection expressing a default principle.

4.3 Acquiring Virtue and Acting on Principle

A different case for negative principles falls out of picture of how virtue is acquired.[5] My strategy for this second argument will be to give a rough picture of what it means to accepting a principle and then show how the acquisition of virtue essentially involves accepting a principle.

When someone accepts a principle she has her mind made up about the moral status of actions falling under some description.[6] That is, she takes that moral status to be a general fact

[5] This is another way of talking about aspects of the possession of virtue.
[6] Recall that a principle expresses a relation between a grounding property and a moral property. I am thinking of classical principles here, those which express a universal relation between a general behavioral description and a decisive moral property, e.g. rightness and wrongness.

about actions which satisfy that description and not something that depends on those actions being performed in such and such circumstances. To illustrate, suppose some person, K, believes that factory farms are cruel and that therefore it is wrong to support them by purchasing factory-farmed meat. In that case, she believes it is wrong to buy factory-farmed meat full stop, not because of some merits or demerits of buying it here and now. She does not think it is wrong to buy it because today it happens to be expensive or of poor quality, for her assessment will not change if the situation is more favorable to purchasing factory-farmed meat. And her acceptance of this will cause a correlative adjustment in her behavior, namely refusing to buy the meat on principle—i.e. just because it supports cruelty—not because of the merits or demerits it happens to have here and now. So, as I understand it, when someone accepts a principle she has her mind made up in some way independently of facts of the concrete situations in which she will act. Now I will explain why this is a constitutive part of possessing a virtue.

A virtue is a trait that is acquired by habituation. Habituation will include, first and foremost, the repeated performance of the acts that belong to that virtue and the avoidance of those that conflict with it. Just as a person becomes a swimmer/learns to swim by swimming, so too one becomes virtuous in some respect, V, by performing V acts, and avoiding un-V acts. Indeed, it involves the repeated performance of such acts in the relevant context or sphere of activity. As Aristotle puts it, "by acting as we do in our dealings with other men, some of us become just, others unjust; and by acting as we do in the face of danger, and by becoming habituated to feelings of fear and confidence, some of us become courageous, others cowardly."[7]

The habituation concerns more than the overt, physical performance of an act, extending to training of one's intellect, emotions, and desires. Being properly habituated into justice will

[7] Aristotle (2000) 1103b.

include instruction about its importance so that the learner will come to perform just actions for their own sake. This is connected with being made to see the importance of justice, and thus to take certain things as reasons for action, e.g. seeing that people should return what they owe, and so seeing a debt as a reason to issue a repayment. The habituation will involve the training of one's motivations too, so that the learner takes pleasure in acting justly and is pained by acting unjustly. Indeed, the impact is wider than one's emotional reactions to one's own actions. Hursthouse says of an honest person:

> We expect them to be distressed when those near and dear to them are dishonest, to be unresentful of honest criticism, to be surprised, shocked, angered (as appropriate) by flagrant acts of dishonesty, not to be amused by certain tales of chicanery, to despise rather than to envy those who succeed by dishonest means, to be unsurprised, or pleased, or delighted (as appropriate) when honesty triumphs.[8]

And, correspondingly, she says, "[w]e expect them to disapprove of, to dislike, and to deplore dishonesty, to approve of, like, and admire honesty."[9]

First, if I am to become just and not become unjust, I have to refrain from performing acts that are unjust or contrary to justice. Indeed, I have to refrain from these actions, according to Aristotle, whenever I am in the relevant context. I have to avoid injustice whenever I am dealing with my fellow humans. Now if such acts make me bad, it seems they are bad as such, not because of merits or demerits they have in this or that situation. If I should avoid them whenever I am in the relevant sphere of activity, then I should avoid them as such, not in light of any special features they have in the context. Both consequences, I think, are reflected in the very idea of habituation. The effect of habituation is to produce a habit, a disposition to produces

[8] Hursthouse (1999) p. 12.
[9] Hursthouse (1999) p. 12.

the relevant responses automatically in the relevant contexts.[10] And that is precisely not to respond in light of variable features of context.

Second, the idea that part of becoming just is avoiding, refraining from, or not considering acts that are unjust for their own sake, means avoiding them precisely because they are unjust, not for any ulterior end. Being properly habituated means coming to see that the injustice of an act is as such a reason to avoid it. As such, the person so habituated does not deliberate about whether it would be warranted to act unjustly. A person habituated in this way does not think you should avoid injustice because of some specific merits or demerits it might have here and now. That is further evidenced by the patterns of disapproval and emotional reaction typical of proper habituation.

It follows, then, that someone who has acquired a virtue comes to accept a negative principle. In being habituated into justice, e.g., a person will come to accept that injustice is, as such, wrong.

In the remainder of this chapter, I will consider two objections that would undermine my claims about the existence of negative universal principles.

4.4 Virtue Principles are Trivial

First, one may urge that that the principles I defend here have the ring of triviality. Again, an instance of the sort of principle I defend is: if an act is unjust, it is wrong. The worry may be that this is like saying wrong acts are wrong. As such, my claim about the existence of such principles is something no one would deny, not a particularist, and certainly not a virtue ethicist.

[10] Compare Aristotle's claim about acting without time to deliberate. Aristotle (2002) 1117a.

To claim that the principle *injustice is wrong* is like saying wrong acts are wrong may mean they are tautologies. Wrongness is part of the idea of being unjust, intemperate, and so on. That would be problematic.

I take it as uncontroversial that we can say what it is to be unjust without assuming wrongness is a condition of the concept's application. To borrow Anscombe's example, I know that securing the judicial condemnation of the innocent is unjust simply in virtue of know the kind of act it is. No explanation of why the act is unjust would need to reference the fact that such an act is wrong. Now whether we ever need to make some tacit appeal to wrongness in indicating what it is for something to unjust would I suppose depend on how we spell out an account of justice. Insofar as virtue ethics is the view that explains right action in terms of a prior account of virtue, it is typically assumed that can be done.

Further, the principles I here defend are not claims anyone would accept. In fact, I suspect that almost no one would. E.g., in "Modern Moral Philosophy," Anscombe notes that a striking fact about English moral philosophy from of the early 20th century is that it had become an open question whether an act that is unjust is also "morally wrong."[11] If virtue ethicists tend to accept such claims, you would expect that occasionally to be made explicit. The idea that everyone will accept these principles, further, is most plausible if we think exclusively about the case of justice and injustice. My position is that a similar principle holds in connection with whichever trait is seen as a virtue. If kindness is a virtue, then acting rudely is as such wrong. If generosity is a virtue, then being stingy is wrong. If industriousness is a virtue, then being lazy is wrong. These do not seem to be trivial claims that everyone accepts. To think an act is wrong because it is unjust, inconsiderate, or intemperate, is to take a stance about the behaviors and

[11] Anscombe (1958)

their associated traits around which the moral life is built. The principles I defend are not trivial in either of the senses indicated here.

4.5 The virtues are unified

Both arguments I give seem to depend on virtues being to some extent independent of and isolated from one another. But if the virtues are unified, then it seems there are not really different virtues.[12] There is only virtue, and our appeal to different virtues is a way to mark different patterns within the same phenomenon of virtuous activity. In that case, we could say that it is wrong to do what conflicts with virtue, but we could not cash this out in terms of the wrongness of transgressing this or that virtue. Support for the principles I defend would disappear. Thus it seems my view depends on denying the unity of the virtues.

The unity of the virtues is the claim that one cannot possess one virtue without possessing all the others. If one is assumed to be kind, but lacks justice, one is not truly kind or at least does not possess the virtue of kindness. The same holds for any other pair of virtues. The thesis is controversial, but enjoys wide support among those in the Aristotelian tradition. I will go through three arguments for this claim, and try to explain why I find them wanting.

First, Hursthouse asks us to imagine reading a story of someone performing a splendid action who it turns out has done something morally abhorrent: "the agent who dashed into the burning building and saved a stranger turns out to be a rapist."[13] These situations shock (and

[12] The thesis of unity has been taken to mean there is but one virtue. See Annas (2011) and McDowell (1998a).
[13] Hursthouse (1999) p. 119.

confuse) us, Hursthouse claims. This would not occur if we thought that the virtues were disunited, if we thought that being good in one respect did not bear on being good in others.

Now Hursthouse seems only to care to support a limited unity thesis according to which you cannot have some virtue without having others to some extent. It seems that one has a virtue to some extent if he is not fully vicious in that respect.[14] E.g. he is concerned for people's needs, often takes them as a reason to give, but he doesn't reliably recognize needs, sometimes neglects the needs he recognizes, or only addresses them loathingly. I do not think the possibility of limited unity poses a problem for my view, since that may imply no more than that the sphere of activity of one virtue may overlap with another. But I am skeptical that these considerations show even limited unity. First, I am not sure I wouldn't also be shocked to hear that someone is a rapist in general, unless I already think the person is evil. Tales in the news about the egregious things people have done often shock, even when not prefaced by some tale of an exceptionally admirable act. Second, are we puzzled by any case where a person seems good in one respect and bad in others? Puzzlement seems most likely when the acts are, as in the case above, heroic or abhorrent.[15] If the cases are more mundane, we do not find them puzzling. Would it be shocking or beyond belief that someone is kind but also a thief? Would it be beyond belief if someone was a staunch defender of justice but drank to excess or cheated on her partner? I do not find these puzzling. At any rate, we do often attribute putative virtues to people in isolation from one another.

Second, the unity of virtue is sometimes urged because of the need for practical wisdom.

[14] Maybe she would also think that I could not be virtuous in some respect if I were akratic in many other respects. But how akratic? Even if I am weak of will with respect to eating, I have some idea of how much I should be eating, etc., and I do not mess up every time there is an opportunity to over eat.

[15] While some bad acts can be performed without vitiating good character, others cannot. Knowing that someone ate like it was Thanksgiving last night will not generally give us grounds for thinking the person bad. Knowing that someone raped an unconscious person in an alley will change our whole perspective of the person.

Virtues are blind without practical wisdom, so each virtue needs that master virtue, otherwise we might be directed by means of the virtues to act badly. If virtue needs practical wisdom, then to deny unity we would need to think of practical wisdom as a hodgepodge of different species of intelligence relative to the different virtues. But practical wisdom is a single virtue, unified across our lives. As Annas puts it, "Life is not compartmentalized, and so learning to deal with the mixed situations that confront us is not a matter of getting ever better at extracting and then confronting the claims of different virtues."[16] To think this would be like thinking one learns to play the piano by developing, "one skill for fingering and another, quite separate skill for tempo, only subsequently wondering how to integrate the results."[17]

The appeal to practical wisdom is a particularly Aristotelian claim, so this move lacks general appeal. Further, the analogy to skill, it seems to me is a faulty one. Playing the piano is a specific unified activity. This is registered in the fact that 'playing the piano' is a description of an act. So all the skills I learn are directed to its performance. Acting well is not a single specific activity; 'acting well' is not the description of an action. So it is more obvious that the former will enjoy some unity, and its unity will not support the unity of the latter. Lastly, unity only follows if we add that we cannot have practical wisdom without all the virtues. Without that, the above might imply that I cannot be generous without being wise, or just without being wise, but not that I cannot be generous without justice. This additional claim seems to presuppose unity, so cannot be appealed to in support of it.

The last, most common argument, turns on a claim contained in the second.[18] The basic idea is that a virtue is a good trait of a human, so the actions arising from it must be right or

[16] Annas (2011) p. 87.
[17] Annas (2011) p. 87.
[18] This may just be the second stated in more general terms. I have tried to represent them as different arguments.

good.[19] If the virtues are not unified, then:

> They are not excellences of character, not traits that, by their very nature, make their possessor good and issue in good conduct. They can be faults or flaws rather than excellences and they can lead their possessors to act badly.[20]

Suppose I have one virtue, generosity, but no others. In one case, I try to help someone in need by giving money that is not mine but belongs to another. What will have resulted from my 'generosity' is giving what I have no right to give, i.e. a bad or wrong action. If virtue only issues in good actions, then whatever trait explains my giving, it is not the virtue of generosity. If the argument is generalizable, any virtue requires all the others.

It seems to follow from this that you can never act wrongly if you have a virtue. If you have one virtue, then you have them all. Virtue always issues in right action, so my virtuous character seems to ensure acting rightly. That does not seem possible for a human being. Again, nobody's perfect. If having virtue ensures always acting rightly, then virtue is only an ideal to which we can approximate. In general, virtue is thought to be a good achievable by human beings.[21]

The examples above are meant to show that without justice I lack generosity. So if there is evidence that I lack one virtue, I will also lack whichever I am assumed to have. I lack true generosity because whatever trait I have that masks as generosity gives rise to bad acts—giving what is not mine—and true generosity only issues in good acts. I do not think this shows I lack

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[19] Cf. Hursthouse (1999); McDowell (1998a); and Annas (2011).
[20] Hursthouse (1999) p. 119.
[21] Would unity not imply the following?

1) Virtue issues only in right action.
2) Generosity is a virtue.
3) If an act issues from generosity it is right
4) Generosity issues in generous acts.
5) If an act is generous, it is right.
6) If an act is not right, it is not generous.

But if all this is true, it seems we make rightness part of the condition of an act (or trait) being generous.

generosity at all. Suppose that the only cases in which someone gives money to a person in need is when they have taken it from another. In such a case, I would say the person is not generous. But suppose instead that she has shown evidence that she is generous—she gives liberally and willingly, takes care to find out who needs help, thinks we could do more to help others, etc. Now suppose in some instance she gives what belongs to another. That does not seem to me to be evidence or reason to say she is not generous or something that would raise question about her generosity. Of course, one may point out that her generous act is not a good one, and thus I allow that virtue can issue in bad action. I am not sure that this is untenable. What would seem to matter is if it is bad *in virtue of giving to someone in need*. If a trait encourages the concern for the needs of others, the taking of those needs as reasons to help them, then we can say it is a bad one or not a good one, if these factors make one act badly. Where the act goes wrong is by failing to respect another's right. Why, then, think that this act arises from pseudo-generosity instead of being a product of a generous spirit and being somewhat unjust? Again, the claim by the unity thesis is that such examples show that I lack some virtue, in this case generosity. I am failing where generosity is concerned. What I am urging is that this is a failure of justice. If the situation is as I describe above, then the way to fix the problem will not be to get the agent to care more about giving, about people in need, and so on. Rather, we will fix the problem by working on the agent's commitment to justice. As I see it, these cases only tend to show a lack in the virtue whose demands are neglected, not the virtue whose possession is at issue.[22] The grounds to support unity seem to me lacking.

[22] But what if someone gives what does not belong to her because she doesn't want to give her own money? Well then she is not generous, and this will most likely manifest where rights are at issue. In that case, what results in the bad giving is a stingy spirit.

4.5 Conclusion

Here I gave two arguments for negative universal principles. Given the explanatory primacy virtue with respect to rightness, I think it follows that if an act conflicts with virtue, it is wrong. Further, given what it is to come to possess a virtue, coming to possess a virtue crucially involves accepting a principle. As such, the tendency to oppose an ethics of virtue to an ethics of principles is somewhat misplaced. Now I turn to showing that the principles I defend form the basis of an adequate virtue ethical account of right action.

Chapter 5

5.1. Intro

I have defending a form of classical generalism within an ethics of virtue. The basis of this idea is that associated with each virtue is a principles of the form, if Xing is un-V, Xing is wrong. In other words, if an act conflicts with some virtue, the act is wrong. Further, I contend that all there is to an act being right is that it conflicts with no virtue. The principles taken as a whole determine acts as right or wrong. In the last chapter, I defended the idea that there are negative principles. Here I defend the idea that they can add up to an adequate account of right action.

To defend this idea, I will argue that my account fares better that the most prevalent account, that articulated by Rosalind Hursthouse. I also focus on this account because a) it doesn't depend on the maximizing model I criticize in chapter 3, yet b) it leaves open possibility for a particularist account. My basic strategy is to outline two problems for Hursthouse's account, which I label 'V1', that can be avoided by my alternative. The first is that V1 fails to account for right actions performed by non-virtuous agents. This objection is common, and defenders of V1 respond to it by distinguishing action assessment and action guidance. Whereas the objectors, the thought goes, understand right action in an essentially action guiding way, 'right action' as used in V1, is primarily a term of action assessment. While I accept that action guidance and action assessment can diverge, this distinction does not help to undermine the objection. But the failure to account for the right acts of non-virtuous agents is symptomatic of a deeper problem. V1 is not properly explanatory, for it does not specify the grounds in virtue of

which right acts are right. A virtue ethical account of right action will fare better if we eliminate appeal to an exemplar and explain right action directly in terms of the virtues.[1]

Here is how the paper unfolds. In § 2, I articulate and clarify V1. In § 3, I canvass the objections it faces. Then I spell out, in § 4, an alternative account and explain why the objections mentioned in § 3 do not pose similar problems for it. Lastly, in §5, I respond to an objection likely to arise about my alternative account.

5.2. V1

According to V1, right action is determined by exemplars of virtue, thus:

> V1: An action is right iff it is what a virtuous agent would, acting in character, do in the circumstances.[2]

'Virtuous agent' here refers to a fully virtuous agent, a person with the full complement of virtues. If a person is kind but not just, what he does is not the standard of right action, according to V1. That qualification does not fully disambiguate 'virtuous agent', for it is possible to hold that someone has all the virtues while maintaining that someone else possesses them in a more perfected form. Aristotle, for instance, distinguishes virtue from superhuman virtue, like that

[1] I will thus not be recommending either a version of Michael's Slote's (2001) agent-based account of right action or Christine Swanton's (2003) target based account. Both, I believe, are problematic.

Swanton's view is that an act is right if it best hits the targets of the virtues. But this view of rightness presupposes the maximizing model. She does mention the possibility of a satisficing target-centered view according to which an act is right among those that hits the target of the virtues good enough. I still think something is off about this quantative imagery. But this would come close to a view like I offer.

According to Slote's agent-based view, an act is right if and only if it has good (virtuous) motives. I think there are several problems with this approach. I will mention two. First, the account seems to imply that some acts are neutral. My motive in drinking a beer may be neither virtuous nor vicious. But in some sense there is a demand to act rightly. So when can I perform these neutral actions? I don't think there will be satisfactory way to answer this. Second, motive seems insufficient to explain why some acts are bad. The evil of genocide seems insufficiently accounted for by appeal to a motive.

[2] She first gave a version of V1 in (1991). It was subsequently developed and defended in her (1996) and (1999).

Hector was said to possess.[3] Given that Hursthouse takes herself to be offering a neo-Aristotelian account, it is reasonable to hold that the fully virtuous agent is a person of plain, rather than superhuman, virtue. After all, while it may be right to think it's a failure if one lacks virtue, it would be too demanding to think one had failed if she lacked heroic courage or saintly kindness.

'What a virtuous agent would do' refers only to the act a virtuous person would perform and does not include its internal accompaniments: the reasons or motive for its performance, lack of temptation to act otherwise, etc.[4] That is not to say that proponents of V1 think these internal accompaniments are unimportant. For while my act must be right for me to act well, that is not sufficient for me to do so. I must also act with the right motive, with knowledge, and with the right feeling or attitude. The point of providing a standard for the evaluation of acts themselves—independent of their reasons or motives—is to meet the demand for action guidance. To provide action guidance we need a mode of evaluation tailored to deliberation, which is concerned with what to do.[5] How we decide what to do is at least partially guided by our assessment of the opportunities currently available. Yet in deliberative contexts we are not always in a good position to appreciate the motives of our actions. In any case, if it is true that part of becoming virtuous is performing certain kinds of actions, we should want a way to determine what those actions are. Indeed, if an account of right action figures as part of a broader conception of acting well, we should like to know where the problem with the action lies,

[3] See Aristotle (2002) p. 119.
[4] Talk of an agent's motive is admittedly somewhat vague and uncommon. Talk of an agent's reasons is more common. But reasons are often thought to be self-consciously accessible to the agent or at least the sort of thing an agent could offer if asked. If K is motivated by selfishness, though, that need not always be accessible at the time of acting or in retrospective rationalizations. Further, a motive, vanity say, can explain why K sees certain considerations as reasons. I do not mean to suggest that our motivations are always hidden or that motives are always the basis for why we see things as reasons, only that they can be and as such do not neatly fit many descriptions of reasons.
[5] See Hudson (1981) for an argument along theses line.

whether it was a problem in the act itself (or that kind of act in the circumstances) or with its motivation.[6]

It is important to note that an act is right, according to V1, if it is what *a* virtuous agent would do instead of what *the* virtuous agent would do. The upshot is that there need be no uniquely right action in a given situation, for different virtuous agents may act differently in it. This means that 'right', as used in V1, does not track what is obligatory. That may give the impression that it tracks what is permissible, but Hursthouse rejects that interpretation as well. She holds that a virtuous agent does what is good and that that is distinct from what is merely permissible.

With a better understanding of V1 in hand, let's look at the problems it faces.

5.3. Objections to V1

Objection 1.

The first objection maintains that V1 does not properly account for the right actions of non-virtuous agents. In some cases, a non-virtuous agent would be right to act differently than a virtuous agent precisely because she lacks full virtue. Consider the following examples.

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[6] Not all virtue ethicists agree that V1 is concerned with the act apart from its internal accompaniments. Justin Oakley, for example, holds that what a virtuous agent would do includes the reasons prompting the action. See Oakley (1996). Further, some may be skeptical how far we can separate the action from its motivation, for the motivation is part of the action I perform. This is undoubtedly sometimes the case. Suppose I wrong someone. I may tell that person I am sorry either because I am genuinely remorseful for what I have done or because I want the person to think that and get off my case. If the latter is my reason, it is plausible to hold that I haven't apologized but only pretended to. Thus the act I perform can't always be separated from the reasons for its performance.

However, in many cases, we can separate them. I haven't merely pretended to pay my debt if I hand over a check only because I fear the repercussions of doing otherwise. It seems to me to cause less problems if when asking about right action we don't ask also about the agent's reasons unless that is necessitated by the sort of act in question. Hursthouse, at least, concurs, for the question of the virtuous agent's reasons does not arise while she defending her account of right action. See the first part of Hursthouse (1999).

Case 1. Suppose that K is going away for some time and needs someone to look after some important matter. He asks J. Given the importance of the matter, it is crucial that if J agrees, K can trust that the matter will be seen to. J knows she cannot be trusted to do this. She decides not to help K and tells him he should make other arrangements.[7]

Case 2. J has difficulty being faithful to her partner. While travelling without her partner, she is invited to a party where she knows she will be surrounded by attractive people, and where the alcohol she is likely to drink will make her vulnerable to every advance. She decides to decline the invitation, for she wants to remain faithful and thinks it best to avoid the temptation.[8]

The claim is that in cases 1 and 2, J acts rightly. Since she is not reliable, she should not agree to help. Since she will be tempted to cheat on her partner, she shouldn't go to the party. However, if a virtuous person were in either case, she would act differently. Presumably a virtuous person can be relied up to see to the matter for K and would agree to do so. And a virtuous person would not be tempted to cheat, as J is, and would accept the invitation. Thus mimicking the acts of a virtuous agent can lead the non-virtuous astray.

In other cases, a non-virtuous agent acts rightly even though the situation is one no virtuous person would encounter. Again, let's consider some examples.

Case 3. M is a habitual liar who decides to change his dishonest ways. After consulting a therapist, he does a number of things: He writes down all his lies and the effects he thinks they may have on others, he keeps track of his progress toward becoming a better person, he tries to change his thinking about his situation, and the consequences of his actions, and he also does things to enhance his self-esteem.[9]

[7] A similar example is given in Svensson (2010).
[8] This example is cited in van Zyl (2011) and appeared originally in Doris (1998).
[9] This example, too, is cited in van Zyl (2011). It originally appeared in Johnson (2003).

Case 4. M has treated A quite cruelly, in a way we can suppose no virtuous agent would have done, even if acting out of character. M feels guilty for this. He apologizes to A and does everything he can to right his wrong.

Cases 3 and 4 are, by hypothesis, ones no virtuous agent would be in. As such, there is nothing a virtuous agent would characteristically do in them and no act that is right. But M ought to take steps to improve himself and acts rightly by doing so. Similarly, M should apologize for wronging A and make amends for it. Thus in contrast to V1, M seems to act rightly in 3 and 4.

In response to these cases, defenders of V1 distinguish between right action and the action one ought to perform. If an act is right, then it garners positive assessment. In Hursthouse's words, we use 'right' to describe an action that:

> merits praise rather than blame, an act that an agent can take pride in doing rather than feeling unhappy about, the sort of act that decent, virtuous agents do and seek out occasions for doing.[10]

Hursthouse thinks that 'right' in V1 is equivalent to 'good', and so also says a right act is one we count as a good deed. 'Ought', by contrast, is a term not of assessment but guidance, indicating which action is to be performed in the situation

Often, what one ought to do is a right action and the two concepts overlap. They can diverge, however. An act can be right—a good deed—even if it is not what one ought to do. Recall that, according to V1, more than one action can be right in a given situation. It is not true, however, that each is something one ought to do, and I am blameworthy for failing to perform each of them. Conversely, one may do what one ought to do although that is not a right action. Suppose a person finds himself in a situation where all the available options are awful, yet where one option is less awful than the others. According to Hursthouse, he ought to choose the lesser

[10] Hursthouse (1999) p. 46.

evil, even though, being evil, it is not a right action.[11]

With this distinction in hand, virtue ethicists make the following defense of the V1. It is true that in the cases above, J and M do what they ought to do. But that doesn't mean that each performs a right action, an action that garners positive assessment, for neither does what virtuous agent would. What the objections miss is that V1 is primarily an account of action assessment, whereas the objections are thinking of right action in terms of what one ought to do. As such, the objections miss their mark.

This move is surprising, for Hursthouse develops V1 in order to show that virtue ethics is action guiding. In any case, I do not find this response compelling. The reason is not, as some maintain, that it is mistaken to distinguish action guidance and action assessment. Rather it seems to me that (at least some of) the actions performed in cases 1-4 should be *assessed* as right, and, furthermore, that if V1 does track good deeds, this concept is so inclusive that the actions performed in cases 1-4 fall under it.[12]

Although the objection describes J and M as doing what they ought to do and claims, on this basis, that each acts rightly, it doesn't follow that their actions should not be assessed as right. M, in reforming his dishonest ways, merits praise rather than blame; and he should take pride in taking these steps rather than feel unhappy about doing so. Of course, what M does is not the sort of thing a virtuous agent seeks out occasions for doing, but neither are all right acts.

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[11] Such an elaboration of the divergence of right action and what one ought to do occurs in Russell (2009). While this may show that assume a general connection between right action and what one ought to do, that does not mean that the two aren't connected in the cases cited above.

[12] There is probably more of a case for assessing 1 and 3 as right than 2 and 4. Case 4, in particular, may seem an ill fit. The act I am concerned with in 4, though, is not simply apologizing, but rather making amends. Making amends, unlike apologizing, may extend over a considerable period of time and suggests earning the forgiveness of the person wronged or hurt. That seems to me commendable.

Perhaps one will want to push that this act is only commendable if we know how the person was wronged, for there may be certain wrongs that a person can't make up for. Or maybe that qualification is unnecessary and such acts are in no case commendable. Be that as it may, the argument does not depend on this particular example.

Helping one's friend move house and paying one's bills are both right acts, but virtuous agents seek out occasions for doing neither.

It is perhaps less intuitive that J does something that merits praise or that she can take pride in. Yet, again, not everything a virtuous person does is something that merits praise or she should take pride in. A temperate person won't overindulge in food or drink. But it is implausible to think she merits praise each time she drinks but avoids getting drunk or too drunk. It is similarly implausible, absent special circumstances, for her to take pride in not getting drunk. In any case, it seems that what J does, in case 1, is a good deed—she is frank with K and this prevents him from incurring some harm that would result if the matter were not seen to.

Daniel C. Russell is sympathetic to this response. Still, he argues that although the actions performed by M and J are in some sense good, they are still not right in the sense at issue in V1. The idea is that V1 isolates paradigm cases of excellent action. It is these to which the concept 'right' is applied, and it is by reference to these that we can understand the remedial actions of M as in a way good. The actions performed in the above cases, however, fall short of full excellence. As Russell puts it, M's actions fall short because, "summoning the continence or shame to avoid telling the malicious lies one so desperately wants to tell is [not] on par with speaking with straightforward honesty."[13]

I am not sure Russell's response is a defense of V1. The reason given for thinking that the acts of J and M fall short of excellence concerns the way they are motivated, by shame say. But V1 evaluates actions independently of the way they are motivated. In any case, it is not clear that the actions in cases 1-4 can't be motivated in the right way. M may strive to become honest because he thinks people deserve the truth, and when taking steps to improve he needn't always

[13] See Russell (2009) p. 309.

be tempted to act otherwise.[14]

Second, the very idea that V1 isolates paradigm cases of excellence (or even good deeds) is either false or involves such an inclusive conception of excellence that it cannot exclude the actions of J and M. Remember that according to V1 if a virtuous agent would X while acting in character, then Xing is right. Well, virtuous agents are people and they do all kinds of things in character, like: drink a beer, take a walk, watch television, or open a can of beans. If V1 picks out only paradigmatically excellent actions, then these and many other humdrum ones are among them. Thus it seems to me unwarranted to hold that none of the actions in 1-4 belong in this class.

But I also think it is false to say V1 picks out only excellent actions, much less the paradigm cases of them. Suppose a virtuous agent through no fault of her own finds herself in what Hursthouse would call a resolvable dilemma: all the available options are bad, but one is less bad than the others. What a virtuous agent will characteristically do in this situation is what is least bad. Then, by V1, this act is right, but not excellent. Hursthouse tries to get around this by expanding what counts as the action here performed. She says that in such situations, "what is done, such as '*x*, after much painful thought, feeling deep regret, and doing such-and-such by way of restitution' will be assessed as morally right."[15] But what the agent does by way of restitution is a different act than *x*. A person only makes amends for some previous wrongdoing. So either we must say that x is wrong, and thus what a virtuous agent does fails to track those acts that are right; or x is right in which case right acts, according to V1, aren't always cases of

[14] Russell's claim suggests he is thinking of particular acts of truth telling by M. Those aren't the actions at issue in case 3. The question is about the acts of M that constitute taking steps to reform his character that don't overlap with what a virtuous person would do. But a virtuous person, to be sure, regularly tells the truth. In fact, though I don't specify this in described case 3, Johnson imagines M telling harmless lies, not malicious ones.
[15] Hursthouse (1999) p. 51.

excellence.

Objection 2.

I turn now to a second problem with V1. It seems to me that there is something misguided in supposing an exemplar of virtue constitutes the correct grounds for evaluating actions.

To get this objection in view, consider the following distinction articulated by Roger Crisp:

> [W]e should note an important distinction between what we might call *substantive* and *explanatory* normative theories. We want to know both *how* we should live, and *why* we should live that way. A straightforward explanatory version of virtue ethics will state not only that we should live the life of virtue and so act virtuously (which is what the merely substantive theory says), but also [what] the ultimate (that is non-derivative) normative, justifying or grounding reason is for so living and acting.[16]

Insofar as V1 is conceived as a distinctly virtue ethical account of right action, it purports to be explanatory. For where theories show their distinction is not so much in which acts are claimed as right, but in what explains their rightness. Thus, according to V1, that Xing is what a virtuous agent would do is why Xing is right, what makes Xing right. It is this idea that I want to dispute.

First, V1 suggests that the set of right actions (in a given situation) can grow or shrink as the set of virtuous agents does. For suppose that a newly minted virtuous agent has idiosyncratic interests. This may entail that whereas before no virtuous agent would have Xed in situation C,

[16] Crisp (2010) p. 23.

now one would. So, though Xing was wrong before, now it is right. But it is bizarre to think that some act became right because of the tastes of a person recently habituated into virtue, and the bizarreness is a product of these acts becoming right independently of a tie to virtue. Or suppose there are no fully virtuous agents. Virtue is, after all, a rare and difficult achievement. According to V1, since there is nothing a virtuous agent would do, no acts would be right. Yet it is implausible to think that no action would be right if there were only partially virtuous agents.

One may reply that V1 is not concerned with actual virtuous agents, but only possible virtuous agent. But this move does not so much defend the appeal to an exemplar as suggest it is unnecessary. For our grip on what a possible virtuous agent would do seems to reduce to our grip on what can be done within the demands of virtue. The appeal to a virtuous agent would cease to play any explanatory role.

Second, if an explanatory account tells us the reasons an act is right, and if one does something in light of those reasons, she will both do what is right and do it for the right reasons. This is problematic when we think of acting in light of the reasons given in V1. Suppose someone does what a virtuous agent would do and does it because a virtuous agent would. Even if she acts rightly, she doesn't do so for the right reasons. To act for the right reasons, the reasons need to be hers, not those of another. Otherwise, the account would sanction the blind following of a virtuous agent.

The point is not that one never acts rightly in following another's lead. Children and adolescents, who are at the stage of learners, will often need to follow or imitate the example of someone else. But to think of an adolescent as a learner is to think that he has yet to fully appreciate what he should come to appreciate. Eventually he should *learn* and no longer have to rely on the example. For instance, suppose a person always did what his mother told him to do.

At some point this would no longer be acceptable, even supposing the mom were always right. If we accept V1, it would be acceptable to do what one's (virtuous) mom tells one to do. It would always be acceptable to act on reasons appropriate to the immature, to the learner.[17]

Of course, a virtuous agent need not follow the lead of another virtuous agent. If she doesn't, then acting in light of V1 is even more problematic. Suppose K is fully virtuous and she would X, here and now. According to V1, that makes the act right. Yet it makes little sense to say that the reason K would X is that she would X. Her reasons lie elsewhere and, being the right ones, that in virtue of which acts are right must lie elsewhere, too. V1 fails to be explanatory.

Someone may object to these claims on the grounds that we can (and should?) separate the criterion of right action from the procedure for choice we should employ. Some ethical theorists, most commonly act-utilitarians, suggest a strategy for choice different from the direct application of the principle of utility. There is no necessary connection between acting in light of a theory of right action and acting for the right reasons.

This response, however, is unavailable to the proponent of V1. First, proponents of V1, in spite of distinguishing action guidance from action assessment, still believe on the whole that the two converge. To reiterate, the impetus for developing V1 is to provide action guidance. So the thought on behalf of proponents of V1 seems to be that V1 tends to be action guiding precisely because it specifies the grounds in virtue of which actions are right.[18] Second, the reasons that act-utilitarians generally cite for giving a decision procedure which is not a direct application of the criterion of right action do not bear on the criticism leveled against V1 above. Here is Brad

[17] Annas (2004) pp. 65-66.
[18] I think the demand that ethical theories be explanatory is what motivates the thought that they provide action guidance. It seems that knowing the grounds that distinguish right from wrong actions should thereby aid in knowing what to do.

Hooker's description of the reasons utilitarians distinguish a decision procedure from the criterion of right action:

> First, very often the agent does not have detailed information about what the consequences would be of various acts. Second, obtaining such information would often involve greater costs than are at stake in the decision to be made. Third, even if the agent had the information needed to make calculations, the agent might make mistakes in the calculations.[19]

The reasoning here is this: applying the principle of utility as a *strategy for deciding* will often lead to acts that are wrong from the perspective of that principle. Nothing in this suggests that a person would act for the wrong reasons if—supposing she had detailed knowledge of the consequences or could attain it at virtually no cost—she Xed because that would produce the most welfare. And nothing I say against V1 turns on employing it as a strategy for choice, and in particular a strategy that leads to acting incorrectly. If a virtuous person Xs because some other virtuous person would, she is in the position of a learner, which suggests she is lacking in virtue; and it is not plausible to say, supposing she does not follow another's lead, that her reasons for Xing are that she would X.

5.4. A different approach

The problems with V1 are tied to its appeal to an exemplar. The account gives the wrong answers about what is right for non-virtuous agents because a virtuous agent determines right action, and it fails to provide an explanatory account of right action because it insists right acts

[19] See Hooker (2009) §4.

are determined by virtuous agents. Any attempt to finagle the account to get around these objections therefore seems to me the wrong path. A more defensible account will eliminate appeal to an exemplar.

Indeed, I have been suggesting that instead of an exemplar-based account, we should prefer a principle-based account. According to that account, an act is right if and only if it conflicts with no virtue. (For brevity, I will refer to this as V2.)[20] I call this a principle-based account because it relies on truths with the following shape: for any act X, if Xing is un-V, where V is some virtue, then Xing is wrong. I think that any plausible account will hold there are several virtues that are part of being good overall. As such, there will be several truths of this form. Taken together, they can determine whether an act is right. If there are three virtues, C, J, and T, then if some act is neither un-C, nor un-J, nor un-T, it is right. That is how we can spell the sense of V2.

V2 is meant to reflect a general asymmetry between good and bad: an act is good if it is good in all respects, bad if it is bad in any. Within an ethics of virtue, good and bad are connected with the virtues. Virtues are traits that make one good. So doing anything specifically vicious or that is antithetical to the virtues tends to destroy them and make one bad. Thus these acts must themselves be bad. That is reflected in my claim that if Xing is un-V, Xing is wrong. We could hear this as saying, as it were, if Xing is bad in some respect, it is bad overall. Of course, one may think that V2 fails to register the other half of the asymmetry. But as I

[20] This account has been suggested before. In Watson (1993), a paper which provided much of the impetus for giving a distinctly virtue ethical account of right action, Gary Watson gives the same account: "Right and proper conduct is conduct contrary to no virtue" Watson (1993) p. 455. And in the paper thought to launch the revival of virtue ethics, Elizabeth Anscombe, in Anscombe (1958), suggests a similar idea of how we might characterize acts as illicit within Aristotle's ethics: "that is 'illicit' which, whether it is a thought or a consented-to passion or an action, is something contrary to one of the virtues the lack of which shows a man to be bad qua man." If we accept that what is not illicit or wrong is right, we get a version of the alternative account.

understand it, an act is good in all respects if it is not bad. Part of this is tied to not wanting to say that only virtuous acts are right. I think we can act rightly in drinking a beer or opening a can of beans, but neither is ostensibly an act of virtue. Further, I don't want to say that to be good in some respect an act needs some positive quality of goodness. There is nothing especially good about doing what I want. But I can act well in pursuing what I want, and I will be if there is nothing wrong with it here and now.

Several questions about this account may linger. What traits are virtues? What is it for an act to conflict with them? I cannot address either of these fully here. I take the account to show something about the structure an ethics of virtue should have, and not as depending on a particular position with virtue ethics. A more robust conception would need to be supplemented with (a) an account of which traits are virtues (and which vices) and (b) an account of their thick conception. A thin conception of temperance holds merely that there is a way of getting things right, of being well disposed, with respect to the desires and pleasures of food, drink, and sex. A thick conception of temperance provides a detailed description of what it is to get things right in this sphere of human activity.[21]

A thick conception of the virtues would give a more determinate picture of conflicting or according with the virtues. But let me give a schematic illustration. Consider Aristotle's account of generosity, which concerns a mean in giving money. I hit the mean by giving at the right time, in the right amount, to the right person, for the right end, etc. So I may give to the wrong person by giving to someone who doesn't need or want my help; or give the wrong amount by giving too little to help; I may give for the wrong reason because I am trying to win someone's

[21] For a richer account of the distinction between the thick and thin conception of virtue, as well as its importance, see Nussbaum (1988).

attention; and so on. This will of course not be an exact science. Determining many cases will require judgment. In any case, it involves some conception of the point of generosity and why it is important.

It is legitimate to wonder how V2 will fare better in the face of the above objections, for it may appear that I have just dressed V1 up in different clothes. After all, while articulating V1, Hursthouse indicates that a virtuous agent is one "who has and exercises the virtues."[22] If that means no more than that such a person will do what accords with the virtues, so far there is no difference. Again, when illustrating applications of V1, Justin Oakley writes, "[I]n regard to justice, [Philippa] Foot argues that I ought to repay you the money I have borrowed, even if you plan to waste it, because repaying the money is what a person with the virtue of justice would do".[23] The passage referenced in Foot makes no mention of a just person or what he would do, but only of what justice may require.[24] The implication is that saying what a virtuous agent would do is another way of saying what virtue demands.

If proponents of the V1 take it as equivalent to V2, then I have little quibble with them. It remains true that recognizing this equivalence will help us answer the objections canvassed above. But if V1 is intended to say no more than V2 the proponents of V1 state their view in an inherently misleading way. For it seems to me that if the two accounts are equivalent, that is because a virtuous agent is one who, by and large, acts in accordance with the virtues, not the other way around. I believe, nonetheless, that the accounts are different.

First, according to V2, any appeal to an exemplar is superfluous. It may be useful on some occasions to illustrate an instance of kindness or justice by pointing to a just or kind

[22] Hursthouse (1999) p. 24.
[23] Oakley (1996) p. 130.
[24] See Foot (2002) pp. 44-45.

person. But what a virtuous person would do doesn't determine which actions are right. In a given situation, there may be many actions that accord with the virtues that, as it happens, no virtuous agent would do.

One may object to this on the grounds that we have purchase on which acts are generous, temperate, and so on, by appeal to what a virtuous agent would do. Those acts are temperate which a temperate person would do, the thought may go.[25] This is true, but a temperate person acts temperately because these acts are temperate (for their own sake). And to learn from a temperate person, I would already have to recognize her as temperate—as one who habitually acts temperately. Both seem to imply that we can identify acts as temperate independently of appeal to a temperate person.

Second, it seems possible for an act to be right, according to V1, although it conflicts with virtue. Consider how Hursthouse extends V1 to account for tragic dilemmas:

> An action is right iff it is what a virtuous agent would, characteristically, do in the circumstances, except for tragic dilemmas, in which a decision is right iff it is what such an agent would decide, but the action decided upon may be too terrible to be called "right" or "good". (And a tragic dilemma is one from which a virtuous agent cannot emerge with her life unmarred.)[26]

In a tragic situation, there are no right actions because all the options are "too terrible". Not all dilemmas, though, are tragic. In non-tragic dilemmas, all the available options are bad, but run of the mill bad, not so bad as to mar one's life. The above extension of V1 does not discount these as right. Indeed, when a non-tragic dilemma is resolvable—resolvable because one option is better than the others—a virtuous person will choose the better option. Given that that is what a virtuous person would characteristically do, it is right to do so, according to V1. Yet the badness

[25] Hudson in Hudson (1980) and N.J.H. Dent in Dent (1975) espouse this view. Hudson sees this view in Aristotle's claims in (2002) pp. 27-28.
[26] Hursthouse (1999) p. 79.

of the options stems from the fact that each is contrary to some virtue. Thus V1 allows that an act can be right although it conflicts with virtue, but that is precisely what makes acts wrong according to V2.

Neither reason implies that it is impossible to understand V1 in a way that renders it equivalent to V2, only that they are not equivalent as usually understood. Yet, again, it is misleading to put things in terms of V1 in that case, which will become clearer once we see how V2 handles the above objections. I now turn to that.

Objection 1.

According to the first objection, V1 often gives the wrong guidance about what it is right to do. The cases cited to illustrate this pose no trouble for V2. Indeed, the objection seems to get no grip on V2, for each of the cases is problematic precisely because V1 assesses actions in terms of what a virtuous agent would do, yet the cases are such that no virtuous person would confront them. Since V2 makes no reference to a virtuous agent, the cases present no problem. Let's look at two of the cases in more detail.

Case 1 involves J not promising to look after K's affairs while he is away because she knows she can't be relied on to do so. The idea is that since she is unreliable it is right not to promise and to ask K to give the task to another. According to V2, there is no suggestion that J acts wrongly. It is not contrary to virtue to refrain from making a promise you have good reason to think you cannot keep. Indeed, in general, it is unjust to make agreements we know we are unlikely to keep.

Case 3 involves M taking the means to rectify his flawed character. He takes steps to bring his patterns of behavior more in line with virtue and presumably acts rightly in doing so. V2 can account for this. If honesty is a virtue, then taking steps to live up to its demands is in accord with it, not contrary to it. Indeed, M would be acting wrongly by not taking steps to change his habits.

I think cases 2 and 4 can be accommodated in similar ways. Thus the actions of non-virtuous agents pose no special trouble for V2.

Objection 2.

The second objection is that V1 fails to properly explain right action. That is, it does not isolate the reason (or reasons) why acts are right. It seems to me that whether an act is right cannot depend on what some human, even a thoroughly good one, happens to do. Further, if the reasons why an act is right were identified, then when acting in light of the account one should act for the right reasons. But this fails to be so if we act in light of V1.

I think V2 offers a more plausible candidate to explain right action because it makes explicit the central role the virtues play in assessment. Further, unlike the standard account, acting in light of V2 does not undermine acting for the right reasons. First, if I avoid some action because it is unjust, intemperate or in some other way vicious, I am not thereby acting for someone else's reasons. Thus acting in light of the alternative account won't entail acting on reasons appropriate to the learner. Second, V2 can make sense of a virtuous person's reasons for avoiding or omitting some action. It may be typical of a virtuous person to give monetary aid to those in need. If on this occasion giving money would result in being unable to pay some debt,

the virtuous person will refrain—and she will refrain precisely because failing to pay one's debts is unjust.[27]

Someone may object on the grounds that this only gives reasons for avoidance and omission, not for the pursuit or performance of certain actions. The idea is that if one acts in light of the alternative account that will not exhaust the reasons I do some particular action. But I do not see this as a problem. Realistically, people's actions are determined by many motivating factors not just their sense of what is right. In any case, the reasons offered in V2 are plausibly always be among the reasons a virtuous person acts, for even when pursuing her own peculiar interests what she does will be constrained by the demands of virtue.

5.5. Conclusion

V2 can avoid the troubles plaguing V1 and is therefore a preferable account of right action in comparison to V1. Still, I think several will feel that V2 does not improve on V1 in the right sort of way. In particular, V2 allows too many actions to count as right, whereas it would be better to restrict the account, as Russell recommends, to paradigm cases of excellence. Consequently, V2 gives a watered down account of acting rightly that fits poorly with the idea that virtue is an excellence. By way of conclusion, I will offer two responses to this worry.

First, how watered down V2 turns out to be is a function of the thick conception of the virtues someone provides alongside it. According to V2, an act is right if it meets a certain threshold, and different thick conceptions will set the bar for according with the virtues higher or

[27] I do not mean to imply that a virtuous person must conceptualize her reasons in terms of the concepts just/unjust, temperate/intemperate, kind/unkind, etc. That is, 'unjust' needn't show up in her description of why she opts not to offer monetary aid here and now. She may say simply that she owes the money to someone else. Recognizing such a debt and the demand it places on her is to recognize requirements of justice.

lower. So the impression about V2 is a bit misleading.

Second, the liberal conception of right action we get in V2 fits neatly with the outlook of Aristotelian virtue ethics. Consider Aristotle's doctrine of the mean. Hitting the mean is a matter of avoiding excess and deficiency. For instance, I will hit the mean in drinking if I drink neither too much nor too little. If we strip this talk of its quantitative connotations, what remains is the idea that my drinking hits the mean if it avoids any defect. This is essentially the view captured in V2.[28] Further, we need an expansive conception of right action if virtue is a part of a eudaimon life. There are many actions which form part of a life well lived that we would not count as paradigm instances of excellence. A good life will need adequate amounts of leisure and amusing diversion. But then these acts need to be acceptable from the standpoint of a eudaimonistic virtue ethics. Restricting the account of which acts are right in the way Russell envisages would not allow for this. V2, in contrast, can explain why these acts are right (when they are), for they will be right when they accord with the virtues. Thus accepting V2 gives us a better picture of how a virtuous life is part of a eudaimon life.

[28] So, then, does 'right action' in V2 track what is permissible or what is good? The dichotomy seems to me a false one. According to V2, an act is permissible only if it is good. Relatedly, an act is impressible if it is bad in some respect.

Chapter 6

In this dissertation, I have been articulating and defending a particular understanding of the asymmetry between good and bad. That asymmetry is the idea that an act is good if it is good in all respects and bad if it is bad in any. I have also understood this in a way in which the bad is primary, for an act is good if it is bad in no respect. This seems to me essential to seeing all acts as either good or bad.

It is natural to understand this idea within an ethics of virtue, given the connection of virtue and vice with good and bad. Since an act is bad if it is bad in some respect, and given that an act is bad in some respect if it conflicts with virtue, an act will be bad overall if it conflicts with some virtue. It is this fact that generates the universal virtue principles. In the context of virtue ethics, if something is bad overall, it is wrong, so if an act is bad overall because it conflicts with virtue, the act is wrong. Again, given that my negative understanding of an act being good, an act will be good overall, or right, if it does not conflict with any virtue. Thus taken together these principles can determine an act as right. Given this basic asymmetry of good and bad, we show how to defend a form of classical generalism within an ethics of virtue.

This account, further, captures two important phenomenon of our moral lives. On the one hand, certain concepts seem to orient our patterns of thought and action. For instance, if through some deliberative effort a person discovers that they course of action they are on or planning to be involves some injustice, they will change their course. Or, again, showing someone that their behavior falls under a certain concept is often take sufficient for getting them to alter it: showing someone that their grading practices are sexist or racist should be sufficient for getting them to

alter them. This phenomenon, as I see it, is bound up with the general constraining effect of morality.

On the other, it would seem we have, so to speak, moral license to pursue our own kind of good life. This may mean being able to devote a lot of time to a career. It also means being able to devote time to amusing diversion. A moral view must leave us option to do so. That means, in the context of thinking every action is right or wrong, our moral view must be somewhat permissive. In other words, we should be able to say that we are acting rightly or well when engaged in these personal pursuits. The account of right action I develop has the right combination of demandingness and flexibility to account for both of these phenomenon.

What stands in the way of a view of this kind is a general presumption of the truth of moderate particularism. The explanation of this, I think, is the prevalence of what I call the maximizing model of moral reasoning. This model, I am sure, is entailed by certain conceptions of practical rationality. And it is connected with the tendency to conceive of the moral landscape as a product of reasons, whether it explains it or is explained by it. For given that a reason is generally understood as a consideration "counting in favor" of an action, and that there is not just one lone reason, it is hard not to think that I should compare the things favored and do that which is most favored.

I argued that this model is problematic, particularly within an ethics of virtue. Indeed, one way of understanding why it is wrong is in terms of the phenomena mentioned above. When we conceive of rightness as what is comparatively best, then our view will neither be properly permissive nor properly constraining. And that these criticisms are also common against consequentialist views would suggest that they are bound up with maximizing models in general.

No doubt a fuller treatment of the maximizing model would be needed to show that we should reject it in favor of a view informed by the asymmetry of good and bad. But I think it is significant just to see that there are these essentially different ways of picturing how moral reasoning operates.

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