2

Things that Concern Us

'But I plainly see that everything is going to sixes and sevens and all order will soon be at an end throughout the Kingdom.'

'Not however, Ma'am, the sooner, I hope, from any conduct of mine,' said Catharine in a tone of great humility, 'for upon my honour I have done nothing this evening that can contribute to overthrow the establishment of the Kingdom.'

'You are Mistaken, Child,' replied she; 'the welfare of every Nation depends upon the virtue of its individuals, and any one who offends in so gross a manner against decorum and propriety is certainly hastening its ruin . . .'

Jane Austen, *Catharine*

1. VIRTUES, ENDS, DUTIES

Our aim is to understand our capacities for ethics, and more widely, for practical reasoning in general. To do this we must give an adequate conception of the deliberating agent and of the moral commitments she forms. It is not my intention to defend one ethic or one specific style of ethics above others. So in this chapter I only sketch enough of the philosophy of the input side to enable us to proceed to the rest of the theory.

We classify actions as cases of telling what is not true, or promise-breaking, or killing, or theft, or alternatively as examples of loyalty, integrity, or principle. When such characterizations of action give us our input, the ethics that emerges will be one of right and wrong, obligations and duties, prohibitions and permissions. This gives us a duty-governed or *deontological* system. The Ten Commandments and other lists of religious ordinances telling us what we may or may not do are the best-known examples of ethics of this type. The moral philosophy of Immanuel Kant is their best-known philosophical expression. Kant's concern was to give a systematic description of the real obligations and duties under which we lie, and to show that they all derive from a fundamental principle, binding upon all rational agents. This,

the 'categorical imperative', occupies us in due course. It gets different formulations, each of which is recognizable as a version of the demand that to act well you have to act in ways in which you would wish everyone to act.

We think deontologically when we think that there are some things that we 'simply must' do, or others that we 'simply will not' do. And such thoughts might strike us as the prime data of ethics. On such an account, each of us, as a deliberating agent, asks what we must or must not do here and now. Our ethics lies in the boundaries to action that present themselves to us from within this deliberative perspective. We may feel that our way of being in the world would be destroyed by cheating or killing or whatever. Our identity would be violated: we would fall apart if we acted in such a way. Such boundaries, according to the deontologist, are the fundamental facts about a well-shaped ethic; they are the place where ethics touches the ground. Often the boundaries present themselves as principles that are simply beyond debate. If people want to argue about them, the deontologist may just turn away in disgust: such people show corrupt minds; they are not worth taking seriously. Correlated with what we must do, of course, will be a lively sense of what other people must do as well. When *their* duty is to treat *me* in some specific way, then I have a right against them. It is more agreeable to most people to think in terms of rights than duties, but they are essentially two sides of the same coin.

The obvious reaction to this is that it might be all right if everyone shared the same boundaries. But in human life as we have it, things are not like that: some people simply will not do things that others think they ought to do, such as eat meat, or join the army, or help pregnant girls not to become mothers. One person's principle is another person's fetish. Furthermore, the boundaries themselves require definition, and the definitions introduce choices about which people differ. We may all feel revulsion against telling a lie, but what about telling a white lie, or telling a lie to someone who has no right to the truth, or in order to deceive the enemy, or to protect a friend? What of concealments that are not lies, but mislead, and the stratagems we use for throwing people off the scent when it comes to our private opinions and emotions? Such questions are certainly not solved by a natural light of conscience, for people find it easy to differ over them. A deontological theory, then, will typically try to do something to systematize the apparent grab-bag of principles and boundaries that determine practical life.

In order to do this, we may ask whether things go well or badly when various principles guide peoples' choices. This introduces a dif-

ferent kind of subject: the relative values of states of affairs. Actions produce consequences, and some are better than others. A world in which people are fearful and ill and starving is worse than one in which they are secure and healthy and fed. We aim for better situations, and try to improve worse ones. An ethics in which this kind of subject fills the foreground is *consequentialist*, supposing that things are to be evaluated by estimating the likely good of the consequences resulting from them. The best-known example of an ethics of this type is utilitarianism, in which the fundamental subject-matter is the value of different possible outcomes of action, measured by considering the sum total of 'utility', usually thought of in terms of human happiness or misery, in each of them. The aim of action in general is to maximize this utility, just as the aim of economic action is to maximize profit.

Utilitarianism, as it came to prominence as the social and political philosophy of the early nineteenth century, was first and foremost a public moral philosophy, trying to express the principles that ought to drive fair public administration, including virtues such as the impartial treatment of all persons as equals.[1] In the hands of reformers like Jeremy Bentham, utilitarianism proposed a measure for weighing social institutions, and in particular the law. Laws would be justified in so far as they contributed to the public good, just as traffic rules are justified in so far as they contribute to road safety. Similarly, utilitarianism also proposes a method for drawing the boundaries that impress the deontologist. We ought to promote rules whose observance maximizes the general good; rules which do not fulfil this function, however firmly they may be embedded in peoples' consciences, are impostors and should be scrapped.

The exact nature of the impartial public good that utilitarianism puts at the centre of things is problematic. Thinking only in terms of happiness is apt to promote indeterminate debates in which we consider different conceptions of what is finally worth aiming for: for instance, whether more happiness is produced by less security but more wealth, or vice versa. One tradition hopes to inject something objective, or even quantifiable, by considering only individual desires, and measuring the good by the number of these that are satisfied. Society is decomposed into an aggregation of individuals, and an individual considered purely as the locus of a succession of desires. But quite apart from the first step, which occupies us later, the second step of taking desires as simply *given* is quite inadequate. A moment's

[1] An aspect well brought out in Robert E. Goodin, *Utilitarianism as a Public Philosophy* (Cambridge: Cambridge University Press, 1995).

thought reveals that desires are themselves largely downwind of ethics, formed in the light of socially conditioned forms of esteem, serving the end of attracting the honour and admiration of those around us, which they will only do against a background of a socially active conception of what counts as success.[2]

Even a public ethic may consider situations using other measures than pure utilitarian ones. That is, an ethic may be teleological or consequentialist, but be constructed in terms of promoting values other than human happiness. One might look at some social arrangement not only in terms of happiness but also in terms of security, or health, or the capacities people exercise, or their opportunities for self-development. The elusive goal of a 'high quality of life' is not only measured in terms of the equally elusive notion of happiness, but also in other currencies: opportunities, health, freedom from ignorance, a sense of dignity and social solidarity. Allied to this, the source and nature of the happiness matters. Suppose people are only content because they are under an illusion about themselves. Perhaps they acquiesce in myths determining their own subservience, as feminists claim is often the case with women. In that case, we need to criticize the state of affairs not on grounds of happiness, for the women in question may be happy enough, but on grounds of justice or truth.

Perhaps it is also better to think in terms of public bads from which we need protection, rather than public goods at which to aim. If happiness is elusive, misery at least is not. It is easy to get agreement on the ills from which a public polity may try to preserve us, for it is easier to know when life is going badly than when it is going ideally, just as hell is easier to describe than heaven. Public polity must at least aim at freeing us from universal obstacles to happiness: want, ignorance, pain, disease, fear, subjection to the arbitrary power of others. We can recognize the value of such freedoms without thinking of them as automatic means to that nebulous thing, happiness.

Whatever currency we use to measure it, some situations are worse than others, and the ethic of any society is in part an articulation of which such situations are to be avoided and which others are to be promoted.

A third kind of subject-matter is the *character* of agents: a large part of ethics is concerned with delineating human character, and describing the positive traits or virtues, and negative traits or vices, that they illustrate. An ethic that finds this kind of judgement fundamental is a

[2] The classic assault on utilitarianism from this standpoint is F. H. Bradley, *Ethical Studies* (Oxford: Oxford University Press, 2nd edn., 1927).

virtue ethics. Its topics are such approved traits as courage, sympathy, industry, generosity, and self-control, or, on the negative side, features of which we disapprove, such as cowardice, indifference, laziness, avarice, envy, and other vices and weaknesses (for just as consequentialism can concentrate upon bad consequences to be avoided, so virtue ethics can concentrate on vice). This is the part of ethics that concerns educators, trying to turn out people of the right sort. A great deal of popular moralizing consists in rumination on the advantages of virtue and the disadvantages of vice: the one-and-a-half million purchasers of William Bennett's collection, *The Book of Virtues*, are simply following a tradition which is equally visible in medieval wall-paintings, illuminating the contrast between the paths of virtue and those of sin, and in innumerable sermons, fables, and novels before, in between, and after. Hume describes this species of 'easy and obvious' philosophers as follows:

> As virtue, of all objects, is allowed to be the most valuable, this species of philosophers paint her in the most amiable colours; borrowing all helps from poetry and eloquence, and treating their subject in an easy and obvious manner, and such as is best fitted to please the imagination, and engage the affections. They select the most striking observations and instances from common life; place opposite characters in a proper contrast; and alluring us into the paths of virtue by the views of glory and happiness, direct our steps in these paths by the soundest precepts and most illustrious examples. They make us feel the difference between vice and virtue; they excite and regulate our sentiments; and so they can but bend our hearts to the love of probity and true honour, they think, that they have fully attained the end of all their labours.[3]

The task for the less easy and obvious philosopher is to inject some order into the apparent jumble of features that strike us as virtues or vices, and to articulate some account of how traits get onto the list. Much writing in this tradition takes the moral philosophy of Aristotle as its inspiration. Its reflections are in effect those of the novelist whose delineation of the fine gradations of character expresses and perhaps imparts a fine nose for the dimensions of merit and fault, their interrelations and the kinds of life that embody them. The connoisseur of character knows just where proper pride turns into vanity, where courage turns into bravado, where sustaining kindness becomes suffocation, and so on. This is called experience. There is considerable resistance, in the philosophical expressions of this tradition, to supposing that it can be reduced to rule, or even taught effectively. Aristotle himself thought that people should not begin to study ethics until they were over 30. Knowing about these things takes maturity, wisdom, judgement. It also tends to defences of the Socratic ideal of the unity of the virtues, resolutely refusing to separate what is necessary, for instance, for true justice, from true benevolence, or true mercy or courage.

[3] David Hume, *Enquiries concerning Human Understanding and concerning the Principles of Morals*, ed. L. A. Selby-Bigge, 3rd edn. revised by P. H. Nidditch (Oxford: Oxford University Press, 1975), sect. 1, pp. 5–6.

The virtue tradition prides itself on its ruminations on life and the way to live it, hoping to identify the virtues necessary to flourishing. It inspires as well its fair share of scepticism. Locke puts it in his cautious and sober way:

> The mind has a different relish, as well as the palate; and you will as fruitlessly endeavour to delight all men with riches or glory (which yet some men place their happiness in) as you would to satisfy all men's hunger with cheese or lobsters; which, though very agreeable and delicious fare to some, are to others extremely nauseous and offensive: And many people would with reason prefer the griping of an hungry belly, to those dishes which are a feast to others. Hence it was, I think, that the philosophers of old did in vain enquire, whether summum bonum consisted in riches or bodily delights, or virtue, or contemplation. And they might have as reasonably disputed, whether the best relish were to be found in apples, plums, or nuts; and have divided themselves into sects upon it.[4]

More spirited reactions come in literature from Fielding's *Shamela* to Jane Austen's *Catharine*, to Hilaire Belloc's *Cautionary Verses*. And there is something slightly ridiculous about some of the tradition's more flowery constructions. In the gigantic woodcut 'The Large Triumphal Chariot of Maximilian I', Dürer shows the emperor on a chariot driven by Ratio or Reason (who has what appears to be an ominously empty bubble coming out of her head), on wheels called Dignity, Magnificence, Honour, and Glory, while Justice, Fortitude, Prudence, and Temperance accompany the emperor on pedestals. As Willibald Pirckheimer, who designed the symbolism, wrote of these virtues:

> These four virtues are interrelated and cannot be separated. If one virtue is lacking, the others are imperfect. Likewise the ancillary virtues which spring from these four are interrelated and fused one to the other. Because Justice requires truth, she holds the wreath of truth in her left hand. It is touched by her right hand signifying temperance. Where there is no truth there cannot be justice. Also temperance divorced from truth cannot be termed temperance. The right hand of Justice touches the wreath of clemency. This is to show that

[4] John Locke, *Essay Concerning Human Understanding*, ed. P. H. Nidditch (Oxford: Oxford University Press, 1975), II. xxi. 5.

justice must not be too severe but should be tempered with clemency. The wreath of equitability is linked to the former, for justice should be neither too mild nor too severe, but equal and constant. Without such Justice of equality it cannot be sustained.[5]

And so on and so on. Constancy, Bounty, and Security are also on board, together with Clemency, Truth, and Equitability. For good measure the reins that Ratio holds are inscribed with Nobility and Power, while the twelve cart-horses drawing the chariot are accompanied by excited ladies representing Moderation, Providence, Alacrity, Opportunity, Velocity, Firmness, Acrimony (?), Virility, Daring, Magnanimity, Experience, and Perseverance. No wonder Victory crowns the whole show, and it is a pity that the emperor died before the work was published.

Returning to earth we could say that these focuses of attention—duty, situations, and virtue—correspond, respectively, to the ethics of police and lawcourts, the ethics of planning and managing, and the ethics of educators and schoolteachers.

But we also want to be alert to distinctively ethical judgements that do not centre upon any of these things. There are characteristic ethical textures to periods of history, or cultures, or to forms of art, literature, or religion, and these can matter as much or more than the doings of individuals. Such features of our own culture are also less visible, hidden within what 'goes without saying', or, sometimes, hidden in what goes with saying—that is, what is already presupposed by the language we use. There is a position in social psychology called 'methodological individualism', which would try to reduce social facts, including here social ethical facts, to facts about individuals: to whether they did their duties, or to the consequences of their acts, or to the virtues and vices they possessed. But methodological individualism is forcefully countered by noticing that some facts about individuals, notably the ways they think, are themselves only identifiable in terms that presuppose the social. So, for instance, the fact that an individual is motivated to avoid some action because it is dishonourable would only be possible because of a specific conception of what counts as honour in her culture. And in turn, the salient question becomes not so much whether to admire or condemn the individual, but what to think about a social system in which this conception of honour is embedded. Amongst its many other infirmities, most analytical moral philosophy proceeds without ever clearly focusing on the

[5] I owe the quotation to Walter L. Strauss, ed., *Albrecht Dürer: The Woodcuts and Woodblocks* (New York: Abaris, 1980), 537.

social as a determining feature of individual action and motivation. One of the advantages, I shall urge, of talking of moral attitudes and stances, in place of simple moral beliefs, is that it forces us to confront the variety of ethical styles available, including the important one that is all too often invisible, namely our own.

Returning to duties, consequences, and virtues, we might remark that in practice we tend to find ourselves noticing all these features of things, and we are not very inclined to separate them. Considering a particular action we may say that it was wrong (deontological: trespassing against a duty), or that the upshot was distress and unhappiness, or disappointment, or hurt and the violation of their security (teleological: bad consequences), or that the agent was being insensitive or ungrateful (based on a negative assessment of virtue: vices are exhibited). It is no accident that we expect all three to pull together, for we surely tailor our view of what counts as duty, as better or worse states of affairs, and as good character precisely so that this is so. Perhaps Willibald Pirckheimer was wiser in throwing good things from all three areas in together than contemporary philosophical tradition is in trying to separate them.

It would certainly be impractical to suggest that we care only about one aspect of these things—only about duty, or only about situations, or only about virtues. We may, for instance, often concentrate upon virtues and vices, but an ethic will also have to concern itself to some extent with permissible and forbidden actions. A functioning society may have to compel people to do what they would naturally do if they were virtuous, but fail to do as things are. The fundamental fact about a good soldier or a good bank-clerk is that he does what his duty requires of him; the question of whether some virtuous impulse, or mere fear of detection, prompted him is secondary, and often irrelevant.

Also, consequences matter. Often, indeed, describing the virtue of a person is simply a way of describing which consequences of actions matter to them. Admiring someone as environment-friendly is admiring them because they take impact on the environment as an important consequence of actions, for good or ill. If someone is kind, this means that the consequences of their actions for the welfare of those around them is important to them. And although we might applaud the virtuous impulse of someone, the question of whether a virtue actually does any good is never out of place. Kindness is a virtue, but kindness has associations with contempt, and we know of the person whose kindness swamps others, or whose concern is fundamentally patronizing, or masks an exploitative relationship, or simply leads to

resentment, and although things are sometimes meant kindly, they do damage none the less. The novelist who has us discriminate more finely within general categories typically does so by showing the good effects of one variety of trait compared with the bad effects of the neighbouring varieties. Life and art reveal cases when virtue does harm and its absence does better, or where the performance of an obligation will have worse consequences than its neglect.

2. VIRTUE FIRST?

Suppose we start by asking if considerations of virtue may be the fundamental basis of ethics. As already remarked, different conceptions of virtue exist. One conception is that virtue is simply rectitude or righteousness. It is the principle of action that keeps us in the path of duty. In the deontologist Kant, for example virtue is 'fortitudo moralis' (moral strength): 'Virtue is, therefore, the moral strength of a *human being's* will in fulfilling his *duty*, a moral *constraint* through his own lawgiving reason, insofar as this constitutes itself an authority *executing* the law.'[6] Virtue is the strength we muster against the 'brood of dispositions opposing the law'. It is 'the strength of man's maxims in fulfilling his duty'. Virtue in Kant is only visible in the conformity of the will to the commands of duty ('the will's firm resolution to conform with every duty'). This stony emphasis on rectitude paints one picture of virtue. If we adopt it, then clearly duty is the fundamental concept in ethics. Virtue is simply the handmaiden of duty.

On the other hand a more amiable, less duty-ridden conception of virtue is also possible. We expect that the exercise of virtue promotes human happiness. So Hume, for example, thought that the virtues are simply traits that give us pleasure to contemplate, because they are 'useful or agreeable to ourselves or others'.[7] The Humean virtues are sunny members of our brood of dispositions, such as good cheer or perseverance or benevolence, or civility and courtesy. For Hume, a cheerful nature is as much or more of a virtue as a gloomy devotion to duty. The blockhead who forces his stupidity upon us is as bad, in

[6] Immanuel Kant, *The Metaphysics of Morals*, trans. Mary Gregor (Cambridge: Cambridge University Press, 1996), 164. The following quotation is from the same paragraph.

[7] David Hume, *Enquiry Concerning the Principles of Morals*, IX. 1, p. 268

Hume's book, as the knave who sets about cheating us.[8] In fact rectitude has only a back-seat position. It only comes in as a kind of reinforcement for other motivations, rather as the traffic police and the fear they inspire may come in to reinforce a natural desire to drive safely. Putting a sense of duty at the foundation of ethics, for Hume, would be absurd because an action only gets classed as a duty in virtue of first having some characteristic about which we care. So caring about doing one's duty has to be secondary, a reinforcement or back-up for whatever makes us care about actions in the first place. So if there is a distinct notion of righteousness, or 'fortitudo moralis', it is only a secondary virtue. By analogy, a miser may care above all else about money. But that concern cannot be the fundamental economic motive, for if money did not independently have an economic function, there would be no point in caring about it, and indeed, since it would not exist, no possibility of doing so. So it is that function which needs treatment in fundamental economic theory, not the motivations that then parasitically cling to it.

We return later to the contrast between Kant and Hume on this point and on the nature of practical deliberation. But it is clear that just as for Kant virtue is subordinate to duty, so on the Humean picture it looks as though virtue has a less fundamental status than sources of happiness or pleasure, which the virtues exist to cultivate. The picture here is a little more complicated, however, by a thought present in Hume and prominent in Aristotle, that happy living involves action, and may be inseparable from acting well. A comparison is the way that the pleasure of playing golf is inseparable from in fact playing golf. It is incoherent to imagine getting just that pleasure any other way. In Aristotle virtue and personal happiness or well-being ('eudaimonia') pull together in this way. Eudaimonia consists in living virtuously. It is not simply that virtue is a way to buy happiness, thought of as an independent state that might, in principle, be secured by other means. Rather, true well-being involves the exercise of virtue, in the way that true health, one might say, involves physical exercise. If you are truly healthy you *want* and enjoy physical activity. In fact, in Hume's view a major part of happiness lies in the consciousness of merit and of behaving well, and to be conscious of that means in fact behaving well.[9]

[8] David Hume, *Treatise of Human Nature*, ed. L. A. Selby-Bigge, 1st edn. (Oxford: Oxford University Press, 1888), III. iii. 4, p. 607. See also *Enquiry Concerning the Principles of Morals*, Appendix iv.

[9] *Treatise*, III. iii. 6, pp. 618–21.

Naturally, different cultures emphasize different components of virtue: Christian virtue is not the same as pagan virtue. Military and aristocratic castes go in for the heroic virtues of *superbia*: pride and courage, a short fuse, an exaggerated sense of punctilio and honour. By contrast prudence, decorum, and self-control characterize the gentry and the bourgeoisie. Humility and self-abasement mark the Christian, in theory at any rate. Once brought up in a certain culture the properly educated person will find a good deal of what counts as virtue in that culture automatic. Someone's modesty or politeness or good humour can be quite unselfconscious. It takes no thought to exercise it, any more than it takes thought for the trained batsman to execute the flawless stroke. But just as the input/output function that produces ethical motivations is not necessarily mechanical or automatic, virtue need not be mere disposition to behaviour, unthinking and, after appropriate training, automatic. It can also consist in knowingly acting for a reason, or in having a disposition to act controlled by the right kind of reflection on the situation.

In the virtue tradition, there is no embargo against thinking to some extent in terms of the consequences of action. Such thought is sometimes regarded as equivalent to asking what *benevolence* requires in a situation. But benevolence is not the only virtue involved when we pay attention to which situations are better or worse than others. We may value the wilderness, or the diversity of species, or the cleanliness of the oceans or atmosphere as ends in themselves, as things that it would be bad for us to destroy. Here our values are consequentialist, for they concern the ranking of states of affairs or outcomes of actions. But the currency is not 'human happiness', but the survival of things we value for their own sake.

Virtue requires thinking of consequences. The environment-friendly person thinks of impact on the environment, the kind person thinks of the good of others, the courageous person stands fast in the face of risk, that is, in the face of possible or probable consequences that he regards as undesirable. This suggests that judgements of virtue cannot have a fundamental status apart from other thoughts about what has value.

Virtue is also not alone the fundamental concept in ethics, because we can always ask how something gets on the list of virtues. What if you think chastity is a virtue, and I do not? Surely we have little alternative but to argue about the place chastity holds in human life. This may partly consist in an attempt to place it amongst other virtues—modesty, fidelity, filial piety—but any such reflection seems only to postpone the looming question of whether it 'does any good', that is,

benefits its possessors or those around them, or in some other way promotes ends that we admire. But we are then involved in a consequentialist argument.

An argument about whether chastity 'does any good' is going to invoke consequences, but that is not to say that it presents us with a simple sum: find the amount of happiness or utility in a society that honours chastity, then find the amount lost or added by deleting that feature. The suggested change in social texture changes everything: people would start living quite different forms of life as a result. It is most unlikely that there could be any intelligent assessment of such a change along one linear dimension: more happiness or less? Rather, a comparison would have to be given in terms of other activities and social relations. The gains or losses would themselves be described in terms of virtues: whether people are any longer loyal or reliable, or whether they make good parents or dull company. Obviously, a medley of considerations clamour for attention, and equally obviously no one dimension of measurement seems to emerge. If a society which honours chastity turns into one that does not, as when the circle of Cromwell was succeeded by the court of Charles II, things become different, and any attempt to say that they have become better or worse looks hopelessly simplistic. The attempt to calculate all losses and gains in a single currency, that of utility, occupies us further in Chapters 5 and 6.

Some theories are called 'virtue ethics' because they concentrate upon the virtues required of the good judge of values. But that is a little careless. If the ideal judge is to look, for instance, solely at consequences, as in some versions of 'ideal observer' theories, then the theory is more properly called consequentialism. If the ideal judge focuses exclusively on duty and lapses from it, the theory is deontological. Such a theory is only properly a virtue theory if the ideal judge concentrates upon the virtues and vices displayed on occasions of action. But this exclusive attention is, as I have argued, unwarranted.

The reason that recognition of traits of character as virtues cannot by itself provide a basis for our moral thought is that we must recognize the value of situations we promote or avoid. Like Catharine in the epigraph to this chapter, we have to worry whether our traits of character are such as to hasten to ruin the welfare of the nation. But we can acknowledge this even while remembering the converse Aristotelian thought that virtue should not be regarded simply as a means to some quite separate end, human happiness, for example. We can acknowledge that we have no handle on what it is to live happily that does not invoke some conception of living virtuously: in harmony with others,

with self-control, with temperance, courage, and foresight. We simply need to accept that conceptions of virtue and of other values are inevitably intertwined.

There is an important caveat to be entered about virtue ethics. There is significant empirical work in social studies that suggests that we are not nearly so well-described in terms of virtues and vices as people think.[10] That is, while we characterize ourselves and others as courageous, modest, prudent, sympathetic, and so on, it turns out that we are much more fragmented and contextually variable than these terms suggest. Much work in social psychology suggests that people act more from moods and forces that are themselves set by situations, rather than from settled dispositions such as prudence, kindness, and the rest. In other words, while we attribute behaviour to standing dispositions of character, in ourselves and others, we are often wrong to do so. This being so, the virtue tradition at least needs complicating. It might retreat to talking of higher order dispositions, such as the disposition to let a context or a mood affect one in one way or another. And it then turns out that people do not differ very markedly in these dispositions and our common belief that they do is simply an illusion. We might worry that in its recent concentration on virtues, at the expense of consequentialism, analytic moral philosophy is in effect turning its back on social and political situations and needs (not that it was ever brilliant at looking them in the face), preferring instead luxurious and wholly unrealistic fantasies about what is possible for human beings.

We do not like being told that we are typically under illusions about the characters we attribute to ourselves and to each other. It is hard for us to accept that our 'common-sense' approach to personality is typically far from the truth. And for the virtue tradition, the result may not be quite as catastrophic as it seems. If we were forced to give up the lay characterizations of persons in terms of virtues and vices, we could no longer talk of someone being, for instance, courageous *tout court*. But we can still share the educator's ambition to bring up people to behave courageously in some circumstances, and hopefully more often than they would have managed without the education. And that may be enough to justify at least some claims of the virtue tradition. Even if our characters are not as durable and steadfast as we like to think, still, they can surely be better or worse. Adjectives like 'industrious' or

[10] The evidence from social psychology is collected and assessed in Lee Ross and Richard Nesbitt, *The Person and the Situation* (Philadelphia, Pa.: Temple University Press, 1991).

'mean-spirited' have some application, after all, even if there are situations in which the otherwise industrious person becomes lazy, or the mean-spirited person becomes generous. The elements of the virtue tradition that will be jettisoned are those that rhapsodize over the special nature supposedly belonging to virtuous persons, such as their special immunity to temptation, or the way in which their virtue 'silences' all their other dispositions.[11] For it seems to turn out that this god-like nature belongs to nobody, and represents an ideal to which nobody can approximate.

3. DUTY FIRST?

Consider next the relation between consequences and duties. Suppose we think of the consequences of actions in terms of better or worse states of affairs, and suppose we put on one side the problem of measurement. If we put a conception of better or worse states of affairs at the foundation, we would first claim that the boundaries we feel as we deliberate cannot be accepted just as data. They are where they are because they have a function: the boundaries to our actions are justified because they enable us to get along, or avoid conflict, or in other words promote the social good or help avoid social distress. Similarly, the rules of a game are where they are in order for the game to be a good one: it offers a fair opportunity to each player, exercises abilities, and causes pleasure. The deliberating player just obeys the rule; facts about why the rules are as they are do not concern him. Nevertheless, there are such facts, and to understand the place of games in human life we would need to know them.

But as we have seen, according to the deontologist, ethics touches ground in what I as an agent will do and will not do, here and now. It does not touch ground in the benefits or disasters it brings to people. According to the more rigorous versions of this approach, consequences and context have nothing or next to nothing to do with it. A stock example would be of a person who is in a position in which, if he kills one innocent person, he averts the deaths of many others, or in which if he tells one lie, many more truths will end up being believed. What is important to the deontologist's favourite kind of agent is that

[11] John McDowell, 'Are Moral Requirements Hypothetical Imperatives?' *Proceedings of the Aristotelian Society*, supp. vol. 52 (1978), 13–29. The problem for the virtue tradition is explored in John Doris, *People Like Us: Personality and Moral Behavior* (Cambridge: Cambridge University Press, 1998).

he or she does not kill or lie, even in these diabolical situations. He or she is concerned to respect the value or the duty in his or her own behaviour, regardless of whether any good, even that good which the value or duty specifically concerns, is thereby brought about. You don't lie even if, foreseeably, because of your lie the audience will come to believe the truth. You don't kill, even to save life.

This way of thinking is intrinsically concerned with one's own agency: the descriptions one could give of one's own actions. It is as if our overwhelming concern is with the history of our own doings, told in a few rather simple terms. This may seem strange, but the way of thought is not unfamiliar, and nor is it especially confined to ethical contexts. Our own agency matters. Consider, for instance, someone bent on revenge. It may matter to him that *he* destroys his enemy; it would not be the same, it would not do, if someone else got in first. He does not just want the outcome that his enemy be destroyed. What matters is that he does it himself. Similarly, if I promise to tell someone the good or bad news, it may matter to me that I do the telling (this is what I promised); if the upshot, that the person gets the news, occurs some other way, I may feel disappointed or guilty. The deontologist is concerned with what he or she does, rather than with upshots or outcomes or consequences. The deontological cast of mind can thus lead to such a person simply refusing to do what would nevertheless be for the greater good, and seeing the refusal as a matter of principle: a principle that governs their actions, regardless of the rest of the world.

To the consequentialist all this is absurd. While it is good that people should feel strong inhibitions against various kinds of action, the *authority* of these inhibitions actually lies in the good they do, or the evils they avert. Giving the principles a life of their own, even when no good or much harm comes from doing so, may be understandable, but according the consequentialist, it is all the same indefensible. For the deontologist gives her private 'no-go areas' a dignity and authority that are actually borrowed from the public function of ethics. Ethics has its importance because of its place in co-ordinating our social lives. It makes things go better. Taking a 'matter of principle' as authoritative when it fails to play any such role is quixotic. It is elevating the ornament above the building. However firmly an English gentleman has internalized the duty of never eating dinner without wearing a dinner jacket, he ought to be aware at some level that it would be extremely stupid to starve to death for lack of one.

The issue between deontologists and consequentialists here is venerable. The reason is that each side has its strong card. The consequentialist's strength lies in understanding the social function of

ethics. To have evolved at all, moral attitudes must have some kind of function, and then the only function worth citing seems to be their value in co-ordinating human actions, avoiding conflict, generating conventions, promoting the possibility of flourishing existence. But, says the consequentialist, once we understand what ethics is for, this understanding also dictates the shape our first-order ethics ought to take. It ought to be such as to promote our goals, and that means that promotion of the goals should be an aim or ideal. We should act so that the good for which ethics exists is maximized.

From this perspective the deontologist, it seems, has nothing very impressive to offer. He seems to present us only with the picture of the slave of duties and boundaries, solipsistically protecting his or her own conscience for no other apparent reason than that this is how he or she feels they must behave, or, in the more elevated language of Kant and Rousseau, because they have 'legislated' these duties for themselves, like fetishes or rituals. But the deontologist has a reply. The strength of the position is that it seems to fit better with the standpoint of the deliberating agent: the participant in practical reasoning who will indeed feel that he or she simply must do this or cannot do that. Not only will people feel this, but it seems that we must allow them to feel this, or encourage them to feel it. For a radical consequentialism that seeks to overthrow normal deliberation in favour of a model in which everyone, all the time, thinks in terms only of consequences and outcomes is hardly likely to improve human life and action. Just as we have to approve of unselfconscious, uncalculating involvement with others, so, according to the deontologist, we have to approve of unself-conscious, uncalculating dispositions to stay within the well-defined boundaries of duties and obligations.

If each side has its strength, then either can gain an advantage by explaining and perhaps justifying in its own terms the thoughts that lead to the other. Thus, just as a virtue theorist can notice benevolence, so a deontologist might acknowledge a duty of paying attention to the general good (even if only the good of a tribe or limited group of insiders) as one amongst other boundaries on conduct. But it has to be said that it is not obvious how that would sit comfortably with other prohibitions and duties: what importance it would deserve, or how it should be ranked among other objects of concern. If the agent is now enjoined, for instance, not only to concern himself that he tell the truth, but also to concern himself with the general good, he can hardly avoid internal conflict in the difficult cases where he can only further the general good by telling a lie. The problem here is quite general: a reflective deontology needs not only its list of boundaries, but some kind of story

about how anything gets on the list, and some kind of advice on how to rank the different prima facie obligations when they clash. To do this it is necessary to defend some conception of the rules involved as neither purely self-justifying, nor as mere means to an independent end, and this is not easy to do. We return to far the most impressive attempt on the problem, the philosophy of Kant, in Chapters 7 and 8.

4. EXPLANATION AND JUSTIFICATION

It certainly appears easier for the consequentialist to *explain* the ways of thinking that impress the deontologist. The place to start is with the institutional roles which we frequently occupy. Consider the example of a referee in a game. His role demands that he administer the rules fairly, punishing infringements and leaving play that accords with the rules alone. This is his *participant's* perspective, and it gives his deliberations a deontological cast. The only thing he must bear in mind is how the rule applies to the situation in front of him. But now suppose he *reflects* on the point and purpose of game-playing: the exercise it gives the players, or the pleasure of the participants or spectators, or the reinforcement of ancient tradition, or the ritual defusing of tension between neighbouring communities, or whatever else occurs to him. The point of game-playing is here like the social good, or the overall point of the institution. There is nothing to prevent the referee taking up a reflective stance whereby these things become of interest to him.

Now suppose that on an occasion it may be apparent that the point is better served by bending a rule. Perhaps a false line-call will prolong the intensely pleasurable competition, or falsely giving the batsman as out will prevent the match becoming lopsided and uninteresting. A referee may find himself tempted to give the false call. But he should not, and if he does not he can reflect with satisfaction on his dispositions. Because the nature of the game and the role of referees within it demands that no such temptation be admissible. If people knew in advance that this sort of consideration would be in the referee's mind and able to sway his decisions, then the whole nature of the game would change. Indeed, it might well collapse, because the whole point of a properly conducted game is that the participants understand themselves to be bound by the rules, and understand that everyone else understands that too. If it is known in advance that this is not so, the game does not get played, and we lose whatever benefits that game-playing brings. So the referee could not

himself admire a fellow referee who took the law into his own hands, and would not expect the admiration of others in turn.

Here the consequentialist stresses the overall benefit of the deontological cast of mind. We have a 'two-level' structure in which one kind of thinking is validated by a very different kind of justification.[12] We have a consequentialist argument for non-consequentialist ways of thought. This can seem paradoxical, but it is not so really. The same structure is found in many human affairs. The lawyer is to administer the rules of justice, or the soldier obey the command of superior officers, without exercising their own judgement about whether the rules or commands further one end or another. But the rules or commands are there for serving ends. Legal and military institutions do not exist as of right: they have a social function, and are doing well only when they fulfil it. But to fulfil it they may require the unreflective, rule-governed, participation of members of the institution. And as we have already seen, a person's role as a spouse or lover requires spontaneous, unreflective involvement in the life of the partner. It requires thinking, sometimes, that one simply must do something because the other wants it, or needs it. Nothing could be more insulting than a spouse or lover who only behaves by conscientiously computing what the role requires. One wants absorption within the role, not a sideways consultation of what it requires, and still less of whether another role might meet its purposes better.

We saw that, for the consequentialist, ethics touches ground in the promotion of various values and ends without which human life goes badly, and with which it goes well. We now see that while it touches ground here, it does not follow that it recommends that on each occasion each participant in any human affairs bears the consequences in mind. Indeed, as in the case of the referee or the lover, it might positively require that they do not. What we get, as we have seen is a distinction between the *participant's* stance and the *reflective* stance. But there is no fracture, no lack of harmony, in a life in which we occupy each stance successively. We act, perhaps impeccably, as referees or lawyers or lovers even while we are capable of understanding that our roles are only possible, and certainly only admirable, because of their place in the ongoing attempts of human beings to promote the good and ward off the bad.

There is a mistaken thought that sometimes surfaces here, and has

[12] R. M. Hare, *Moral Thinking: Its Levels, Method, and Point* (Oxford: Oxford University Press, 1981), is the central recent exposition of this kind of structure.

occasioned much discussion in the literature. According to the position here located, consequentialism applies to thinking about the good of institutions (such as traffic rules, legal systems, or games) but it is not to determine the thoughts of participants in those institutions. The objection is that this combination is somehow unstable. For what is to stop the participant from being alert to situations in which the general good is indeed furthered by his breaking a rule? Surely the very story we tell about the good generated by the institution must allow that there should be such cases, and that the participant would do better to exploit them. For, *ex hypothesi*, they are cases in which the good is furthered by the infringement. So we can have the general good plus the surplus good created by occasions of departure from the rules. And in that case surely any consequentialist ought to hold this is what we should aim to produce. So, it appears, a truly alert referee should have one eye cocked on the possibility of beneficial bending of the rules, or, if he does not, he should feel somehow ashamed of his unthinking 'rule worship'.

The mistake in this tempting line of argument is in supposing that we *can* have the general good plus the surplus. The incoherence of this as a general recommendation is already apparent. For if it were generally known (for example) that referees were disposed to give false decisions when they judged that in that way the interests of spectators and players would be better served, then, as we have seen, the entire structure collapses. The knowledge common to players, spectators, and referee that they are playing according to such-and-such rules is destroyed, and with it the whole point of the activity. You do not get the sum of two utilities (that of the game, plus that of the infringements), but instead end up with neither. On the other hand, if the suggestion is that secretly each referee should harbour thoughts of useful false decisions, then again nothing but disaster is predictable. A referee, however alive to the general purposes served by a game, can scarcely expect to sustain a career of deception: his 'one thought too many' would become apparent as inevitably as the conduct of the participant in a conversation who only listens out of a sense of duty, or the lover who has one eye on future financial advantage. It is hard enough concentrating on the play, without thinking of other things as well. So there is no consequentialist reason to encourage consequentialist thoughts from the participants.

What is here stressed is the consequential value of institutions, in which people play definite roles that demand of them more or less mechanical adherence to certain rules. The curiosity is that to take on such a role is to forswear consequentialist thinking: the consequentialism is 'self-effacing' or, as I once saw it put in a marvellous misprint, 'self-defecating'. For if *all* of the best kind of life we can envisage were occupied by such roles, then we get an ethic of 'my station and its duties'. We would be endorsing a way of life in which people occupy themselves solely with what their role demands, seeing themselves as simply a part of a wider social organism.[13] There is a certain kind of tranquillity in such a life. If I am a foot-soldier in the army, I do not have to think about what to do. Uncertainty and dilemmas melt away if the manual prescribes for every situation.

So now we can see how a deontologist might reply. True, he should say, we can have the consequentialist *explanation* of the ways of thought. But we should not confuse explanation and *justification*, and deontology is a thesis about justification. In other words it concerns the right structure of reasons as they present themselves in peoples' deliberations. In the referee case, the consequentialist may explain the existence of the game in terms of the benefits it brings about to players and spectators. But the justification of the referee's way of thinking (that is, the rule-governed, or deontological way) is simply given by his role *within* the game. His thinking has to be like that for him to play that role. Similarly, the justification of any piece of ethical reasoning, for instance the prohibition against lying or killing or fraud or injustice, is given *within* the structure of rights and duties which themselves shape the form of our lives. Our thinking has to be like that for us to live those lives as we do. The consequences of a form of life may indeed explain its successful emergence, just as the social and psychological functions of a game may explain its emergence. But those consequences do not play any justificatory role.

Perhaps then the right thing to say is that ethical reasoning should be deontological all the way down. If practical reasoning were encoded in a manual, it would be a manual like that determining how to play chess or bridge. There is no reason to include any chapter on why chess or bridge is worth playing. That is a different enterprise altogether.

5. CONSEQUENTIALISM FIRST: ONE THOUGHT TOO FEW?

Although this counterattack may sound persuasive, it does so mainly because it imagines that there is indeed a manual for each occasion. It

[13] See Bradley, 'My Station and Its Duties', in *Ethical Studies*, ch. V, pp. 160–213.

invites us to see life in terms of the permanent assumption of a role: each of us is a foot-soldier in some army of the righteous or good, and none of us will face problems whose solution is not antecedently prescribed. The trouble is that there is no such manual. Or rather, there are different ways of reading such tatters and shreds of manuals as we have. The truth is that just as it is wrong to think that consequentialist thoughts should *always* come back, thereby wrecking the role of the parent or lover or referee, so it is wrong to think that they should *never* come back, prescribing changes in the rules, or the neglect of some roles in favour of others. Here the example of self-contained rule-governed activities, such as games, may be misleading. The pleasures of bridge are indeed irrelevant to the manual on how to play it. But promoting good and avoiding bad consequences each have a justificatory as well as an explanatory role in the story of life. Understanding that there is a point to the rules must coexist with proper devotion to them. We see this well enough when emergencies force revaluations, like the starving Englishman forced to wonder whether he can eat without his dinner jacket.

Let us consider in closer detail the intelligent participant. On the one hand, as participant, he is to concentrate only on what is required by the rules. On the other hand, as reflective thinker, he knows that the rules are there only for a purpose, and that this purpose may be better served by occasional infraction. How is he to know, we might ask, when to occupy the unthinking internal role, and when to adopt the more thoughtful, external perspective? When is he to let consequential considerations invade his role, and when is he to shut them out? The deceptively simple but untenable answer to this is: let them in when good is gained by doing so. But this will act as a blanket permission to behave as the bad referee or soldier, forever prepared to betray his role. So it cannot be so simple.

The boring but true answer is that it will require judgement and training to know when a situation is a real emergency, one where for the sake of avoiding harm or doing good one should grasp the nettle and bend or abandon a prescribed role. This does not sound like much of a guide for the perplexed. But is perplexity at this point a real burden? Difficulties only become apparent either in an emergency in which our role is rightly suspended, or alternatively when the purposes of the institution no longer commend themselves to us. For the first kind of case, imagine a referee able to give a false call that terminates the otherwise endless game of bowls that is preventing Sir Francis Drake from going off to engage the Armada. Surely it is just obvious that this is what to do: Drake's dedication to the game is preventing (suppose) the saving of the nation; so it is right to bring the game to an end by any possible means.

For the second kind of case, imagine a person whose whole self is bound up with his role as a soldier and who becomes gradually aware that the main function of the rules and rituals he unquestioningly implements is to promote a habit of mindless obedience, and in turn that the main function of this is to enable the army to kill people the better. And suppose he becomes disenchanted with the role of expert killer. Then, naturally enough, his dedication to unquestioning obedience, and to the rules and rituals that nourish it, will likely diminish. In like manner a lawyer who becomes convinced that his branch of law exists in order to protect extant distributions of property, and who begins to think that those distributions are themselves disastrous, may reasonably lose his enthusiasm for the rules of law that he has been trained to enforce. But, far from being an objection to the intrusion of consequentialism, such examples show its merits: it is natural and good that disenchantment with the consequences should feed back into disenchantment with the institutions and the rules that exist to promote them. A deontologist who is insulated from this feedback is, like the man who starves for want of a dinner jacket, a lunatic rather than a saint. He has the converse vice of the man who has 'one thought too many', namely, that of having one thought too few.

But this, in turn, is not to suggest that it is always easy to decide that one is facing an emergency, or that disenchantment with the perceived consequences of an institution is justified.

It seems, then, that a suitably guarded consequentialism can do much to justify, and explain, the concentration on particular duties and particular roles stressed by the deontologist. Since consequentialism has in addition a natural, functional story about the nature of ethics, it seems that it maintains the advantage.

To a deontologist, naturalistic stories about why we feel the pressures we do can feel threatening. It is as if the awful seriousness of duty were being compromised. A deontologist may feel that something is lost if we allow the explanation, as if just by touching the flower we rubbed off some of its bloom. Consider, for instance, some serious rule, such as the prohibition on incest. Suppose we come to believe that the function of this rule is something in which we have some interest, but not an overriding interest: for example, preserving the availability of children to cement interfamily alliances, or maintaining the diversity of the gene pool. Then the explanation may be felt to soften or even undermine the prohibition: if *that* is all it is about, someone might feel, then it is not such a bad thing to break the rule now and then. After all,

it is not compulsory to care about interfamily alliances, nor about the diversity of the gene pool. People in religious traditions often find the natural explanations of dietary prohibitions unsettling. If it is the distressing tendency of meat and shellfish to go rotten in the heat that explains why there is a rule forbidding their consumption, then why doesn't the arrival of refrigerators undermine the rule? And then participants may feel as if something sacred has been profaned.

If they do so, then obviously the right thing to think is that the rule must for them, now, be fulfilling some other function than that which explains its origin. By now, it may be defining a form of life, or be a symbol of their identity. Breaking the rule might be like burning the flag: not a particularly villainous action in itself, in that flags are cheap and replaceable, but highly significant and emotionally charged as a rejection of a policy or a culture or a country.

If we want to say that the fundamental place that ethics touches the ground is in what I do here and now, we would need to say that the authority of rules and prohibitions does not derive from naturalistic stories about their function. But while this is an understandable emotional need, it is hard to regard it as intellectually respectable. For, first, naturalistic, historical, and evolutionary stories about the emergence of rules and prohibitions might be true, regardless of whether we like them. And, secondly, if they are true, they may reveal a deliberative boundary as highly dysfunctional, or as only functional if taken up to a point and no further. And it is surely impossible to believe that the authority of the rule somehow sits above such considerations, unless we subscribe to some mythical origin for it: the voice of reason, or the voice of God. It is therefore no accident that the great naturalists, theorists who have sought to understand ethical thought as part of the natural world—notably Hobbes and Hume—are also inclined towards ethical rules whose authority eventually derives from promoting the common good, or, perhaps, avoiding the common bad.

I have not, in this chapter, said much about consequentialism in itself. This is because to do so requires a much more subtle investigation of the concerns that actually motivate us in our lives. The only general thing to be said at this point about consequentialist reasoning is that it is essentially forward-looking. It looks to what action will bring about. Once that is done different features of the consequences may matter. But in later chapters we shall have cause to reject purely consequentialist deliberations. We shall find that the past and present matter as well, and independently of their role as a signpost to the future.

We now turn to present a positive theory of the focus of ethical thought. This focus is any proposition couched in ethical terms: a

proposition claiming that something is good, or admirable, a duty or a right, or a virtue or a vice. In the next chapter I give my positive theory of such thoughts. I explain their function as the locus of practical reasoning. In the following, optional, chapter, I suggest why this approach escapes the problems lying in front of other contemporary approaches. This is before turning to the further investigation of the actual shape of our practical reasonings, in the second half of the book.