Virtue Ethics in the Contemporary Social and Political Realm

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Submitted for the degree of PhD, February 2010.
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Abstract

This thesis concerns the problem of applying the ideas developed in contemporary virtue ethics to political philosophy. The core of the problem, explained in the opening chapters, is that assessment of right action offered by virtue ethics – in terms of what 'the virtuous person' characteristically does or would do – is focused on individual persons, rather than political principles of government. Accordingly, interpretations of traditional Aristotelianism have struggled to accommodate the putative value of modern value pluralism and manifold conceptions of the 'good life', whilst liberal theories that employ virtue concepts fail to offer a political philosophy that is distinctly virtue ethical.

Rather than trying to fit individualistic virtue ethics to political theory in these ways, subsequent chapters start from the viewpoint of individuals and look outward to their social and political environment, arguing that an adequately socio-political virtue ethics requires, and suits, an ethics of social roles. Various virtue ethical approaches to roles, however, fail in different ways to determine what it means to act virtuously in such a role. In response, it is argued that virtue ethics needs a normative account of what specific role-determining *institutions* should be like. The possibilities for the Aristotelian *ergon* – function or 'characteristic activity' – serving as a normative criterion for a good institution of its kind are discussed and modified, leading to a positive account of institutional *ergon* that links the primary function of an institution with the specific and distinct human good or goods that it serves. The promissory conclusion to the thesis is that contemporary virtue ethics can, in this way, offer a distinct and enlightening approach to social and political philosophy, whilst also strengthening itself as an ethical theory.

Acknowledgements

Contents

Introduction

This thesis is about the problematic relationship between contemporary virtue ethics and political philosophy: between an ethics grounded in the primary moral concepts of virtues and vices, and how this approach has struggled to apply, and how it *could* apply, at the level of society and the political state.

When I first talked to people about this project, a common response was: 'how come an ethics chiefly associated with Aristotle and Plato hasn't been able to say much about *politics*?' or words to that effect. And a friend of mine asked how any ethics concerned with the moral character of individuals could coherently *avoid* some kind of account of their relation to each other and to the state and, accordingly, of what the political state should be like. Well, quite. Notably, contemporary virtue ethicists have themselves acknowledged this politics-shaped gap in their approach and, as far as I know, none has denied it. My aims are to show why contemporary virtue ethics has failed to take off politically, and then to suggest a way in which it could.

So, firstly then, what *is* the problem? That is the question we look at in the first two chapters. In Chapter One I describe contemporary normative virtue ethics as an approach that prioritizes the virtues as morally valuable, from which it then assesses the rightness or wrongness of actions. Whilst 'virtue ethics' is neither a homogenous category nor one that has a monopoly on virtue concepts in ethics, the evaluative and explanatory priority it gives to virtues of character marks it out as a distinctly person-specific ethics. This means that its assessment of an action – in terms of it being what 'the virtuous person' characteristically does or would do – depends to an important degree on the particularities not only of the situation but also the person acting.

In Chapter Two I contend that this person-specificity, the individualistic quality of contemporary virtue ethics, is at the root of the political problem. Starting, as so many virtue ethicists have with Aristotle, an initial obstacle is the question of whether

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we can rescue Aristotelian politics from Aristotle's infamously elitist view of the properly functioning *polis*.[1] For, the *Politics* expresses a political theory that is from our perspective arcane and, perhaps from any perspective, perniciously illiberal and anti-egalitarian.

Yet there is a deeper philosophical problem that persists beyond the historical detail. The basic Aristotelian conception of the political state is that it should create and sustain good, virtuous citizens, and the problem is whether such moral authoritarianism can be rendered coherently virtue ethical. Recent Aristotelian approaches hold that the very presence of a plurality of goods and values is *itself* valuable, and that individuals' capacity for choosing such goods is a key human good to be valued highly. If so, then the state's enforcing or favouring some or other conception of the good life poses a direct threat to these goods, and so is ruled out. This presents the anti-authoritarian Aristotelian with a paradox: the more a political state wants to *make* people moral, the more it has to leave them alone. But then if we are to say that the best bet for making individuals virtuous is something like the morally neutral or minimal state, or some version of liberal perfectionism, then we might wonder how Aristotelian based virtue ethics can offer a political philosophy much that is *distinct* from some or other version of liberalism.

Following on from this, we look at some other political theories in which virtue concepts figure prominently, the problem here being that they employ virtue concepts instrumentally, valuing certain virtues in terms of how they facilitate life in the liberal polity, for example. Some or all of these theories might be *compatible* with a virtue ethics, and in particular Civic Republicanism appears to bear a strong affinity. But none provides a theory faithful enough to virtue ethics to stand as its political counterpart.

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[1] For example, the idea that slaves and women, functioning naturally as labourers and child-bearers, are external and productive means to the end of the proper functioning *polis*, and thus are naturally excluded from political life and citizenship.

Whether or not these obstacles are unassailable for virtue ethicists, in the rest of the thesis we formulate an altogether different way round them. Rather than trying to fit the concerns of individualistic virtue ethics to theories or problems at the political level, we can reverse this process, starting with the virtuous person and going outwards – as it were – from individuals to their social and political environment. Taking off from some difficulties raised in Michael Slote's virtue-based account of social justice, I first argue that virtue ethics requires an adequate conception of an ethics of social roles. More strongly, virtue ethics should *be* a kind of role ethics. Drawing on a recent revival of the topic by Michael O. Hardimon, Chapter Three defends the importance of social roles in ethics generally, concluding that role ethics naturally lends itself to a virtue ethics and vice-versa.

In Chapter Four we see that some virtue ethicists have recognized this connection between roles and virtue ethics in cases of applied professional ethics. Yet regarding how the virtuous person should act in a role, these strategies point, in different ways, to the problem of determining or failing to determine what the demands of roles are. One approach suggests that to act rightly in a role is to fulfil its obligations virtuously, yet this seems to take institutionally specified role-obligations as given, and hence not explained or justified in virtue ethical terms, i.e. it takes those obligations as too *strongly* determined for a virtue ethics. Another argues that virtuous individuals be guided by role-specific 'regulative ideals' (e.g. the regulative ideal of medicine is health), but this meets the opposite problem of *in*determinacy. It implausibly ignores the particular constraints and demands of institutions (e.g. medical institutions promote health in certain ways but not others).

Chapter Five argues that this determinacy and indeterminacy points virtue ethics in a distinctly socio-political direction for a solution. That is, the constraints and demands of social roles on persons mean that the discretely conceived 'virtuous person' is inadequate as virtue ethics' normative compass for right action. What is needed, in addition, is a conception of good social roles, and this in turn requires a normative account of what specific role-defining *institutions* should be like. I claim that

accounting for 'a good institution of its kind' is amenable to a particular kind of virtue ethical interpretation. In this respect we discuss strengths and weaknesses of the Aristotelian *ergon* – function or 'characteristic activity' – argument. A key strength is that the function of a socially constructed institution seems more tangible and useful than what Aristotle appears to cite as the *ergon* of a human being. Through discussing some examples of social institutions and their practices, however, we see its shortcoming: that the nominal or primary function of an institution – the 'what it is there for' – is necessary but insufficient to establish what makes it a good social institution of its kind.

In seeking to establish what could serve as additional criteria for the good institution, such that we can get a grip on acting well in the capacity of the role that it defines, Chapter Six considers some candidate theories. One type of approach is, broadly speaking, naturalistic. It seeks an explanation in terms of the institution itself flourishing – analogously to a natural organism – or of facilitating the flourishing of its constituent individuals. But whilst institutions might in some sense be 'teleological centres of life', the quite general specification of 'flourishing' is not enough, on either the organism or constituent individual model, to specify what it is about a particular kind of institution that make it a better or worse instance of its kind.

An alternative line of inquiry is artificial: construing the 'characteristic activity' of some institution in terms of it being more like a purpose-built tool or machine than an animal or plant. This captures the sense in which an institution is *made* by people for some reason, but runs into trouble when we try to grasp just what those reasons are and whether they give any justifying grounds for the institution as it stands. Original intentions – such as we find in some 'founding fathers' or mission statements – may be informative in some cases but misleading in others. For example the original patriarchal forces behind the formation of the nuclear family are something we now have reason to repudiate, even though we still, arguably, have good reasons to sustain this familial structure. Social contract models of actual agreements, or what would be agreed upon by people were these institutions not in existence, get closer. Yet even if

we can establish the good reasons that we have to maintain or create certain social institutions, the particular substantive qualities of a good institution of its kind remain elusive when we consider cases of persistent disagreement about the substance of these institutions. So for example, establishing that we have good reasons for Universities appeals to 'education' without specifying what education, less still *good* education, itself should be like. (Is it a vital, shaping, social and personal experience that goes beyond even the expansion of one's knowledge and intellect? Or is it an extended exercise in test-taking, box-ticking and job-training?)

In light of the insights and drawbacks of the naturalistic and artificial accounts, I end Chapter Six with an alternative account of institutional *ergon* that links the primary function of an institution with the *specific* human good or goods that it serves. Faithful to at least one plausible interpretation of the Aristotelian *ergon*, this view sees the characteristic activity and good(s) of an institution as that which only *that* kind of institution carries out and realizes. So on this view, for example, in seeking to establish exactly what it means to refer to the good, well-functioning family we look at more than human flourishing that many sorts of social institutions might facilitate, or reasons we might have, or once have had, for forming some kind of familial association. Rather, we cite goods and activities that only this kind of institution can embody, and that distinguish it as such.

We end in Chapter Seven with a defence of this proposal against a number of objections. One is that there seem to be counter-examples of morally undesirable institutions that meet the conditions of having clear and distinct functions and human goods – although these goods will typically be those of an elite and come at the cost of others' goods. But, firstly, the institutional account can, and must, operate within an ethics that disallows such institutions for separate and perfectly good reasons not derived from its particular *ergon*. (We want to eradicate hit-squads because they carry out murders, regardless of whether or not they have a unique and distinctive function or bring Mr. Big and his friends the goods of power, security and wealth, and so on.) Moreover, in some cases the *ergon* conception can also do some work in determining

which institutions we have reason to change or dismantle, and if so why. When wading through the populist bluster of a political party, pressure group, or newspaper in order to establish what it is *really* about, for example, its deep seated racism or sexism will often be rooted in its concern for the narrowly understood goods of one group of persons at the cost of another. So, to find out what makes some institution function 'properly', as a thing of its kind, can be to find out that it is unjust, pernicious or vicious.

A second objection concerns the extent to which a certain institutionally defined role is autonomous and, more importantly, whether this then leads to the erosion of the 'virtuous person' in favour of a series of separate role-specific norms of conduct — where right action is too narrowly conceived from that particular role-perspective. This in turn raises the danger of multiple cases of 'dirty hands'. In response, a role-based virtue ethics, in conjunction with this institutional account, can in fact accommodate this possibility better than other theories, and more satisfactorily than a less socio-politically enriched virtue ethics. Weighing up what to do is a question for the virtuous person who is sensitive to what roles and properly conceived institutions demand of us and who is, I think, better informed in this respect than the thinly conceived 'virtuous person'.

The thesis ends by tackling the question of whether this account does, in fact, offer an approach to politics that is faithful to virtue ethics. More specifically, the final objection asks whether a virtue ethics of institutions should, given its person-specificity, provide an account of institutions *as* persons. Taking a recent defence of groups as moral agents that can in some sense possess moral virtues, I argue that such a model is fatally problematic for a virtue ethics. However, what we can instructively take from another model of group agents or 'plural subjects', Margaret Gilbert's, is that individual members of institutions can form beliefs, make decisions and act on these *qua* the institution. Thus there is a sense in which the institution itself embodies a kind of moral *character* without taking on the unnecessary and weird metaphysics of collective *persons*.

Dealing with this last objection allows us to see that the human goods conception of institutional *ergon* is not only cast in distinctly Aristotelian terms, but also remains faithful to the main features of contemporary virtue ethics at the political level. Starting with action at the individual level, it addresses the question of the virtuous person acting rightly in roles, and then at how to determine what this means via the qualities of institutions that define these roles. This sees good, virtuous, role-actions as necessarily bound with the notion of the good institution. The promissory conclusion to all this is that contemporary virtue ethics can, in this way, offer a distinct and enlightening way in social and political philosophy, whilst strengthening itself as an approach to ethics.

Chapter 1: Virtue Ethics Now

1:1 Introduction

The aim of this chapter is to describe contemporary virtue ethics, focusing on three distinctive features that are together, in my view, the thorn in the side of virtue politics. Firstly, it puts a primacy on certain morally valuable and disvaluable traits and states of persons' characters, such that the goodness of virtue is fundamental to explaining the rightness of action. This means that secondly, what counts as a right or wrong action depends to some extent on it expressing or reflecting the virtuous character of the agent. Thirdly then, judgments and assessments of agents' actions are highly specific to agents and the particular circumstances of their actions. I will also distinguish virtue ethics from other accounts which employ virtue concepts in a quite different, *instrumental*, way. Correspondingly, some political theories – examples of which we will look at in Chapter Two – make use of such instrumental conceptions of virtue, and so fail to offer a political counterpart to virtue ethics.

A brief note on what *not* to expect in this chapter (or anywhere else in the thesis): As its focus is on what unites and distinguishes contemporary virtue ethics, so as then to explain a specific problem it has as such at the political level, I do not offer a full survey of the debates about or within virtue ethics or the comparative strengths and weaknesses of particular versions, interesting as these might be. So for example I avoid categorizing and sub-categorizing types of virtue ethics[2] and charting their own respective developments; pass over a raft of recent critical literature on the psychology of virtue and moral character;[3] and largely leave aside a debate in

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[2] See e.g. Karen Stohr, 'Contemporary Virtue Ethics', *Philosophy Compass* 1 (2006), pp.22-27, p.22.and Michael Slote, *Morals from Motives* (Oxford: Oxford University Press, 2001) pp.4-8.
[3] See John M. Doris, *Lack of Character* (New York: Cambridge University Press, 2002), and 'Persons, Situationsand Virtue Ethics', *Nous* 32 (1998), pp. 504-30. See also section II of John M. Doris & Stephen P. Stich, 'As a Matter of Fact: Empirical Perspectives on Ethics' in F. Jackson and M. Smith, eds. *The Oxford Handbook of Contemporary Analytic Philosophy* (New York: Oxford University Press, 2005). For recent responses see Diana Fleming, 'The Character of Virtue: Answering the Situationist Challenge to VirtueEthics', *Ratio* 19 (2006), pp. 24-42: and Jonathan Webber, 'Virtue, Character and Situation', *Journal of Moral Philosophy* 3 (2006), pp. 193-213.

metaethics between foundationalist and anti-foundationalist accounts and justifications of virtue.[4] Let us start instead with a brief history of how normative virtue ethics became 'contemporary'.

1:2 The Resurgence of Virtues and Virtue Ethics

Writing in 1968, and rivaling Marx's *Theses on Feuerbach* for succinctness, Elizabeth Anscombe sets forth 'Twenty Opinions Common among Anglo-American Philosophers', one of which is:

8. The study of virtues and vices is not part of ethics.[5]

Whether or not this view was actually adhered to at the time, or whether the omission was more down to analytic philosophers' neglect of virtues and vices rather than their positive exclusion, Anscombe's 'eighth thesis' would be plainly false if advanced today, at a time when virtues and vices figure prominently in philosophical ethics. Fittingly, Anscombe's 1958 paper 'Modern Moral Philosophy'[6] is itself viewed as the germ of this modern revival in the last half-century. A standard view of virtue's renaissance is that there has been a so called '*aretaic* turn' away from a focus on duties, rights, principles and imperatives governing agent actions (Kantianism, broadly construed), and outcomes and consequences of agent action (consequentialism, similarly broadly construed), and instead towards the moral character of agents and certain character traits – virtue and vices – the possession and expression of which are conducive with or contrary to the good.

Writing in 2009, it may first be helpful to locate contemporary virtue ethics within the wider history of this *aretaic* trend. Arguably, much of the early groundwork by

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[4] See David Copp and David Sobel, 'Morality and Virtue: An Assessment of Some Recent Work in Virtue Ethics', *Ethics* 114 (2004), pp.514-554. See also John McDowell, 'Virtue and Reason', in Roger Crisp & Michael Slote, eds., *Virtue Ethics* (New York: Oxford University Press, 2003); and 'Two Sorts of Naturalism', in *Mind, Value, and Reality* (Cambridge Mass.: Harvard University Press, 1998).
[5] G.E.M. Anscombe, in Mary Geach and Luke Gormally, eds., *Faith in a Hard Ground: Essays in Religion, Ethics and Philosophy* (Exeter: Imprint Academic, 2008) p.67.
[6] In Crisp & Slote, eds., *Virtue Ethics*.

Anscombe and other virtue revivalists such as Bernard Williams[7] and Alasdair MacIntyre[8] provided a negative and reactive critique, appealing to an ancient, Aristotelian, mode of pre-Christian ethical thinking largely in order to argue that attempts to derive Christian moral 'oughts' from secular ethical theory in modernity have gone awry. These contemporary pioneers paved the way for more positive and explicit formulations of virtue ethics inspired by these (then) dominant trends in moral philosophy which they found unsatisfactory.[9] And so most recently, keen to reject a charge of practical inadequacy – that virtue ethics may provide a programme for being a 'good person' but it cannot actually tell us too much about how to act rightly in ethical quandaries – virtue ethicists have developed distinctive positive accounts of right and wrong action.[10] From this it is also notable that earlier critical surveys of virtue ethics, such as Gregory Velazco y Trianosky's 'What is Virtue Ethics?' (1990) [11] and Justin Oakley's 'Varieties of Virtue Ethics' (1996),[12] whilst still accurate and informative today, did not have the benefits of these later, more developed works. In what follows we draw on these recent accounts to supplement many of the insights of these earlier analyses.

Whilst the standard view of the *aretaic* turn is broadly accurate, it is important to realize that the story of virtue's resurgence is not just the story of *virtue ethics* as a distinct approach in moral philosophy. The possible errors in this respect have been elegantly highlighted by Martha Nussbaum.[13] She correctly points out that the moral philosophies of Kant, of Hume, and of Utilitarians such as Bentham and Sidgwick all

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[7] Bernard Williams, *Ethics and the Limits of Philosophy* (Harvard: Harvard University Press, 1985).
[8] Alasdair MacIntyre, *After Virtue* (London: Duckworth, 2004).
[9] E.g. Phillipa Foot, *Virtues and Vices, and Other Essays in Moral Philosophy* (Oxford: Blackwell, 1978): Michael Slote, *Goods and Virtues* (Oxford: Clarendon Press, 1983).
[10] E.g. Phillipa Foot, *Natural Reasons* (Oxford: Oxford University Press, 2003): Michael Slote, *From Morality to Virtue* (New York: Oxford University Press, 1992) and *Morals From Motives* (New York, Oxford University Press, 2001): Rosalind Hursthouse *On Virtue Ethics*: and Christine Swanton *Virtue Ethics: A Pluralistic View* (New York: Oxford University Press, 2001).
[11] In Daniel Statman, ed., *Virtue Ethics: A Critical Reader* (Edinburgh: Edinburgh University Press).
[12] Justin Oakley, 'Varieties of Virtue Ethics', *Ratio* 9 (1996), pp. 128-56.
[13] Martha C. Nussbaum, 'Virtue Ethics: A Misleading Category', *Journal of Ethics* 3 (1999), pp. 163-201.

incorporated theories of virtue.[14] She also gives an account of the genealogy of virtue thinking among those I above referred to as the 'contemporary pioneers' (Foot, Anscombe, Williams, and MacIntyre; but also others e.g. Iris Murdoch, Annette Baier and John McDowell). In doing so she picks out different strands within the contemporary revival of such thinking– for example those who wished to 'give reason a larger role in human affairs than the instrumental and largely technical role'[15] than utilitarianism has tended to do, and those quite differently motivated by a dissatisfaction with the centrality of rationality in Kant and Kantianism.[16]

Insofar as Nussbaum's scholarly account exposes the errors of thinking that for example all virtue ethicists are univocally Aristotelian, or anti-theoretical, or resistant to rationalism: or that Kantians and Utilitarians have not had a place for virtue, its points are worth heeding. It would indeed be a serious error to conflate the employment of virtue concepts in ethics with 'virtue ethics', or to suppose that there is a category of 'virtue ethics' that commands philosophical and motivational consensus among its adherents.

However, according to Nussbaum, to identify 'virtue ethics' as an approach distinct from consequentialism (although she focuses more narrowly on utilitarianism) and Kantianism is to commit another serious mistake. For from her historically accurate picture – of diversity of virtue and of diversity among virtue thinkers – Nussbaum draws the conclusion that 'virtue ethics' cannot possibly be a distinct approach in ethics:

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[14] On this distinction between virtue ethics and virtue theory, see e.g. Roger Crisp, 'Modern Moral Philosophy and the Virtues' in R. Crisp, ed., *How Should One Live? Essays on the Virtues* (New York: Oxford University Press, 1996). Note also that virtue *theory* is employed in philosophical disciplines other than ethics. There is, for example, a growing body of literature on 'virtue epistemology', which, as I understand it, seeks to account for epistemic justification and knowledge in terms of certain cognitive faculties of persons (the 'epistemic virtues'), rather than properties of concepts such as beliefs. For a particular formulation of virtue epistemology inspired by, and converges closely with, virtue ethics see Linda Zagzebski, *Virtues of the Mind: An Inquiry into the Nature of Virtue and the Ethical Foundation of Knowledge* (Cambridge: Cambridge University Press, 2008).
[15] Ibid., p.180.
[16] Ibid., pp.188-200.

> [T]he current tendency to teach that there is any such unitary approach as "virtue ethics" is a big mistake. It is, first of all, a category mistake of an elementary kind, given that lots of people are, and have long been, writing and thinking about virtue within the Kantian and utilitarian traditions. Virtue ethics cannot, then, be an alternative to those traditions. But even if we focus on that loosely assorted class who for one or another reason reject both Kantianism and utilitarianism and associate themselves with the insights of Greek and Roman thinkers [...], there is no unity to that group either. They have different targets and different positive views.[17]

But as we will see, neither virtue featuring in different forms of ethics nor the differences among virtue thinkers implies that virtue ethics is anything like a 'misleading category'. So whilst we should attend closely to the lessons of Nussbaum's exposition, we should reject her argument. Taking Nussbaum's insights as a guide but her conclusion as a foil, I will show that when we attend to the common structural features of positive accounts of virtue ethics (as distinct from looking at aspects of disunity among virtue theorists), virtue ethics forms a useful category as a distinct approach to ethics. More importantly for present purposes, it is precisely these distinct features that give it such problems with politics, or so I will go on to argue.

1:3 The Non-Instrumental Value of the Virtues

One such feature, conspicuously displayed in the term 'virtue ethics',[18] is the primacy it places on character *traits*. Whilst they are habits of *behaviour*, such traits are not habits like reflexes or ticks, but settled, complex internal states of individual agents that incorporate emotions, attitudes, ways of thinking, reacting, reflecting and responding over term of a 'complete life'. To say accurately of a person that they are honest, loyal or courageous, for example, is to say that they have a trait that not only 'goes all the way down' in that person as we find her but, as it were, all the way *across* their experience and development *as* a person. Accordingly, an attribution of a

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[17] Ibid., pp. 200-1.
[18] Or what Gregory Velazco y Trianosky has called '*pure* virtue ethics' in 'What is Virtue Ethics All About?', in Statman, ed., p. 43.

vicious character or of a particular vice seems to express a judgment the sort which we would not make about merely episodic or uncharacteristic 'one-off' type actions. On Aristotle's account, for example, the condition of 'virtue' (or 'excellence') is 'a disposition issuing in decisions, depending on intermediacy of the kind relative to us, this being determined by rational prescription and in the way in which the wise person would determine it'.[19]

Of course, various moral philosophical and commonsense positions could and can agree with this characterization of what virtues, as character traits, are like. So, as Nussbaum rightly says, merely recognizing the psychological/emotional structure of traits and morally valuing virtues is insufficient to distinguish one's approach as a virtue ethics. But a more instructive aspect of virtue ethics is the way it values virtues of character *non-instrumentally*. That is, whilst many approaches might share the view that moral virtues are good and perhaps even essential in ethics, virtue ethics does not value the virtues in terms of their *producing or leading to* right actions or good states of affairs. I will briefly illustrate this non-instrumentalism figures as it figures in the three main strands of contemporary virtue ethics, going on to contrast this with a non-virtue ethical instrumental conception employed in other theories.

Closely following Aristotle, Rosalind Hursthouse[20] takes there to be certain natural facts about human beings from which we can understand that there is a certain objective condition of a flourishing human life – *eudemonia* in Aristotle – the presence of which will tend towards that life being a good one, as in going *well qua* human. And on the *eudemonic* account, virtues are valuable as such because they are integral to living such a life: as Peter Geach has put it, we need the virtues like bees need stings.[21] *Eudemonia* should be distinguished we might call subject dependent 'happiness'.[22] A person could fail to flourish but at the same time 'be happy' – as in 'feel' happy – at least some of the time. Correspondingly, *eudemonia* could endure in

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[19] Aristotle, *Nicomachean Ethics*: Sarah Broadie and Christopher Rowe, trans. & eds., (Oxford: Oxford University Press, 2002), 1106b36-1107a2, my italics.
[20] See also Gary Watson, 'On the Primacy of Character' in Statman, ed., p. 61.
[21] *The Virtues* (Cambridge: Cambridge University Press, 1997).
[22] See Hursthouse, *On Virtue Ethics*, pp. 9-10.

a life that contains moments or periods of unhappy feelings or emotional upset. (A person could live a *eudemon* life but at some point undergo the grief of bereavement, for example.) So, the Aristotelian claim is not the implausible one that possessing and exercising virtues of, for example, justice, courage, temperance or compassion will bring about the kinds of happy feelings we might experience when sharing funny anecdotes with friends in convivial surroundings (they may or may not do this). Rather, it is that these characteristics are integral to what we might think of as a *fulfilled* human life.

One problem here is that whilst we can identify *physiological* features of human flourishing in terms of our being physically fit and healthy, it seems far more problematic to connect psychological or emotional flourishing with those character traits we see as virtues of character. [23] Consider examples of far from virtuous but apparently flourishing and psychologically or emotionally stable individuals. Conversely, due to world being beyond a person's control or inner psychological states, being morally virtuous does not seem to entail having a good – as in flourishing – life, as much as we might wish otherwise.

In response, Hursthouse defends the thesis that the virtues *tend* to benefit their possessor. In her example, just as giving up cigarette smoking is neither necessary nor sufficient for physical health or long life but is nevertheless a safe bet for avoiding life-threatening physical illnesses, so virtue is no guarantee but a similarly good wager, for flourishing. Crucially for Hursthouse, this tendency can also play an important role in ongoing critical reflection and possible revision of our existing conceptions of what the moral virtues are. So, in addressing the worry about whether virtues actually do sit in a person's life as a bee's sting sits in its backside, Hursthouse also denies that the 'benefit' thesis plays an entirely foundational role from which we can *then* derive and justify the virtues as morally good. On her own view and her interpretation of Aristotle's, we cannot anyway cleanly detach the

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[23] We return to this objection, in connection with Aristotle's *ergon* or 'function' argument in Chapter five. For more detailed development of this criticism see See Copp and Sobel, 'Morality and Virtue', esp. pp. 525-32.

notion of 'human flourishing' from other 'moral notions'. [24] Hence, whilst the value of virtues is justified by reference to flourishing, the *moral* value of virtues is, on this account, built into that justification. Now, understanding the Aristotelian view of the virtues this way also allows us to see that it does not value virtues merely *because* of what they can bring about. That is, virtues are not valued as *means* to a good and moral life. They constitute such a life, and are valued as so doing.

A different kind of view avoids these *eudemonist* explanations and worries altogether, by taking the moral value of virtues to be basic *without* further explanation. Strongly favouring this redundancy for *eudemonia* in accounting for the value of moral virtues, Michael Slote[25] identifies virtue as a morally fine and admirable state of character and motivation, without recourse to a conception of the characteristically human life. Hence his variety of virtue ethics is perhaps, as he suggests, the most thoroughly 'agent *based*' , in accounting for why a certain trait or motive is valuable, no further human benefit or other kind of good is evoked. What matters, fundamentally, is just the internal dispositions and motivational state of the agent who acts and that these are morally admirable.

Christine Swanton endorses neither a *eudemonic* view nor a Slote type *anti-eudemonic* view of virtues, with the result that her view is compatible with, but does not require, the Aristotelian conception of the good life. Yet nor does Swanton understand virtues only as fine or admirable inner states of agents. She rejects Slote's conception of virtue as consisting merely in its being an admirable motivation, and defines it further as a disposition 'of responding to items in the field of a virtue in an excellent (or good enough) way',[26] the field of a virtue being the things that a virtue concerns, which can be situations external to the agent, such as danger in the case of courage, or internal to the agent (temperance concerns one's own bodily pleasures for

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[24] See *On Virtue Ethics*, Chapters 8 and 9.
[25] Michael Slote, 'Agent Based Virtue Ethics' in Crisp and Slote, eds, *Virtue Ethics*. See also Copp and Sobel, pp.518-9
[26] Christine Swanton, 'A Virtue Ethical Account of Right Action', in *Ethics*, 112 (2001), pp.32-52, p. 38. For her more detailed account of the nature and 'profiles' of virtues see also sections I and II of her '*Virtue Ethics: A Pluralistic View* (New York: Oxford University Press, 2002).

example). So, like both Hursthouse and Slote, Swanton values a virtue as a 'good quality or excellence of character', and unlike Hursthouse but like Slote, she does not explain or justify this by recourse to a more basic notion.

1:4 The Priority of the Virtuous Agent, and Right Action

What should have emerged from discussion of these three approaches is that despite the differences in the way they value virtues – and this is commensurate with the diversity suggested by Nussbaum – they all stand together in *non*-instrumentally valuing virtues as basic, and then deriving an account of right or wrong action *from* the virtues and vices.

To explain further, let us take an example of an instrumental theory of virtue that reverses this order of priority. Julia Driver's consequentialist conception of the virtues holds that 'recognizing a trait's effects will give a person reasons for adopting or rejecting the trait as a virtue',[27] and that '[w]hat is actually relevant is the external state of affairs or the consequences produced by the character traits.' [28] Driver values certain traits as moral virtues because of the right actions – understood as those which have good consequences – in which they tend to result, thus defining and valuing virtues instrumentally in terms of things they tend to promote. Such an instrumentalist account could, for example, hold that honesty is a virtue because it more often than not conduces with and encourages good practices of commerce, contract-making and promise keeping, which in turn tend to facilitate more socially harmonious and well –functioning societies. But by contrast, virtue ethics values honesty basically as a morally good trait – a virtue – and *this is why* acting in an honest way is, generally speaking, the right thing to do.

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[27] Julia Driver, *Uneasy Virtue* (New York: Oxford University Press, 2001), p.88. For other descriptions of theories that are instrumentalist, see Watson on 'character utilitarianism' in 'On the Primacy of Character' and Gregory Velazco Trianosky's account of 'teleological and non-teleological' virtue ethics, in 'What is Virtue Ethics All About?'. See also David Elliot, 'The Nature of Virtue and the Question of its Primacy', *The Journal of Value Inquiry*: 27 (1993), pp. 317-30.
[28] *Uneasy Virtue.*, p .49

Notice that the distinction between virtue ethics and instrumentalist conceptions is not merely one of how *important* virtues and vices are in one theory and not others. For in an instrumentalist account, character and virtue could even be necessary for guiding right action.[29] So for example a rule consequentialist could argue that right actions will only issue from the kind of moral agent who is equipped with the requisite motivations and virtues, and I take it that Driver would agree with this. Similarly some, eager to reject the simplistic view that Kantianist deontology is 'about' actions and adhering to duty *rather than* character, have argued that Kant's doctrine of virtue urges the importance of a moral character that is focused upon recognizing and acting from duty to conform to the moral law, and so not impermissibly.[30] In Kant's case: 'it is only by means of this idea [of virtue] that any judgment as to moral worth or its opposite is possible'.[31] To reiterate: what matters in terms of distinguishing virtue ethics from other theories of virtue, then, is not the centrality or importance or even necessity of virtue *per se* in the theory, but the conception of virtue and the way it is employed. An instrumentalist theory values virtues in terms of things they produce, and does not derive its account of right action *from* virtues of character.[32] In virtue ethics, virtues are in some way basically morally valuable and the rightness of an action is understood in terms of its connection to virtue and the virtuous person.

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[29] See Justin Oakley and Dean Cocking, *Virtue Ethics and Professional Roles* (New York: Cambridge University Press, 2001), Chapter 1.

[30] See e.g Robert B. Louden, 'Kant's Virtue Ethics' in Statman, ed. See also Onora O'Neill, 'Kant After Virtue', *Inquiry* 26 (1986), pp. 387-405; Nancy Sherman, *Making a Necessity of Virtue: Aristotle and Kant on Virtue* (Cambridge: Cambridge University Press, 1997); and Barbara Herman, *The Practice of Moral Judgment* (Cambridge, Mass.: Harvard University Press, 1993). Driver herself sees Kant, along with Hume and Aristotle, as giving a problematically 'psychologically rich' conception of the virtues, with which she contrasts her 'psychologically minimalist' view. *Uneasy Virtue* pp..36-7.

[31] Kant, *Critique of Pure Reason* (trans. Norman Kemp Smith, London: Macmillan, 1963), A315/B372.

[32] Though it is possible to value the virtues non-instrumentally but have some other account of right action. Cf. Thomas Hurka, *Virtue, Vice and Value* (New York: Oxford University Press, 2001). Hurka's 'recursive' account sees virtues as intrinsically good attitudes to an externally defined set of basic goods and evils ('recursive' because 'If x [a basic good] is intrinsically good, loving x (desiring, pursuing, or taking pleasure in x) for itself is also intrinsically good'. (p.13)). Yet whilst he values virtues non-instrumentally, Hurka favours a consequentialist account of ethics, clearly distancing himself from virtue ethical account of right action, most explicitly in his concluding chapter titled 'Against Virtue Ethics'.

As well as illustrating the non-instrumentalism of virtue ethics, what the instrumental account also shows is the way in which virtue and vice concepts can figure quite coherently in consequentialist and Kantian approaches to ethics. This then allows us to avoid one mistake that Nussbaum warns against, namely of thinking that virtue ethics can be distinguished uniquely as *the* ethics of virtues – as if other ways of doing ethics played, as Anscombe claimed, 'no part' in their stories for virtues and vices. In the rest of the chapter we will show virtue ethics to be a distinctive approach without committing the other error Nussbaum raises, i.e. that of assuming its uniformity. To this end we next identify a further source of unity among differences in versions of virtue ethics, focusing more closely on the 'connection' mentioned in the last paragraph between virtue and right action.

Virtue Ethics and Right Action

We have suggested that a defining feature of virtue ethics is that, in terms of action guidance, assessment or judgment, when an action is right it is *because* it expresses or reflects courage, temperance, compassion or some other virtue or combination of personal virtues. Similarly actions are wrong *because* of their connection to vice-cruelty, disloyalty, greed, spite, and so on. This might be broadly encapsulated by Hursthouse's claim that 'an action is right iff it is what a virtuous agent characteristically does'.[33] Yet what does it mean to *do* what the 'virtuous person characteristically' does? It could be taken to mean that for a person to act rightly they need only *mimic* the actions of a virtuous agent were they in that person's position, in which case the rightness could stem from a counterfactual 'virtuous agent', regardless of the condition of the actual agent who acts or is deciding how to act. Alternatively it could mean that in order to act rightly, a person need only *be* virtuous and suitably minded with respect to the action, in which case the rightness would stem from or consist in the dispositions of the actual, acting agent.

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[33] Rosalind Hursthouse, *On Virtue Ethics*, p.30. See also her 'Virtue Theory and Abortion', in Statman, ed., p. 228.

Understanding – or at least not *mis*understanding – the way that both these notions of doing 'what the virtuous agent does' and acting virtuous*ly*, figure in virtue ethics is, I think, key to distinguishing it. More specifically the way in which virtue ethics accommodates to some extent the second sense of right action – that of stemming from the 'actual' virtuous person – further unites different versions and distinguishes them from other theories. To see this, we will consider how these notions figure in the three virtue ethical approaches featured in the previous section, starting once again with the Aristotelian view.

Aristotle's Distinction: Acting From, or According to, Virtue

Comparing skills to virtues, Aristotle claims that in the case of literacy, the necessary *skill* and knowledge is needed to *be* literate, whereas '[one] can *do* something literate both by chance and at someone else's prompting' (my italics). Similarly, things 'done justly or moderately' count as such:

> not merely because they [the actions] themselves are of a certain kind but also because of facts about the agent doing them- first, if he does them knowingly, secondly if he decides to do them, and decides to do them for themselves, and thirdly if he does them from a firm and unchanging disposition.[34]

Clearly, 'Aristotle distinguishes between acting from virtue and acting merely in accordance with it'.[35] One could perform some action in morally better or worse ways according to one's motivation and attitude. But, crucially, the separation is not only descriptive, such that we might say 'he *did* the right thing but for the wrong reasons', but also normative, such that we can include those reasons and motivations in a judgment concerning the moral quality of the action. It is not just that some action, say one that saves a person's life but that unavoidably causes them pain, *is* right but could, as a separate matter, be carried out 'badly' in sadistic pleasure. It is that 'the action' can be described so as to include that pleasure- making *it* a cruel, callous action, even though it *accords* with what a merciful person would do.

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[34]*Nicomachean Ethics* 1105a30-34. Aristotle uses temperance and justice as examples here.
[35] Robert Audi, 'Acting From Virtue', *Mind*, 104 (1995), pp. 459-471, p.449.

Back now to the present day, Hursthouse's neo-Aristotelianism might appear to come down on the 'according to' side of the distinction. Hursthouse argues that virtue ethics can come up with 'V-rules'[36] that can guide action in the right way (e.g. 'do what is honest', 'do not do what is uncharitable'), and this suggests that she deems right action as that which accords with virtue. But this appears not to be what she means, for elsewhere she stresses, with Aristotle, that virtuous actions are ones chosen by the virtuous agent for appropriate reasons 'typical of a virtue'.[37] Furthermore, in cases in which, for example, someone faces danger but from some ulterior motive, Hursthouse claims that the phrase 'he did the right thing but for the wrong reasons' is indeed misleading: 'it obscures the fact that, in one way, the agent is not doing the right thing'. What she is doing is, say, trying to impress the onlookers'.[38]

I take Hursthouse to be claiming (and I take it as plausible) that 'doing what the virtuous agent characteristically would' is a standard to which moral agents can get nearer or from which they can get further away. Perfectly virtuous agents would always act from virtue for the right reasons, less than fully virtuous agents, i.e. most of us, may not always do so but can strive to do so. In so doing it may be that our actions come close to according with virtue rather than acting from virtue. And I see no reason why one might act with something of a mixture: helping a friend move house for good reasons and from virtue but nevertheless with a degree of less than virtuous weariness or even resentment. As we might expect, this reflects the Aristotelian idea of *fully* virtuous action being at the top of a scale of action, below which we can place 'strong willed' or 'continent' (*enkrateiac*) action that does not flow from virtue but from recognition that the action is right and will accord with virtue, and which requires overcoming contrary inclinations.[39] Below that is 'weak willed' *akratic* action, as when someone acts on such an inclination whilst knowing

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[36] *On Virtue Ethics*, Chapter one.
[37] Ibid., p. 128.
[38] Ibid., p. 125.
[39] *Nicomachean Ethics* 1145a 15- 1145b 20.

that to do so is contrary to virtue, and lower still are thoroughly vicious acts which involve neither overcoming any inclinations nor the appropriate knowledge of their wrongness.

Echoing the point about virtue and moral character being qualities of a whole life, this allows us to accommodate another of Hursthouse's and Aristotle's points about moral development. Virtues, moral character and practical wisdom are inculcated over time, and even if one could never become fully and perfectly virtuous, striving in that direction will sometimes involves overcoming less than perfectly virtuous inclinations – acting according *to*, if not from, virtue on a particular occasion but thereby getting nearer to virtue. A long term reformed smoker who happily refuses cigarettes may act temperate*ly* in so doing. But when at some point in the past she ended once and for all a long term smoking habit, it no doubt required *enkrateia* to do what was, on that occasion, temperate. Emphasizing the person-specificity of right action in virtue ethics, then, the moral quality of actions can be dependent on and affected by the stage of moral development the acting agent has or has not reached.

Returning to Slote's 'agent based' virtue ethics, it once again seems to avoid these Aristotelian subtleties by coming down squarely on the 'acting from' side of the distinction by construing rightness of actions directly from the motive of benevolence.[40] Slote also differs from the neo-Aristotelian in appealing less explicitly to practical and moral wisdom as a virtue or capability, preferring the view that if one is properly morally motivated – if someone really cares for example – they will do everything they can to find out all that is necessary to ensure care is delivered in action. This might go some way to assuaging an objection from someone sceptical of Slote's formulation, namely that whilst good intentions and fine moral motivation may be admirable, they are notoriously unreliable at leading to right or best action, particularly in case of moral conflict.[41] Yet whether or not Slote can meet these objections on their own terms, it seems to me that he would only see so much mileage

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[40] 'Agent Based Virtue Ethics', in Crisp and Slote, eds., p. 251 ff.
[41] For Slote's defence against the objection that agent basing could not apply to practical decision making in ethics, see Ibid., pp.258-262.

in trying to convince the sceptic that these states do in fact tend to 'bring about right actions'. That is, he would resist the very basis of this objection, maintaining that the distinction between right action, if conceived as something separate from goodness of motivation,[42] is illusory. Slote's conception of action is thus purely agent specific I the sense I have outlined, for it ties action most strongly to the inner states of those carrying out the specific action.

Finally on Swanton's view, by specifying right action as 'overall virtuous action', where '[a]n act is right if and only if it is overall virtuous, and that entails that it is the best in the circumstances',[43] the 'virtuous act' is one that 'hits the target' with respect to that virtue. Considering once again her definition of a virtue as a 'disposition of responding to items in the field of a virtue in an excellent (or good enough) way', it might look as though on that view a person could do what is charitable for entirely ulterior reasons yet hit the right target- i.e. carry out the charitable act whilst not acting from virtue at all, or hit the targets of say, compassion mercy, or honesty by telling someone devastating news, even whilst thoroughly enjoying doing so and doing so because of the enjoyment it brings about. Yet whilst Swanton favours specifying 'virtuous acts' over actions 'from virtue', she does not simply and exclusively *identify* hitting the target of a virtue with the narrower notion of action considered apart from agent's motivations. Through claiming the 'contextual variability of targets'[44] she allows that, for example, the donation of a large sum of money that alleviates considerable need could be seen as a generous act even if carried out in bad grace. Yet in another context, for example a more intimate or personal one, generosity might require that the donation is made 'in the right way', where this may include the manner of or motivation for giving. Furthermore, Swanton holds that contextual variation applies to attributing virtue and vice terms to actions, accommodating the way in which we might deem an action 'cruel' or not cruel according to the state of the agent acting.[45]

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[42] See W.D. Ross, *The Right and the Good* (Oxford: Oxford University Press, 1930), p.2
[43] 'A Virtue Ethical Account of Right Action', p. 45
[44] Ibid., p.42.
[45] Ibid., p.43.

1:5 Virtuous action and Contextual Dependence

So far I have identified two ways in which varieties of virtue ethics are unified and by which virtue ethics is distinguished. These are: firstly the non-instrumental value that that it affords to the virtues and the way in which the notion of right action then derives from the prior notion of the virtues and 'the virtuous agent'; and secondly the dependence of right action, to some extent, on the virtuous condition of *the* actual individual agent who is acting. Drawing these features together, a third defining aspect of virtue ethics is the importance and breadth of contextual and personal features it incorporates in action.

If we take aspects of character as basic in an account of right action, assessing a particular action's rightness or wrongness by the extent to which it manifests virtues or vices, then clearly this will deem some deeds better or worse depending on the context and story into which they fit as an 'action'. A characteristic feature of virtue ethics as an account of right action is thus the way in which moral judgments are dependent upon particular agents in particular circumstances, situations and relationships. This applies to 'forward looking' judgments about what one or others should do and 'backward looking' assessments of actions one has carried out or others have carried out.

Once again, however, virtue ethics does not have a monopoly on contextual variation in ethical judgment, and the *distinctive* person-specific nature of this feature as it figures in virtue ethics requires some explanation. Many if not all ways of doing ethics allows *some* scope for this kind of contextual variation. For example any account of ethics could acknowledge at least the *prima facie* wrongness of, or the badness of the suffering involved in, a deed such as 'strangling a cat to death': but I take it that none would insist on its wrongness or prohibition in a particular situation where the cat – perhaps one's own cat – had been run over and would otherwise die a slow and agonizing death by the roadside (and let us assume for the sake of the example that calling for a vet would only prolong rather than avert this decline). So

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when this *particular* cat-strangling is properly described as the action of 'saving a sentient creature from a great deal of irreversible pain in the only way available', it may be permissible, or right, or even morally required on a number of views that would prohibit cat-strangling in virtually all other circumstances.

But there are two things to note here about virtue ethics with respect to context and actions. Firstly, as should be clear from the discussion so far, it is not the case that rightness or wrongness of the action is determined by circumstantial features to which abstract principles of duty or calculations of goods can be applied. If it were, then the judgment could be made from a quite general and non-agent specific viewpoint point using these methods, once they had established that a particular cat-strangling will in fact curtail the badness of intense pain or satisfies universalisable maxims in accordance with the moral law, for example. For the virtue ethicist, the rightness or wrongness of a particular action is justified by considerations about the extent to which it *evinces* virtue or vice.

This need not mean that consequences or duties are not considerable in such a virtue ethical judgment, or that these things all *reduce* to virtue or vice concepts.[46] And again, wary of committing the errors raised by Nussbaum, nor does it mean that other theories cannot take account of motivational or dispositional states, such as when a Kantian could favourably contrast an action done from moral duty with the same deed prompted by some other inferior inclination. But it does mean that, for the virtue ethicist, the extent to which consequences and obligations etc. *are* considered and weighed in assessment of a particular action is a matter that is necessarily decided by primary reference to the virtuous agent. A person may indeed have an obligation to

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[46] Hursthouse notes that virtue ethics 'relies on a lot of very significant moral concepts. She continues, 'charity or benevolence, for instance, is the virtue whose concern is the *good* of others; that concept of good is related to the concept of evil or harm, and they are both related to the concepts of the worthwhile, the advantageous and the pleasant'. 'Virtue Theory and Abortion', p. 230. And Slote explicitly accommodates consideration of consequences in difficult moral decisions, though as we would expect they are dealt with 'in the opposite [from the consequentialist] fashion by appealing ultimately to motives, but taking in consequences indirectly, to the extent that they are considered by (people with) such motives and investigated in response to such motives'. 'Agent Based Virtue Ethics', p.261.

out the creature out of its misery. Doing so would also undoubtedly reduce what would otherwise be a far greater suffering. But what would favour the action would be that to carry it out would be to act mercifully, with compassion. And what would make it the best possible action given the circumstances would be the virtuous disposition of the agent: in this case this would also involve regretting these circumstances themselves, rather than 'doing what is virtuous' with a less than virtuous or a vicious disposition.

Now, what this shows is that virtue ethics' contextual specificity goes some way beyond just the proper contextual consideration of 'an action' that is required by other approaches that can do so via the maxims or calculations mentioned above. Rather, the proper judgment of whether an action is right, wrong, or best in the circumstances is a matter to be decided only by reference to the decision that the virtuous *person* makes and acts upon and the *way* in which they act. In other words, for an account of action based in virtues and vices, the circumstances that can count in the judgment of whether 'strangling the cat' was right or wrong *include* the dispositions, motives, reasons, attitudes and emotions of the strangler. Whilst we should resist the thought that virtue ethics has no place whatsoever for rules (or obligations and consequences) and cannot tell us much about what to do, these features do fit with another of Aristotle's well known claims, namely that doing ethics is less of an exact science and more of a skill. Accordingly, whilst it would be too hasty to leap to the conclusion that virtue ethics doesn't give us much in the way of action guidance; and that it is overly self-directed,[47] it is true to say that its distinctive methodological starting point is individual persons and their characteristics.

To sum up, I will end this section with a couple examples of cases in which virtue ethics contrasts with Kantian and consequentialist theories, using the example of friendliness and friendship. As we have seen, the rightness of performing a friendly

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[47] For an example of the first kind of objection see Robert B. Louden, 'On Some Vices of Virtue Ethics' and for the second see David Solomon, 'Internal Objections to Virtue Ethics', both in Statman, ed..

action, on the virtue ethical account, stems from friendliness being a virtue – a quality that is considered morally good. Thus the virtuous person who takes friendliness as a virtue would see the friendly action as the right one in relevant circumstances, and this may be those in which *a* friend of the agent's is in need. But in this case the action might *not* accord with some duty or obligation and could even necessitate breaking a promise one has made (say to attend a meeting arranged with work colleagues). Pluralist duty based theories such as can of course also allow that the *prima facie* duty to keep a particular promise can be overridden in certain circumstances by competing duties, but the virtue ethicist's justification for doing so in this case need not have anything to do with such duties. Let us also suppose for the sake of the example that acting out of friendship in these circumstances might not amount to, and would not require, that one maximize overall utility or other consequentialist goods. So here we have an example of what the 'primacy' of virtue really means in circumstances of action: it means that in judging actions the concept of *virtue* is not merely riding on the back of other moral concepts such as rights, obligations or duties, or some other goods that virtuous action might realize.

In connection with the previous kind of example, virtue ethics is not committed to impartiality – favouring one's friend or relation might be the right thing to do; and some of the goods with which the virtues are concerned are *agent relative*.[48] We can illustrate these two related points by once again contrasting a consequentialist account of the value of friendship. Because the virtue ethicist sees friendliness as a morally valuable virtue from which right action characteristically stems, it could be the case that the morally right or better action is one directed towards one's friends rather than other people. By contrast a value-pluralist consequentialist account could insist on impartiality in judging rightness of actions and value friendship as *agent neutral,* and say that we should maximize (or at least promote) it, with no particular weight on whose friendships we should so maximize or promote– by e.g. setting up a social club.[49]

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[48] Though at least one, namely justice, would seem to be inherently agent *neutral.*
[49] Oakley and Cocking, *Virtue Ethics and Professional Roles*, p. 23.

1:6 Virtue Ethics: An Instructive Category

Having now seen the ways in which virtue ethics is distinguished, and so how the 'stereotype' view that Nussbaum exposes in her account would indeed be mistaken, we are now in a position to address her stronger claim about virtue ethics.

Recall that from the diversity and disunity of virtue thinkers and thoughts, i.e. their targets, motivations and various other philosophical commitments, Nussbaum takes 'virtue ethics' to be a misleading category – indeed she takes its utterance to be a category mistake. If the current chapter has done its job, then there are good reasons to reject this conclusion. Historically, it has been falsified – or at least severely weakened – by recent positive formulations of virtue ethics, notwithstanding these accounts' commonalities with other ethical theories and their differences with each other.[50] But, literary updates aside, we should anyway strongly doubt whether Nussbaum's argument is valid. Once we see that the category of virtue ethics admits a great deal of variety (as does every other category in philosophy) and that a monopoly on virtue and vice concepts is unnecessary for such a category *because* its unity is fundamentally in the way it values and the priority it gives to virtues, and the relation of right action to virtue, then it is difficult to see how Nussbaum's conclusion ever followed from her premises, regardless of who wrote what and when. At least, it no more follows than, say, a denial of the category of 'empiricism' – as a distinct doctrine in epistemology – follows from the fact that philosophers have been differently motivated to endorse it or have disagreed about which problems it addresses; or that rationalists have also acknowledged and employed the concept of sense-experience.

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[50]Nussbaum's article was published in 1999, before Hursthouse and Swanton's monographs and Slote's later *Morals from Motives.* It could also be the case that the paper evolved over a number of years prior to publication, and this may be why it makes no reference to the surveys by Velazco y Trianosky or Oakley (see section 2:1 above and fn. 12 and fn. 13), or to Slote's 1993 book *From Morality to Virtue,* or to articles such as Watson's 'On the Primacy of Character' or Hursthouse's 'Virtue Theory and Abortion' (first published in 1990 and 1992 respectively) or Slote's 'Agent Based Virtue Ethics' (first published in 1995), the latter three of which had also appeared in anthologies (Statman, ed. and Crisp and Slote, eds.) by 1997. It *could* be, but it is worth noting that in the article, Nussbaum cites other works from as late as 1997 e.g. Sherman's book (see fn. 41, above), and cites one of her own articles dated 2000 ('Virtue Ethics: A Misleading Category', p. 178, fn. 25.)

1:7 Conclusion

My intention in this chapter has been to get clear about what virtue ethics is, and is not. The main characteristics we have identified as together distinguishing it as a 'person specific' approach are firstly the moral value it affords to virtues of persons' characters; secondly the primacy of virtues in the explanation of what makes an action right or wrong; and thirdly, then, the particular personal and contextual specificity of persons and their dispositions in the circumstances of action.

The purpose of identifying contemporary virtue ethics in this way has been to give the reader an understanding on which to build the upcoming discussion of its problems with political philosophy. In sum, lumping together the defining aspects of virtue ethics we have looked at, it is at bottom this deeply personal – we might say the 'individualistic' – basis of virtue ethics versus the collectively focused and more abstract nature of politics that is the political problem. Consider this individualistic basis in relation to political questions of e.g. how best to organize political institutions and justify public policies, and the legitimacy or otherwise of certain laws. How might we formulate an account of right or best political procedures, structures and policies on the basis of morally valuable virtues of character? What would it take to justify these things via a prior conception of personal characteristics? How can action at the political level, such as implementing laws, accommodate or reflect the contextual and personal specificity of virtue ethics?

In the next chapter we look in more detail at how attempts to formulate virtue-politics have run into the difficulties presented in these sorts of questions. In subsequent chapters we will formulate a quite different approach to political questions that seeks to avoid them.

Chapter 2: The Political Challenge to Virtue Ethics

2:1 Introduction

I ended the last chapter by hinting at the difficulty that normative virtue ethics, as a person -specific approach to ethical action, has with politics. That problem is with addressing normative political questions concerning the administration of social justice and the organization of and legitimate constraints on large scale collections of such individuals in institutions, societies and States. In this chapter we look further at these difficulties.

As we will see, some virtue ethicists have offered suggestions of how virtue ethics could approach political philosophy.[1] But tellingly, these accounts have so far failed to set in motion any significant *virtue political* dialectic. And this failure or inertia is in stark contrast to the contemporary success of individually focused normative virtue ethics. So on the one hand, virtue ethics has a responsibility and the opportunity to address social and political questions. But on the other hand, it appears to have faced some significant obstacles, and these, it seems, have also led to a somewhat tentative engagement in politics by virtue ethicists in general.[2] The purpose of this chapter is to explore what is, or has been been, holding back possible political directions in contemporary virtue ethics. My aim in the rest of the thesis is then to propose a new *institutional* direction that avoids these problems.

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[1] Others perhaps less explicitly committed to 'virtue ethics' – and at least one who, as we have seen, has vigorously denied its distinctness, namely Nussbaum – have shared in its outlook in offering Aristotelian insights into important questions in contemporary political philosophy. See Martha C. Nussbaum, 'Compassion: The Basic Social Emotion', in Ellen Frankel Paul, Fred D. Miller, Jr., and Jeffrey Paul. eds. *The Communitarian Challenge to* Liberalism (Cambridge Mass.: Cambridge University Press, 1996).

[2] A point also confirmed most recently by Karen Stohr: 'With a few exceptions, virtue ethicists have had relatively little to say about contemporary political issues', 'Contemporary Virtue Ethics', *Philosophy Compass,* 1 (2006), pp. 22-27, p.27 Note also Daniel Statman's observation that '[t]his whole issue [of virtue ethics and political theory] has only just started to be explored', *Virtue Ethics: A Critical Reader*, p. 18.

2:2 The Political Task

Let us first get a bit clearer about why virtue ethics might struggle at the political level, starting by noting, as virtue ethicists have, that other theories appear to do better in this respect:

> If virtue ethics cannot produce some plausible conception of social justice and of political morality more generally, then its main contemporary rivals, consequentialism and Kantianism, will have a distinct advantage. These approaches clearly can be systematically applied to both individual moral and political questions[...], so, if virtue ethics cannot do the same, and perhaps even has to borrow an acceptable political philosophy from consequentialism or Kantianism, it is bound to seem inferior to these other approaches.[3]

It is certainly the case that the outlooks of virtue ethics' 'main rivals' in normative ethics fit well with the central concerns of political philosophy: duties of reciprocity such as we find in social contract theories in Rousseau and from Kant to Rawls; theories of human rights whose ancestry goes back to those of natural rights in Grotius and Locke; the good of society versus the desires of the individual, as developed in liberal utilitarian terms by Mill, to give a few brief, broad examples. Crisp and Slote's worry, then, seems well grounded. If a moral theory is supposed to say anything about how we as social agents should relate to each other, and wants to support a theory of right action in this context, then a moral theory that goes as far as applying at the highest social level, i.e. at the level of State and society, will indeed seem superior to one that cannot. However, more positively and less defensively it is, in my view, also worth considering the possibility of virtue ethics offering a political philosophy that *improves* on at least some elements of rival theories, aside from the need to keep up with them.

To illustrate the problem for virtue ethics in contrast to other theories, let us take a specific example of a particular contemporary issue that straddles the arenas of individual ethics and of politics. 'Environmental ethics', broadly conceived, is the

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[3] Roger Crisp and Michael Slote, eds., *Virtue Ethics*, 'Introduction', p. 24.

project of explaining why humans ought and ought not act with respect to their environment, of justifying these oughts and, ultimately, seeking to implement them in practice. Whilst one sphere of this enterprise concerns, for example, the actions we *individual* affluent jet-plane travelling westerners take regarding our 'carbon footprints', another concerns justification for and implementation of public policies, responsibilities to other nations and communities, what governments and corporations must do, with increasing urgency it seems, in order to preserve that world and whether we can reach international accord or collectively secure compliance over reducing greenhouse gas emissions (and if so, how).

Of course insofar as individual and political action are separate spheres (and in many cases the two will overlap: an individual agent may decide to become a vegetarian *as* part of a *political* movement that may reduce the inequitable global consumption of resources involved in mass livestock farming, for example), the consequentialist or the Kantian ethicist is not bound in any way to answer political questions in a way that mirrors her every conviction about individual morality.[4] Nevertheless, there is in these approaches the clear opportunity for such complementing, which is just to say that there is a clear enough *affinity* between the way these theories justify individual actions and the way they justify political actions and policies. So, arguments for and against individual actions in relation to the environment couched in the languages of duties and rights, or reciprocity, or best consequences, can apply in this way at the political level. 'We, the *nation*, or indeed the nations of the world, have a political duty of justice to preserve our environment for all persons '; 'members of non human species can be seen as having certain rights that can weigh against human interests when developing technologies'; 'all sentient creatures' interests and suffering must count along with ours'; 'we should implement policies and construct institutions that encourage biodiversity and preserve eco-systems because of the overall benefits it

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[4] For example, in addressing the global environmental crisis a Kantian moral philosopher, whose basic outlook is grounded in the autonomy of individual persons and universal rights, could nevertheless favour a consequentialist approach to that crisis at the global and political level, where there may be hard cases involving future benefits for very many people being considered over the present rights of a few. That is, a Kantian could, it seems to me, concede the limits of liberal justice and individual rights in addressing such a global and political emergency.

will bring'; 'all nations would benefit from slowing down global warming and therefore should contract to agreements over limiting CO_2 emissions: not to do so is to compromise the effects of the agreement by free-riding', for example.

Now in the *individual* case, the virtue ethicist seems at least as well placed as her rivals to develop a distinctive account of environmental ethics.[5] But whilst there seems to be plenty of room for developing a virtue ethical account at the level of individual action (e.g. construing the rightness of actions concerning the environment in terms of the traditional virtues, or by developing a defence of a distinctly environmentally concerned character or set of virtues) and this is born out by recent literature on the topic,[6] it seems rather more difficult to apply these developments and the insights of virtue ethics more generally at the political level. Generalising the environmental example to politics: *how* is the rightness or wrongness, or permissibility of some political action, piece of legislation, policy or institution to be assessed in terms of what the virtuous *agent* characteristically does or would do?

2:3 The Aristotelian Tradition

In response to this question of how an individualistic ethics can apply to politics, an obvious answer might be to apply politics to *it*. That is, make the task of politics one of nurturing virtuous individuals or citizens. And for virtue ethics, an obvious place to look is, once again, back to Aristotle. He and his contemporaries saw the relation between ethics and politics – insofar as he saw the two as separate – as essential. For

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[5] See Thomas E. Hill Jr., 'Ideals of Human Excellence and Preserving Natural Environments', *Environmental Ethics*, 5 (1983), pp. 211-24.

[6] See e.g. *Environmental Virtue Ethics*, Ronald Sandler and Philip Cafaro, eds. (New York and Oxford: Rowman & Littlefield, 2005), in which none of the essays really gets to grips with the political dimensions. See also Ronald L. Sandler, *Character and the Environment: a Virtue-Oriented Approach to Environmental Ethics* (New York: Columbia University Press, 2007). Much of these admirable works are devoted to formulating and defending virtue theoretic arguments for preserving the environment (as opposed to ones based on e.g. the instrumental value or claims of duty to others), and, accordingly, identifying environmental virtues of character. Given that contemporary virtue ethics is still young – at least in comparison to its main rivals – the lack of environmental virtue theory at the political level is, partly, due to the fact that it may only follow on from a more or less robust account of the environmental virtues at the individual level, and such an account is itself still embryonic. Nonetheless, the conceptual difficulty with virtue politics remains: if action on the environmental issues is to be justified virtue-theoretically, then just what does it *mean* to embody and act from, or according to, environmental virtues at the political and global level?

Aristotle, the good State and political institutions are necessary for the good of its individuals; necessary for, as Sarah Broadie notes, 'the good achieved in individual lives and through the active engagement of individuals themselves'.[7] '[T]he end of political expertise is best, and this expertise is dedicated above all to making the citizens be of a certain quality, i.e. good'.[8] On this Classical Aristotelian view then, the virtue ethical vision of political endeavour is for the political state and its institutions to nurture and facilitate virtuous people. In the rest of this section I will suggest that this view, and interpretations of and responses to it, has been a strong source of the difficulties for contemporary virtue politics. An apparent source of the problem is with the anachronism of the Aristotelian view, founded as that view was on a specific historical conception of the Athenian *Polis*. However, I will also claim that whether or not the Aristotelian view can transcend its original context of the *Polis*, a greater conceptual obstacle is the possibility of authoritarianism- or rather that of how to avoid its *vices* whilst remaining distinctly virtue ethical.

The Tradition and Anachronism

Why might looking back to the *Polis* be a problem for politics, given that contemporary virtue ethics has apparently found such inspiration in the case of what we standardly now distinguish as 'ethics'? Rosalind Hursthouse writes:

> A major difficulty for modern virtue ethicists who want to extend virtue ethics into political theory is knowing where to start, for, in this area, our great heroes, Plato and Aristotle, are notoriously fallible guides. (Aristotle endorsed slavery and Plato, according to standard interpretations, what we would call totalitarianism.) Although, when they write on the virtues, they mostly speak of across the gap of over 2000 years as recognizable human beings who are just like us in the relevant respects (as Greek drama does), when they write on political philosophy, they both sound like men of their time and place – parochial, male, ancient Greeks. The ancient Greeks may have bequeathed the idea of democracy to the world, but they little dreamt what subsequent centuries

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[7] 'Philosophical Introduction' to Sarah Broadie and Christopher Rowe, eds. *Nicomachean Ethics* (Oxford: Oxford University Press, 2002), p.10.
[8] *Nicomachean Ethics* 1099b31-33. See also *Politics*, Book II.1.

would do with it. So modern virtue ethicists are left very much on their own, with no tradition to inspire them.[9]

A similar concern, expressed by Michael Slote, seems to be that we have moved, for the better, in political philosophy and practices. He uses the term 'democratic' in what has now become the familiar sense of 'liberal-democratic' and sees the ancient progenitors of virtue ethics as democracy's enemies:

> The best known and recently influential ancient virtue ethicists are, of course, Plato and Aristotle, and both espoused anti-democratic ideals. For that reason virtue ethics has great deal to live down and one may wonder whether, in the light of present day democratic thinking, ancient models can provide a relevant or plausible basis for our understanding of political values. [10]

But as well as its politically uncomfortable ancestry, there are further and more recent problems for virtue theoretical politics. Moving forward in history, J.B. Schneewind[11]argues that the demands of distributive justice, and conditions of scarcity, in increasingly large, fragmented and advanced seventeenth and eighteenth century societies rendered the Aristotelian conception of virtue as a basis for politics all but redundant. Focusing on Grotius, among others, Schneewind argues that it was the recognition of duties and rights that in this era came to be seen as essential to a good society, and a primary reason he cites for this is that 'they [the Grotians] took the central difficulties of life to be those arising from disagreement – disagreement involving nations, religious sects, parties to legal disputes, and ordinary people trying to make a living in busy commercial societies'.[12] Thus Schneewind suggests that these emerging problems with large scale economic and social structures were not the kind for which being a virtuous person was the solution. Rather, they necessitated the

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[9] *Applying Virtue Ethics* (Milton Keynes: Open University Press, 2000), p. 64. I take a classic example of a 'standard' interpretation of Plato's political philosophy to be Karl Popper, *The Open Society and its Enemies: Volume I* (London: Routledge & Kegan Paul, 1977).
[10] 'Virtue', in *A Companion to Contemporary Political Philosophy*, Phillip Petitt and Robert E. Goodin eds., (Oxford: Blackwell, 1997).
[11] J.B. Schneewind, 'The Misfortunes of Virtue', *Ethics*, 101 (1990), pp. 42-63. (See also Statman 'Introduction', in *Virtue Ethics*, p. 27.)
[12] Ibid., p. 61.

more *legalistic* concepts of rights and duties. In other words, actual material and social conditions in such developing societies favoured not just a certain theory of or approach to politics and ethics, but a new, less virtue- focused conception of what ethics at the political level was *about*. Now, the point for our purposes is that if Schneewind is right that early-modern political history eclipsed ancient virtue-political thinking in this way, then it is worth considering that presently, contemporary political societies and their relations with each other are far *more* complicated, advanced and diverse than they were in the period in which Schneewind is talking about. So, if early modern societies really were the source of misfortune for Aristotelian virtue-politics for the reasons Schneewind gives, then societies in the modern world look to provide an even less fortunate environment.

Hence the ancient conception of virtue politics seems firstly to have been very much a product of its time, and then, secondly, reduced to an antique – as it were – by subsequent advances in Western civilisation. Nevertheless, having registered the seriousness of the anachronism problem, it may.not suffice to show that virtue ethics cannot formulate some kind of political philosophy along some set of distinctly Aristotelian lines. For it can be argued that at least the core conception of morally good persons or citizens, and of these being the target of politics, need not be destroyed for ever by historical-material[13] or ideological conditions. Philosophy, ethics and political theory may indeed not take place in an intellectual or historical vacuum and always in and in response to some or other set of such conditions. Yet a feature of political philosophy as a normative discipline (as distinct from political science as a descriptive and explanatory one) is that it can, and does, recommend that political and intellectual history should change. And what is not so far conveyed in the worries of Hursthouse, Slote or Schneewind, as I have cited them, is the possibility that despite Athenian anachronism and the later 'misfortune' of virtue, the basic Aristotelian idea of politics could be employed in a way that does not require

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[13] By using the phrase 'historical-material' I do not wish to claim that Schneewind himself advances a Marxist analysis of virtue's changing fate. But it strikes me that this claim of Schneewind's is perfectly amenable to such an interpretation, and indeed provides a good example of the effects of material and economic conditions on what Marx and Engels called the dominant ideology.

hankering after a *Polis*-like or pre-enlightenment society that we have no hope or desire to recreate.

Distinguishing the Tradition from Liberal Neutrality and from Moral Conventialism
Advancing an argument of this kind,[14] the contemporary law theorist, Robert P. George describes the 'central tradition' of justice and political morality, that of Aristotle and, later, Aquinas, as

> the belief that sound politics and good law aspire not only to help make people safe, comfortable and prosperous, but also to make them virtuous. It is, above all, the belief that law and politics are rightly concerned with the moral well being of political communities that distinguishes the central tradition from its principal rivals.[15]

George sees this tradition[16] as holding that whilst state legislation and laws can not in fact literally coerce actually existing individuals directly into having a certain kind of character, they can 'help people to establish and preserve a virtuous character [by, for example] helping to preserve the moral ecology in which people make their morally self-constituting choices'.[17]

George's defence of the validity of 'morals laws' is advanced in opposition to a form of liberalism committed to a kind of moral *neutrality*. On this liberal view, whilst the state can and should legitimately protect persons' rights and enforce laws that do so (e.g. the right to own property and to be protected from assault), and whilst it can when necessary coerce people to comply with distributive justice (e.g. forms of progressive taxation), it cannot legitimately enforce any particular conception of the

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[14] To suggest, as George does, that elements of the Aristotelian view can be employed without returning to some form of the Aristotelian community to sustain it, seems to put him at odds, in this respect at least, with Alasdair MacIntyre in *After Virtue* (London: Duckworth. 1985). (For a recent and thorough explanation of MacIntyre's wider political and ethical thought and its place in the history of Aristotelianism, see Kelvin Knight, *Aristotelian Philosophy: Politics and ethics From Aristotle to MacIntyre* (Cambridge: Cambridge Polity Press, 2007).)
[15] Robert P.George, *Making Men Moral* (Oxford: Oxford University Press, 1993), p. 25.
[16] See also John Finnis, *Natural Law and National Rights* (Oxford: Oxford University Press, 1980).
[17] George, *Making Men Moral*, p. 1

good.[18] The thrust of liberal neutrality is that within – and only within – these legitimate political constraints, persons, conceived as far is as possible as autonomous rational individuals, should not have their choices about how to live constrained by any particular set of moral values. As Will Kymlicka puts it:

> A central feature of contemporary liberal theory is its emphasis on "neutrality" – the view that the state should not reward or penalize particular conceptions of the good life but, rather, should provide a neutral framework within which different and conflicting conceptions of the good can be pursued.[19]

On the central tradition view, by contrast, the State is not precluded from making and pursuing 'morals laws': laws which can derive their legitimacy from the *moral* value they express, and not only from their upholding the political framework that Kymlicka describes. In arguing for such legitimacy and against liberal neutrality, George largely avoids discussion of particular instances of conduct which could or could not be subject to such morals legislation, but I think it would not misrepresent his view to take the example of marriage and the monogamous nuclear family, in order to illustrate the contrast. The liberal neutral view would see the institution of marriage and that kind of family as one among many equally legitimate and permissible ways of living and raising children. But a proponent of the central tradition could hold that this particular conception is a morally better one *and* legislate accordingly. What 'accordingly' might mean is a difficulty that we will touch on shortly. For now, we pursue the question of whether the central Aristotelian tradition can provide a plausible basis for a virtue-ethical politics.

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[18] See John Rawls, *Political Liberalism* (Canbridge, Mass.: Harvard University University Press, 1993); Ronald Dworkin, 'Liberalism' in Stuart Hampshire, ed. *Public and Private Morality* (Cambridge: Cambridge University Press, 1978); and Brian Barry, *Justice as Impartiality* (Oxford: Oxford University Press, 1995).

[19] Will Kymlicka, 'Liberal Individualiam and Liberal Neutrality', *Ethics* 99 (1989), pp. 883-905, p.883.

An initial point to make about George's defence of morals laws is that it is not a conservative view under which the morality that the law should uphold is simply the contingent and conventional morality of a society. This marks another contrast between the central tradition view and a *conventionalist* view of morals laws such as Patrick Devlin's.[20] Devlin's view, expounded in his famous debate with H.L.A. Hart, and like George's but unlike liberal neutrality, holds that morality is the legitimate concern of the legislature. But on Devlin's account, the justification for enforcing the prevailing morality of a society is its (supposed) *effect* of social cohesion. For Devlin, if the dominant moral trend included the view that homosexuality is immoral, then this would be one of a set of moral beliefs around which a society is integrated, and could for *that* reason alone be implemented by law. Put the other way around, what would be wrong with legalizing homosexuality, assuming that a significant number of people considered it immoral at that time, has nothing to do with sexual morality. Devlin does not hold that a separate moral justification, apart from its status by convention, was necessary for a moral norm's being enforced. Opposing this, George explicitly rejects Devlin's conventionalist position, and claims that 'the *truth* of a putative moral obligation is a necessary, if not always a sufficient, condition of its legal enforcement'.[21] And he bases the criteria of moral truth on a conception of a set of 'variegated' human goods that provide us with 'basic reasons for choice and action'.[22]

The Central Tradition, and the Problem of Authoritarianism

Now, it is worth noting that because Devlin's concern is only with social cohesion, and so only with what are the dominant moral beliefs of a society, his conventionalist account could be said to retain *some* element of democracy, albeit a strongly majoritarian version that may allow or necessitate unacceptable repression and domination of minorities. However, the point here is not to defend Devlin. Rather it is to suggest that in contrast to Devlin, George's *non*-subjective, *non*-conventionalist kind of moralism seems to allow in the possibility of a strong version of moral

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[20] Patrick Devlin, *The Enforcement of Morals* (New York: Oxford University Press, 1985).
[21] George, *Making Men Moral*, p. 51, my italics.
[22] Ibid., p. 13.

authoritarianism. Whilst the moral imposition that Devlin urges is at least constrained by the requirement of societal conventions and norms – even if these turn out to be based on false beliefs – George's account has no kind of constraint, other than the criteria of morality grounded on human goods. But *then* a problem – perhaps *the* problem – for the central tradition view is precisely that there are many such goods and many conceptions of how to live, such that enforcing some and curtailing others could result not only in the enforcement of prevailing and common morality but also allow for the totalitarianism of whichever particular conceptions of the good those in power wished to uphold. Without the parameters of either liberal neutrality or Devlin-style requirements of social cohesion, such a political conception could quite feasibly be one that few if any people endorse or flourish under. In which case, we might wonder how a political framework based on such a conception has much to do with *virtue* ethics.

This problem, then, is about the *vice* of moral authoritarianism and its incompatibility with certain human goods and a virtue ethical-society. And whilst, as we saw with Slote and by Hursthouse, it is intertwined with a worry about anachronism: i.e. the authoritarianism and iniquities we find in the politics of Aristotle and Plato, the two difficulties are not identical. For the problem with the possibility of unchecked authoritarianism is the philosophical one of how the *imposition* of morals and virtues, or a certain conception of the good life, could itself be part of an ethics founded on virtues and virtuous conduct. Continuing next with George and then coming to a similar account by Hursthouse, I will suggest that this problem in fact lies at the heart of any attempt to reinterpret the Aristotelian central tradition as the basis of a distinct virtue-ethical political philosophy. Moreover, I will claim that whilst both George and Hursthouse retain some of the tradition's insights in their attempts to solve it, they both ultimately fail to provide such a basis.

Starting with George, he clearly recognizes the dangers of authoritarianism, and in fact rejects it as incompatible with his defence of morals laws. As I see it, there are three elements to this rejection. Firstly, there are constraints on what a state can and

cannot effectively enforce without defeating its own objective of 'making men moral'. George recognizes the practical limitations of coercion, as did Aquinas and Aristotle,[23] but these limitations are not merely the extents to which people can and cannot be coerced to behave in certain ways, but the extent to which such coercion itself inculcates and expresses immorality. Whilst George recognizes the difference between 'mere conformity to moral rules and genuine moral action', his point about the self-defeating aspect of enforcing morality is not that any action must be *entirely* voluntary in order to be morally correct or best. Rather, it is that too rigorous a pursuit of such conformity can itself encourage vices of 'moral infantilism, conformism, servility, mindless obedience to authority and hypocrisy'.[24] George's second and closely related argument is that '[m]oral goods are 'reflexive' in that they are reasons to choose which include choice in their very meaning'.[25] Here the point seems to be not just the 'self-defeating' one, i.e. that forcing people to act morally may be counter-productive in the sense of it bringing about other vices, but that a coerced action fails to have the status of a moral action, by virtue of its not having the moral value of its *being chosen*. George's third and perhaps most striking argument against strong moral authoritarianism is his commitment to the value of pluralism. 'There is no single pattern anyone can identify as the proper model of human life, not because there is no such thing as good and bad, but because there are many goods'.[26] Note that on George's account, this plurality of goods and ways of living is not merely a fact of modern societies that a non-neutral moral politics has somehow to accommodate if it is to succeed. Rather, it is something that is *itself* good and morally valuable. Hence for George, Aristotle's lack of recognition of the diversity of human goods and the capacity for 'rational self-determination', in choosing among those goods, was a serious error.[27]

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[23] Ibid., Chapter 1.
[24] Ibid., p. 43.
[25] Ibid.
[26] Ibid., p.39. For a debate about whether the Aristotelian tradition can in fact accommodate pluralism in this way see Ronald Beiner, 'The Moral Vocabulary of Liberalism' and Charles Larmore, 'The Limits of Aristotelian Ethics', in *Nomos* XXXIV: Virtue (Cambridge Mass.: Harvard University Press, 1992).
[27] *Making Men Moral*, p. 39.

Where George is concerned more specifically with defending the legitimacy of morals laws, Rosalind Hursthouse[28] has suggested a much broader political-philosophical argument for a Humean rather than Lockean 'natural' rights account of justice, where the fundamental basis for these rights is the 'properly functioning society'. She suggests that such a society is one in which its members live flourishing *eudemon* lives, and that a just and virtuous society optimally conducive to *eudemonia* would necessarily *not* be authoritarian. We can get a sense of the difficulty here by considering Hursthouse's claim that authoritarianism in pursuit of the 'explicitly moral concept'[29] of *eudemonia viz.* 'riding roughshod over the passionately held views of many of its members' would entail all sorts of vicious actions; 'cruelty, callousness, dishonesty, disloyalty and indeed injustice'.[30] As with George, the main problem with moral authoritarianism for virtue politics is conceptual, though it is illustrated by history. Hursthouse's main point is not that, as a matter of fact, State-led interventionism and programmes of 'perfecting' human beings are and have been all too amenable to distortions and misuses resulting in terrible political crimes that few if any would defend (though she does suggest this). Rather, she argues that a political society conceived on morally authoritarian lines would, philosophically, warrant *vicious* activity, i.e. activity positively *inimical* to virtue. In conclusion, and appearing to seek to assuage liberal doubts about moralizing in politics, Hursthouse also makes the point that a conception of political society based on facilitating *eudaimonia* would consistently preserve many of the rights valued by liberals. (Correspondingly then, if, as Hursthouse claims, liberal theories of rights are in fact more conducive to a conception of a certain human good- *eudaimonia*- than they appear, then these liberal theories may not be as morally neutral as at first glance.)

Given that they recognize and address the authoritarianism problem, how do these Aristotelian interpretations, individually or taken together, fall short of providing a political counterpart to normative virtue ethics? Before answering, let us grant four

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[28] Rosalind Hursthouse, 'After Hume's Justice', *Proceedings of the Aristotelian Society* 91 (1991), pp. 229-247. Note that Hursthouse's salutary comment about virtue politics being unexplored, quoted above, comes some nine years after this article was published.
[29] Ibid., pp. 240-1.
[30] Ibid., p. 241.

points. Firstly, George and Hursthouse interpret, defend and advance a tradition that identifies problems with liberal neutrality and with the idea of foundational rights: rights supposed not to be grounded in separately conceived goods for humans. Secondly, as alluded to at the end of the last paragraph, they add weight to a familiar objection that liberal neutrality may not, in effect, turn out to be wholly morally neutral. Thirdly then, the insights of these accounts may bolster further objections that government and law *need* not be conceived as morally neutral. Fourthly, their arguments about the value of pluralism and the vices of moral authoritarianism might be successful.

Yet, regarding this last point, the true nature of the problem for *virtue ethics* is not that these arguments fail but precisely that they are so persuasive. For once we see the urgency of the problem of moral authoritarianism and the value of pluralism in these arguments, the crux of the matter is then coherently accounting for the extent, if any, that the State's moral imposition on individuals can *itself* be seen as virtuous or even morally permissible. If we were to say that such imposition is always or is inherently vicious, for example, then we seem to be able to move virtue-ethical politics, in effect, not only away from the central tradition and towards liberal neutrality, but also towards a kind of libertarianism in which the state plays a thoroughly minimal role rather than an actively moral one.[31] Perhaps we would not want to go as far as this, but then if, as Hursthouse suggests, a society's well functioning and the *eudemonia* of its members disallows contravening certain 'passionately held views', then wouldn't *any* policy that did so in seeking to effect a moralistic policy or law be ruled out? And if it did not, then under what circumstances could states legitimately impose these sorts of measures? Would they, for example, require unanimity about morality or about a certain way of life that would be allowed or disallowed by it? Similarly, following George's concern about the moral goodness of a choice depending on its being chosen, if we hold that moral paternalism is also self-defeating in its moral

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[31] For an argument that the Aristotelian conception is compatible with the libertarian view, cf. Douglas B. Rasmussen, 'Liberalism and Natural End Ethics', *Pacific Philosophical Quarterly*, 18 (1991), pp. 284-291.

purpose when it rules out individuals' moral choices and thwarts the 'reflexive' nature of moral goods, then when and how if at all can paternalism be justified?

Whilst these questions are at the heart of the problem, in the last paragraph I have presented them as forming a stark paradox: morally barging into people's lives to make them virtuous and good in fact *requires* backing off so as to let them choose and do it as they see fit, and so requires *not* doing what one set outs to do in the first place – or something along those lines. In response, a proponent of the Aristotelian position could claim that this characterization is exaggerated, the paradox apparent and the problem far from insoluble. They could argue for certain moral and prudential limits on the State's moral imposition which do not entail disallowing all *intervention* of any sort in people's moral lives. A State organized on this basis could legitimately facilitate and encourage certain choices and lifestyles in accordance with flourishing and virtue and in pursuit of eradicating their opposites, whilst not actively thwarting or disallowing the pursuit of other lifestyles, even if those other lifestyles are not conducive to virtue or *eudaimon* life. Suppose, for example, that the State was to encourage and foster the virtue of temperance in citizens, and so discourage the excess of indulgence. Taxation and restraints on the sale and provision of alcohol and tobacco, as well as education about their effects, could be seen as effective and paternalistic constraints in pursuit of temperance. And these measures would not coerce people in ways that violate pluralism or deny access to the reflexive moral good such policies seek to uphold.

There may well of course be such cases in which encouraging and facilitating certain moral attitudes and virtues would not entail vicious or self-defeating authoritarianism. Notice that the largely neutral liberal-democratic state could, and does, also employ such measures – although the justification they give for them is usually couched in what they see as non-moral terms, and certainly not those of virtues such as

temperance.[32] Rather, that justification is typically constructed in terms of the social effects such as the cost of smoking and excessive drinking to the health service, or of crime and disorder resulting from binge-drinking, and the harms and infringements of others' rights that smoking or crime involves. But the Aristotelian State could pursue similar measures and policies based on a specifically *moral* justification, and in this respect their convergence with many liberal practices would not thereby make a suitably cautious Aristotelian moral paternalism indistinguishable from, or make it collapse into, liberal neutrality.

However, the difficulty of the authoritarian paradox is much harder to shake off when we look at cases in which the Aristotelian position would *diverge* in its practices from liberal neutrality. To see this in the case of differing life choices, let us return to the example of marriage which I earlier suggested George's morals law position could be used to defend on moral grounds. Accepting the urgency of moral constraints against authoritarianism, just how would marriage and the monogamous family – if indeed it could be shown to be true that they are morally better than other arrangements – be encouraged and facilitated in a way that does not breach these constraints? It could be argued that, for example, offering financial incentives to marry and disincentives not to marry, and educating children in the goodness of marriage would chart an acceptable route between the anti-reflexive (and so morally self-defeating) and anti-pluralist extremes of making marriage compulsory or outlawing divorce. But even here the task of drawing the line, between moral intervention that is non-defeating and respects the value of pluralism and that which is not and does not, seems to bring us straight back to the problem: for such measures appear to be impossible to implement without encroaching on the limits. School education might not require explicit classroom lectures on the superiority of marriage, but it would presumably require some directive specifying the teaching materials and resources that were to be allowed and disallowed, according to the extent to which they promoted marriage and the monogamous nuclear family and discouraged others. Here the Aristotelian

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[32] Consider recent legislation banning smoking in public confined spaces in the UK and Europe (and banning it in all public areas in some states of the USA), and proposals to constrain retail offers on cheap alcohol in the UK.

position would have to justify such a directive either by saying that the pluralism would not be violated and hence that choices among lifestyles are not constrained, or that the choice to live outside wedlock or a monogamous family is not *actually* one that realizes human goods or conduces to flourishing. Both these options are highly implausible for a state that sees a plurality of life choices itself as a key human good. As for financial incentives and disincentives: insofar as disincentives must, by definition, actively discriminate against and make more difficult the lives of couples who choose not to marry, these too seem unacceptably detrimental to the good of pluralism. And where incentives succeed in coaxing people into marriages they may not otherwise have gone into, it could also be argued that the moral reflexive quality of choice is curtailed. At least, in light of the value of pluralism, the vices of 'making men moral' become as apparent as the virtues that project aims to nurture – which once again is the problem.

Even if this difficulty for the Aristotelian approach to politics could somehow be overcome in particular cases, such as the promotion or non-promotion of marriage, it is magnified more problematically when we consider cases of significant *moral* disagreement rather than merely a plurality of life choices. Here I mean to include – though not exhaustively – those 'life and death' questions of policy and law such as whether to go to war, or the legality and acceptable conditions for allowing euthanasia, assisted suicide or abortion. Now, the difficulty arising from moral disagreement here is not that there might be no moral truth, or even agreement, ever to be found with regard to these matters. Rather it is once again with the moral quality of the Aristotelian political project under consideration. If, for example, a government or legislature operating under this view acted on the supposition that assisted suicide for terminally ill and fully willing is morally impermissible, and so outlawed it, then the very justification for doing so – moral grounds to do with goods and flourishing – is liable to be undercut by similarly important moral considerations about not thwarting pluralism and not 'riding roughshod' over the passionately held views and choices of individuals or communities.

Let me emphasise the special susceptibility the Aristotelian position has to this problem by once again making a contrast with liberal neutrality and with Devlinite conventialism. As in the examples of morally contentious policies just outlined, respecting pluralism and a diversity of goods means allowing for things that some groups and individuals see as immoral, and which others see as morally permissible. Of course, such disagreement is presupposed, by liberal neutrality, and liberal democracies must enact policies and laws that will, in this respect, fail to 'please all of the people all of the time'. On that view, the moral disagreement over such things is explicitly to be accommodated within a supposedly non-moral framework mapped by what it sees as basic and separate conceptions of rights and justice. In arbitrating between the legality of an activity or setting its strictures, liberal neutral position does not aim to effect conditions that are themselves *moral* ones, and so does not tempt the paradox of the Aristotelian position. Whether or not liberal neutrality wholly succeeds in this endeavour or runs into other problems, there is no internal tension or paradox in justifying the liberal-neutral state's contravening the moral beliefs and constraining the lifestyles of some people, given certain conditions. This is because the justification for doing so under such conditions is based on non-moral reasons.

Likewise, though for very different reasons, the conventialist legal positivism earlier attributed to Devlin would not run up against the possible vices of imposing morality and making people virtuous. For in Devlin's case there would be no vice. Though Devlin vigorously defends the enforcement of morality in law, he also does so for largely consequentialist reasons to do with the benefits of social cohesion, and so whilst his position is explicitly morally motivated, there is no incoherence in conventialism's coercing some people for moral ends. To these ends, for example, a strongly utilitarian kind of conventialism could deny that preserving a diversity of goods is of *any* inherent value, and justify its eradication where the net benefits of disallowing pluralism outweighed those of allowing it. But because of the fundamental and non-instrumental morality inherent in its political outlook, the Aristotelian position can offer neither the liberal-neutrality nor the conventialist justification for legitimate imposition.

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Conclusion to 2:3

I have said that in attempting to formulate a virtue ethical politics, the Aristotelian position has a problem, apparently connected to anachronism but in fact more strongly conceptually rooted in the idea of the political state implementing virtue in individuals whilst avoiding the vices and contradictions of imposition. With the contrasts just made in mind, I conclude this section by suggesting that this problem is a symptom of the more general problem I raised at the end of the last chapter and the start of this one, namely that of virtue ethics' individualism and the wider societal concerns of politics. A distinguishing feature of virtue ethics, as we have seen, is its account of right and wrong actions being based in that which stems from the virtues of personal character. And in the preceding discussion we have seen some of the difficulties of faithfully reflecting the ethics of an individual action and decision procedure of this kind at the political level. Where policies, laws, social structures and institutions are to be applied to *many* individuals with a view to encouraging virtue in the context of a value pluralistic society, the language of virtue ethics does not seem to be up to the task. For the task of politics is, by definition, something different from individual moral action and decision making, and the Aristotelian position shows how the former runs into problems when it tries to subsume the latter under the auspices of the former. Correspondingly, to return to the earlier point about virtue ethics' rivals being superior, it would seem that the languages and concepts of rights, duties and social justice, or consequences, do transfer from individual ethics to politics in a less problematic way than those that are primary in virtue ethics.

Whilst I have expressed pessimism at the traditional Aristotelian project as a basis for virtue ethical politics, and whilst there is good reason to think that the reasons for that pessimism have something to do with the 'inertia' in that direction, we should remain open to the possibility of further and more successful developments. Nevertheless I think that, currently at least, the limits of that project give good reasons to look elsewhere. Before doing so, we turn in the next section to some other positions that seem conducive to a virtue ethical construal or explicitly employ conceptions of

virtue. For these views might seem readily available as, or as modifiable for, a virtue ethical politics that gets round the Aristotelian problems. But as we will see, whilst these accounts may have an affinity with virtue ethics, they fundamentally diverge with respect to the kind of virtue theory they reflect. That is they map directly onto the instrumentalist conceptions of virtue that we discussed in Chapter One, hence similarly failing to offer a virtue ethical politics.

2:4. Other Conceptions of Virtue in Political Theory

Liberal Perfectionism

In the last section, for the purposes of highlighting some contrasts with the Aristotelian position, we focused on the liberal position of moral neutrality. But whilst this is a well-known and long defended position, it is not all of liberalism. Liberal *perfectionism* addresses the problem of, and resists, moral neutrality in political liberalism. Whilst maintaining a commitment to value-pluralism, it is not neutral on questions of what is good for persons, indeed it *is* in part a moral theory of the good for persons. But its guiding value is that of facilitating the exercise of various individuals' different life plans, where the role of politics is to preserve individuals' autonomy to that end. This differs importantly from a substantive conception of the virtues, i.e. certain traits of character valued intrinsically, which all forms of virtue ethics employ. The perfectionists' political principle is not based on a moral notion that is rooted in traits of character virtues as the source of right action (which as we will have seen, is the distinct procedural feature of virtue ethics); and so virtue ethics seems in a quite basic way to run against the idea of substantially *different* individual conceptions of the good which perfectionism takes as a given. Rather, the value and aim of liberal perfectionism is to allow, as far as is possible, individuals to cultivate and pursue whatever plans they may have as individuals. John Stuart Mill, for example, claims that

> Individuality is the same thing with development, and...it is only the cultivation of individuality which produces, or can produce, well-developed human beings...what more can be said of any condition of human affairs, than that it brings human beings

themselves nearer to the best thing they can be? For what worse can be said of any obstruction to good, than that it prevents this?[33]

Put simply, the guiding principle of this kind of perfectionist liberalism is that of cultivating autonomy in the interests of persons perfecting themselves as individuals through different ways of living. Whilst it could be argued that a polity organized on perfectionist lines could be one in which individuals could cultivate and evince virtues – should they choose to do so – as individuals, liberal perfectionism is not a political theory commensurate with an ethics of virtue. For virtue ethicists, perfectionism may meet the problem of political liberalism's political but non-comprehensive, morally neutral doctrine, but the virtue ethicists and the liberal perfectionists' conception of *moral value* is fundamentally dissimilar. So, two concessionary points to be made here is that non-neutral (but value pluralistic) liberal perfectionism may well appeal to liberal-minded virtue ethicists; and perfectionism may, once again, have an affinity with the virtuous agent as conceived in virtue ethics. But that is far from conceding that liberal perfectionism is a virtue politics.

Liberal Virtues

In their formulation of 'liberal virtues'[34] some liberals theorists take off from John Rawls[35] by developing a conception of virtues that are necessary for living well in a liberal State, and living in accordance with its values. The virtues are thus identified as traits that fit with a *prior* conception of this State and the values it embodies. The conception of the virtues is adopted chiefly by these theorists to argue that there is a certain 'liberal character', and thus to deny the common criticism of liberalism; that it requires the morally 'neutral State', i.e. one that would strive not to place value on any particular enduring moral character. Interestingly, at least one of these theorists has set up the conception of Aristotelian based virtue in opposition to their usage. David A. Strauss, for example, writes that:

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[33] J.S. Mill, *On Liberty* (London: Penguin Classics, 1985), p. 128. See also Joseph Raz, *The Morality of Freedom* (Oxford, Oxford University Press, 1986).
[34] See Stephen Macedo, *Liberal Virtues* (Oxford: Oxford University Press, 1991); and David A. Strauss, 'The Liberal Virtues', in *Nomos* XXXIV.
[35] *A Theory of Justice* (Oxford: Oxford University Press, 1972), and *Political Liberalism*.

[L]iberalism and the liberal virtues remain distinctive. The liberal virtues are not Aristotle's virtues, and importing a full Aristotelian vocabulary is not only unnecessary but incompatible with liberal virtues.[36]

This sort of theorist of liberal virtues uses 'virtues' in this context to refer to certain role specific traits. He might of course identify many liberal virtues that are also cited by *aretaic* virtue ethical accounts, but if he did, this would not be because of any conceptual link between the liberal and *aretaic* theories. There is no such necessary link. The liberal virtues theory is a critical reformation of liberalism, not a virtue theory in the way that *areatic* virtue ethicists understand that term. Galston, for example, understands 'the liberal virtues [...] instrumentally, as means to the preservation of liberal societies and institutions'.[37] Hence this political virtue instrumentalism fits with the *instrumentalism* discussed in Chapter One and exemplified by Driver. Galston accepts that there are general virtues that can be understood and relevant in any political community, but these virtues are not the basis of his political philosophy. Political liberalism is that basis, and the liberal virtues are role specific to a liberal society. Stephen Macedo, similarly, sees the liberal virtues as 'those forms of excellence appropriate to citizens of liberal regimes and conducive to flourishing in the kind of society liberalism creates'.[38]

The liberal virtue theorists offer theories that do not seek to be virtue ethical political theories as such, but that provide a defence of liberalism that invokes virtues. These theories make the case for certain particular characteristics of individuals being conducive to their flourishing in a liberal polity, and in turn, the flourishing of that polity. The concept of the virtues of citizenship, as distinct from the intrinsic human virtues, is of course found in Aristotle.[39] In this sense, the notion of specific political virtues is not at all alien to *aretaic* virtue ethics. But importantly, this type of liberal

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[36] 'Liberal Virtues', p. 197.
[37] William Galston, *Liberal Purposes* (Cambridge: Cambridge University Press, 1991), p. 220.
[38] Macedo, Ibid., p.4.
[39] See Aristotle, *Politics*, Book 3:4. Societal role specificity is of course pertinent in the context of the Athenian hierarchical *Polis* and *Oikos* (household).

theory builds its conception of political virtues from the ground level political philosophy (liberalism) that it sets out to defend. And its employment of virtues is, importantly, conceived in the opposite and instrumentalist direction from that of virtue ethics.

Virtue and Civic Republicanism

As a further attempt at finding a virtue ethical political conception faithful to virtue ethics, it is worth considering the recent trend towards neo-republicanism and civic virtue. What the various conceptions of civic republicanism seem to share with the traditionalist picture is the notion of political participation; what they share with perfectionist versions of liberalism is non-neutrality; and what they share with the 'liberal virtues' theories is the importance of social and political virtues.

One version of civic republicanism inspired more by Machiavelli than Aristotle and articulated by Quentin Skinner, can be seen as a procedural framework that is instrumental to individual liberty. Charles Larmore, for example, states that

> The strand of republican thought presented paradigmatically by Machiavelli's Discorsi and recovered today in particular by Quentin Skinner appeals, not to the fusion of politics around a common ideal of the good life, and in particular not to the idea that political participation is itself the highest form of activity, but rather to the importance, limited but real, of the active virtues of citizenship and to the need to nurture the rule of law which is necessary for individual liberty.[40]

In this sense, this strand of republicanism can be categorized as 'instrumentalist' alongside perfectionism and the liberal virtues approach, though not in the service necessarily of political liberalism. By contrast, however, there is another form of civic republicanism that can be seen as encompassing liberal perfectionism in a way quite different from Skinner's neo-Machiavellian conception. Referring to Charles Taylor, Alan Thomas says that 'the perfectionist republican sees political

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40 Charles Larmore, 'The Foundations of Modern Democracy', *European Journal of Philosophy*, 6 (1995), pp. 55-68, p. 60.

participation as *itself part of the good life*, which for the political liberal imparts too much to the role of the citizen'.[41] For our purposes, the most salient aspects of this kind of republicanism are, roughly, those of 'civic virtue', a functioning civil society in which citizens participate, and of a common, public, good that around which the principles of civil society are arranged. These aspects are preconditions for citizenship, and citizenship is a precondition for civic virtue. As I understand it, the value at the centre of this communitarian civic republicanism is political participation, whereby some goods are, as Taylor has it, 'irreducibly social goods'.

Like classic liberal perfectionism, this version of civil republicanism seems to lend itself to virtue ethics, in that it centrally employs a morally non-neutral conception of politics. However, republicanism on this account is concerned with the virtue of individuals in a very specific 'civic' sense. The notion doing the work here is that of persons *as* citizens, and that of civic virtue – in common with Machiavelli's *virtu* as virtue *of* citizenship, rather than basic moral character or a set of dispositions being the locus of value in the theory. Hence the notion is that of specifically *public* virtue. Civic virtue could be construed as being *non-instrumental*, in that it is seen as an intrinsically valuable part of the good community or body politic. Nonetheless, civic republicanism on this account fails to take the substantive moral conception of character virtues as the source of and criteria for right action and employ it *at* the political level, employing instead a conception of individuals' public political virtue within its concept of political value. So whilst this form of civic republicanism may have the strongest affinity to virtue ethics of the approaches surveyed so far, its conception of virtue is specifically political – whereas its politics is not specifically virtue based or virtue ethical. The way in which the concept of virtue figures here is, I think, closer to the way it figures in Kant than in virtue ethics, i.e. as a disposition or set of dispositions in accordance with duty: to the moral law in Kant, to one's self and the polity *qua* citizen in e.g. Taylor. This is not to say that a virtue politics would

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[41] Alan Thomas, 'Liberal Republicanism and the Role of Civil Society', *Democratisation* 3 (1996), pp. 26-44, p. 27.

disvalue or rule out such a conception of civic virtue, but it is to say that civic republicanism is not a virtue politics faithful to contemporary virtue ethics.

2:5 Slote on Social Justice

So, despite the resurgence of virtue ethics as described in Chapter One, and despite defences of the Aristotelian tradition and other political approaches which appear to bear 'family resemblances' to virtue ethics, no such clear cut virtue politics has quite taken off. The Aristotelian tradition struggles to formulate a moral politics that can coherently inculcate morality in members of a polity, whilst other virtue-friendly political philosophies fail as virtue ethics. I will end by briefly discussing a virtue ethical account that appears to avoid the pitfalls of both these types of approach, showing how its strengths and weaknesses indicate the direction in which virtue ethics need to go.

In his book *Morals From Motives*, Michael Slote, who, as we have seen, is acutely aware of the political problem for virtue ethics, offers an account of social justice according to his 'agent based' virtue ethics, by which:

> [i]f we think of societies roughly as groups of individuals living under or according to certain institutions, laws and customs, there is an analogy between the relations the institutions, etc., of a society have to the (membership of the) society and the relation of individual acts to their agents. The laws, customs, and institutions of a given society are, as it were, the actions of that society – they reflect or express the motives (though also the knowledge) of the social group in *something like* the way actions express an agent's motives (and knowledge), though in a more enduring manner that seems appropriate to the way societies typically outlast the individual agents in them. And so just as individualistic agent-basing regards individual acts as morally good if they reflect morally virtuous motivation and wrong if they reflect vicious or deficient motivation, an agent based of social morality will treat customs, laws and institutions as morally good (positively and admirably just) if they reflect virtuous (enough)

motivations on the part of (enough of) those responsible for them as morally bad (or unjust) if they reflect morally bad or deficient motivation.[42]

Slote goes on to defend this idea in terms of this political reflection or expression in terms of 'balanced caring' rather than universal benevolence, and we have no need to expound, nor the space to do justice to, the detailed arguments he gives for this. Instead, we can draw from his account the way in which, faithful to Slote's virtue ethics, it construes the legitimacy or rightness of what the State does or political institutions do in terms of its stemming from 'something like' a morally admirable motive. What this does is place the locus of right action at the level of political institutions and the motivations of those who comprise them. So in contrast to the Aristotelian account, it does not see politics and political activity as needing to focus itself on the nurturing of virtuous individuals, i.e. citizens who are affected by political policies, institutions and laws. Rather, it accounts for the rightness and justice of these political institutions etc. by the extent to which they 'act from' morally admirable motives. This seems to go some way to avoiding the Aristotelian position's authoritarian paradox, because there the problem arises from assessing politics on the basis of how well or badly it can coherently fulfil the task of making individuals morally virtuous and flourishing. On Slote's account, however, the moral assessment is of political institutions, governments and legislatives etc. themselves, *as if* they were persons or, more concretely, as actual expressions of the individual agents who comprise them and act on their behalf.

Though Slote's account may have something of an advantage over the Aristotelian in this respect, and though it appears faithful to virtue ethics, I see it as bringing up some further obstacles to the project of virtue ethical politics that need to be negotiated. So as to motivate what follows in the rest of the thesis, I end with these issues arising in Slote's account.

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[42] Slote, *Morals From Motives*, p. 99.

Firstly, if Slote's agent-basing and motivational account is to apply analogously at the level of institutional, legal and State enactment, then it straightaway runs into a difficulty with the situational, contextual quality of right action at the individual level. Let us return to the issue of passing legislation, and take for example the case of abortion. A feature of individual virtue ethics, attractive to some and infuriatingly repellent to others, is that in individual cases, the judgment of whether a particular abortion is morally permissible and should take place is dependent on those particularities.[43] Now given this contextual specificity, what, on Slote's account, would it mean for the legislature, or for a group of legislators, or even a single legislator, to act from a virtuous motivation in passing a law preventing, allowing or specifying the conditions under which people – in general terms – can authorise, perform or undergo a termination? Slote seems not to be in a position to reply that here the expression of a virtuous motivation would be to do what is just, or maximises benefit overall, or protects rights of persons, without putting these concepts before virtuous admirable motivation and thus losing the virtue ethical, agent based quality of his proposal. Here, once again, the resources of individualist virtue ethics appear to fail to deal with wider tasks of politics that concern large collections of individuals.

From this there is a second consideration, concerning a different kind of particularity, about the roles of agents acting as part of or on behalf of political institutions. Slote seems to view 'morally good' or 'bad or deficient' motivation in the political case as more or less directly transferable from individuals in their dealings with others to institutions etc. in their political activities. Hence his balanced caring ethic for individuals allows a particular kind of concern for one's loved ones, though this is not exclusive of others. Similarly his political conception requires that, for example,

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43 Most clearly expressed by Hursthouse in 'Virtue Theory and Abortion' (Op. cit.) and in 'Normative Virtue Ethics', in Roger Crisp, ed. *How Should One Live? Essays on the Virtues*, (Oxford: Oxford University Press, 1996). I use the term 'morally permissible' rather than 'right' because it seems that at least on Hursthouse's account of virtue ethics, any abortion, for whatever reasons and in whichever circumstances, may rightly involve the kind of moral 'remainder' that would prevent it from being simply the wholly *virtuous* thing to do. For discussion of the current point about the problem of legislation in virtue ethical terms, see *Applying Virtue Ethics*, p. 64.

politicians such as legislators have a weighted concern for the good of their country.[44] Now here it seems to me that Slote essentially appeals to a kind of role-ethics, by which the agent (or group of agents) *qua* political agent(s) are required by the duties and demands of that *role* to act in accordance and from a role specific motive. But then the gap in Slote's account is that he fails to differentiate these motives according to the many different roles in political – and social – life of a society. Or at least, by not extending his account to other such roles, he highlights that phenomenon. In other words, by identifying a certain motive apt for agents in a public political role, he shows us the possibility of many more role specific examples. Under Slote's agent based view we might well accept that anyone acting in a public political role might need, as a minimum, to be rightfully concerned for their country's welfare. But is this enough to provide a political and institutional analogue to the contextual and agent-specificity of individualist virtue ethics? For we might also then wonder whether the right, admirable motivation can be adequately accounted for in just this very broad sweep when assessing the motivations and actions of the military general, the Foreign Office diplomat and the minister for health, for example.

In sum, by construing the rightness of political policies and procedures in terms of the virtuous motivation of the individuals that enact them, Slote's account does little more than recommend an individualistic virtue ethics for persons operating at the political level. However, that politics is something quite different from particular individual actions, and so cannot be adequately formulated in terms of individual well-motivated agents, is precisely the problem. In light of the problems raised in Slote's account, it seems to me that a politically adequate virtue ethics needs to give an account of right action that is faithful to virtue ethics' situational context-dependence, and that accounts for the particularities of action in different social and political roles. Rather than having the political State and its institutions incorporate virtue ethics from the 'top-down', either by making individuals virtuous or by them or their agents being seen to act from the right motivation, we need to politicize virtue

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[44] *Morals from Motives*, p. 104

ethics, by expanding its sphere outwards from individuals to their social and political contexts and actions.

2:6 Conclusion: A New Direction

So far we have set up the political problems for virtue ethics. Distinguishing features of a virtue ethics are: the primacy of non-instrumentally valuable character traits; the way in which right/wrong actions are judged or assessed by reference to the virtuous person; and the specificity of the agent in relation to a particular action in such judgments. The thrust of contemporary virtue ethics, then, is acting as a *virtuous person* characteristically does or would do, rather than acting primarily on or according to certain principles or maxims. And, as illustrated at the start of the previous chapter with the environmental ethics example, the political challenge is how best to apply such an approach actions, events, procedures, policies and structures at the political level, so as to address political questions in distinctly virtue ethical terms.

In light of the contemporary accounts of virtue-politics looked at in this chapter we can now identify a further problem of what or who is best seen as the *subject* of virtue-political theory. Consider once more the paradoxical quality of the State having to abjure moral authoritarianism in pursuit of forming virtuous individuals. With respect to this paradox George, for example, sets out the conceptual and practical limitations of 'making' people virtuous. But there also arises the moral and political question of the state or its representative individuals acting or operating rightly or wrongly, and of how *this* is to be construed in virtue-ethical terms. Consistent with George's account but emphasizing this moral dimension more explicitly, Hursthouse is concerned with the *vices* of enforcing virtue, ruling out what she calls 'vicious' activity on the part of the state, such as bringing harm to a few in pursuit of the greater good. In her virtue ethical terms, what would fundamentally disallow such measures is not that, say, they contravened certain basic rights or principles, but that they would be contrary to virtue, and hence vicious. Now, we could take this kind of judgment as ascribing vicious activity to one or both of two

subjects: either to the state as if it is an agent that is capable of acting more or less virtuously/viciously; or to the individual agent(s) responsible for political decisions and procedures. And Slote, as we have seen, clearly construes the rightness or wrongness of political phenomena along these lines, as more or less well-motivated actions, whether those of actual political actors; or ones reflected in policies or laws; or *of* governments and political agencies *as* quasi-persons. This view, of government and states as entities that comprise actions and operations we can, in some way, judge in virtue terms is thus implicit in Hursthouse's *eudemonic* account of the properly functioning society and explicit in Slote's agent based conception of social justice.

In its favour as a model for virtue-politics, this has the attractively simple feature of conceptual parity with its individualist counterpart in normative ethics. Where the virtue ethicist assesses an individual action in terms of what the virtuous person does or would characteristically do, this theory assesses the procedures of politics in the same way only using the virtuous state/government or agent(s) acting on its behalf. The trouble with this view is that, as we saw at the end of the previous chapter with Slote, it again seems to reveal the unsuitability, or at least the shortcomings, of virtue ethics when applied to politics in this way. Firstly, the particularity and agent-relative quality of virtue ethical account of right action fails to transfer to the political sphere of decisions and actions which include and affect whole communities and societies. In relation to this, secondly, this view conceives the state, or its individual representatives, as fulfilling much the same singular and unified role as the 'virtuous person', where there are in fact a number of different political considerations and tasks.

There is, then, an enduring gap between the virtue ethical account of action at the level of individuals and its application to political questions, highlighted by bringing its person-specificity to states or goverments. Yet despite their difficulties, the accounts just discussed in the last two paragraphs point to a way to begin to forge a link between the two, thereby offering a *politicized* virtue ethics. Let me explain this,

in the shape of the overall strategy, before embarking on its first phase in the next chapter.

The claim I will defend is that in-between the virtuous person and the state there are two subjects that are each apt for a virtue ethical analysis and, together, ripe for the basis of a political virtue ethics. These are (i) the social roles that individuals occupy; and (ii) the particular social and political institutions that determine what these roles are and what they demand of individuals. Where could this approach succeed where others have struggled? Put in the broadest possible terms for now, an ethics of the thinly conceived individual 'virtuous person' or a politics of the 'virtuous state' are each lacking in social and political substance. The virtuous individual is not socio-political enough, and the state is far too generally encompassing of society and politics to be construed as a virtuous agent in the relevant sense of action. In response, building up from the individual conception, a virtue ethics that properly incorporates the demands of social roles – those of professions, vocations and associations – can begin to give a picture of right action within such a socio-political context. From this, there follows a need for a normative account of how the various role defining institutions should be and how they should function, for it is these institutions, and not individual role occupiers alone, that determine what counts as acting well or badly *qua* that role. Such an account, faithful to virtue ethics, is the goal of this thesis and, as suggested above, we move next to the subject of individuals and social roles.

Chapter 3: Addressing the Political Problem for Virtue Ethics

3:1 Introduction

As just outlined, the claim I want to test is, ultimately, that a virtue ethical theory can guide and evaluate the procedures and constitutions of particular political and social institutions. If successful, such an account would avoid the tension of authoritarianism that we identified in the 'top-down' relation of state to individual persons in the Aristotelian based accounts of George and Hursthouse. And, unlike instrumentalist liberal accounts of virtue, it would be faithful to virtue ethics insofar as it construes right conduct in terms of a good, virtuous, subject. In this respect it would also address the shortcomings in Slote's agent based account of social justice, for it would not construe rightness or justness of an array of political institutions, structures, policies and procedures via a singular and thin notion of admirable motivation.

To this end, I start this chapter by discussing the ethics of social roles. This will be to substantiate a claim I made at the end of Chapter Two: that social roles can be understood as filling the gap we have identified between a normative ethics of individual actions and a political theory of how best to understand and organize institutions that determine these roles.[1] I begin with a general account of the normative quality of social roles, and then discuss role-*ethics*, focusing on a supposed problem of whether the normative demands of roles are somehow separated from 'ordinary morality'; or, if they are not, whether there is then any distinct and significant place for social roles in ethics. I deny this dichotomy, and suggest that an adequate ethical theory can well accommodate the ethical dimensions of social roles.

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[1] Another reason why the subject of social roles may prove fruitful for political virtue ethics is the explicit or implicit appeal to role ethics in some of the political theories we have looked at already. According to the MacIntyre of *After Virtue*, the Aristotelian view sees an agent's strongly determined social role as necessary for inculcating and sustaining virtue; a relation that has, on MacIntyre's view in that book, withered in pluralist modernity with malign social effects. Yet in civic republicanism and in theories of liberal virtues, insofar as agents need consider themselves distinctly qua citizen or responsible member of a liberal polity, the idea of social agents acting *in the capacity* of these roles is also crucial.

After considering some other key objections to role-ethics I end by showing a natural affinity between role-ethics and virtue ethics. Looking ahead, Chapter Four then follows with some recent contemporary accounts of roles in virtue ethical literature which underline that affinity, but also point to the need for an accompanying virtue theory at the level of social and political institutions. The remainder of the thesis concerns the possibility of, and the possibilities for, such a theory.

3:2 The Normative Quality of Social Roles

In modern societies, agents occupy all sorts of these social or professional roles. During their lifetime a person may be, at once or at various times, a parent or sibling, a teacher, a paramedic, a student of philosophy, a member of a sports team, a member of a political organization, a volunteer for a charity, and so on. We have identified a need for virtue ethics to apply to the *subject* of social roles, rather than merely the virtuous agent; or the state that could best nurture such agents; or the state conceived *as* a virtuous agent. This raises the question of how such social roles can be the subject of ethics in a way that does not simply reduce to those of persons. What is a role, as distinct from a person, i.e. from an individual who occupies a role? To begin with, consider the example of an industrial corporation that, beleaguered by the crisis of capitalism, announces that two hundred 'positions' or 'jobs' are to be lost. This will, of course, actually mean getting rid of as many people- those unfortunate enough to be in those positions when the axe falls. But given that these are 'job losses', i.e. the company will not be recruiting to fill those positions, what has been annihilated here is a number of *roles* rather than persons. Contrast the redundancy case with an individual who voluntarily leaves their job and whom the firm replaces. In that case, the person leaves the company but the role, as it were, stays on. Roles, then, are things occupied by, but separate from, persons.

The second thing to notice about social roles is that role-titles say something not only about what a role occupier happens to be doing but also about what a role-occupier is *supposed* to do. Social roles are titles which not only describe certain functions, occupations or activities, but also carry with them certain role-specific duties,

standards and expectations of their occupiers. To illustrate the normative quality of a role-description, we can contrast a role-description with a mere 'activity description' and with an 'attribute' description of a person. If I see a man running to catch a bus and refer to him, quite accurately, in one sense, as 'a runner' I do not ascribe to him a role or any norms and expectations, I merely identify him by his activity. Although it may turn out that he is also e.g. a committed and habitual, perhaps even professional, runner, it is not a role-attribute or set of role-attributes that I identify when I use the term 'runner' in this way. Similarly, it is not just any old personal characteristics of any particular person that determines whether or not they bear a certain role and are subject to its demands. By virtue of identifying someone with their personal attributes ("Jane is outgoing"; "Bill is moody"; "Graeme is irritating" etc.) I do not pick out a social role. But if, say, Jane, Bill and Graeme are all teachers, then there are certain standards of conduct that we can reasonably expect from all of them *qua* teachers, regardless of each of their personal idiosyncrasies. There are things we can expect of the teacher by virtue of the teacher's role.

What is the nature of these expectations, norms and obligations such that they come with a social role – 'go with the job' rather than with a person? In a groundbreaking paper,[2] Michael O Hardimon distinguishes the specific obligations of roles from the obligations of other *statuses*. A social role picks out certain role-specific obligations that are not necessarily co-extensive with those incurred by virtue of one's status as 'human' or as an agent. This does not mean that role-specific norms and obligations cannot coincide with what we might reasonably expect from any human being or a responsible agent, regardless of any role they may play.[3] But it is to say that what an

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[2] Michael O Hardimon, 'Role Obligations', *The Journal of Philosophy* 9 (1994), pp. 333-363, p. 334. 'Groundbreaking' in its defence of social role obligations as part of our moral landscape, but also in showing how neglected has been the topic of social roles in contemporary moral philosophy. Hardimon (p.334, fn. 4) concentrates on 'institutional', as distinguished from non-institutional, social roles and claims that social roles do not form a unified set, whereas institutionally defined social roles do so. For present purposes, however, I refer to roles to which *socially understood* norms and obligations attach.

[3] This might be especially well exemplified by accounts of negative duties. It could, for example, be said that a care-worker has a duty not to neglect people whose suffering she is in a position to alleviate, but also that any moral agent has such a duty. (This would not be to deny that the care-worker has other role-specific positive obligations that others do not.)

individual is sometimes expected to do *qua* spouse, family member, community volunteer, police constable, journalist or team member, and the reason they are expected to do it, stems distinctly, in a variety of important cases, from their roles as such. That these norms and obligations attach to roles, which are adopted by different individuals at different times, lends weight to the thesis that although roles are occupied by individuals, they are determined socially. As Ralf Dahrendorf has put it: 'At the point where individual and society intersect stands *homo sociologicus*, man as the bearer of socially predetermined roles'.[4]

This last claim about roles concerns the relation between the social world that sustains roles and the individuals who occupy them. There may be certain duties that we all have, but what sets apart role obligations from those that apply to some person or persons, is the way in which they *pre-exist and survive* the coming and goings of individual role-occupiers. I could, for example, give up on writing this PhD and leave my programme of study, thereby leaving behind the obligations of a Doctoral student, but my doing so would not affect the social demands and expectations that go with the *role* of 'Doctoral student':[5] most obviously writing a thesis, but also things like attending seminars, researching assiduously, meeting with my supervisors, generally taking an interest in my subject, and conducting myself critically but respectfully in philosophical debates. I could, in some *nominal* sense, occupy this role – for example I could remain registered as a student – but fail to do any of the things just mentioned. But in this case, there would come a point at which we could reasonably – and the University probably would – ask whether I was actively occupying the *role* of doctoral student at all. However much my anti-PhD actions or attitude may radically alter my*self* or the course of my own life, they do not, by themselves, change that role. Social roles can be seen as mediating between the individual agent and the social environment that sustains the role, because what I am supposed, in that

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[4]Ralf Dahrendorf, 'Homo Socioloigicus: On the History, Significance and Limits of the Category of Social Role', in *Essays In the Theory of Society* (London: Routledge & Kegan Paul, 1970), p. 24-5.
[5] See Bernard Williams's chapters on 'Goodness' and on 'Goodness and roles', in *Morality* (Cambridge: Cambridge University Press, 1993), pp. 38-54.

environment, to do in the capacity of that role is not up to me, even if my endorsement, rejection or repudiation of the *role* may be up to me.

Roles, Relationships and Agreements

Following on from the last point about repudiation or rejection, we should be careful to note that this claim about how social roles function need not be construed as describing or recommending individuals' subjugation to whichever system of social norms or rules they find themselves in. So, it is not to suggest that agents are hostages to the demand of roles: that individuals, together and over time, cannot change or eradicate roles, a point to which we will return.[6] However, a more fundamental objection concerns whether roles, even if they are revocable or changeable, provide us with obligations that are *distinct* from other more general obligations that apply to any and all agents. Those who are wary of the idea of the normative authority of 'predetermined' roles could argue that the normative demands of roles can always be reduced to, or entailed by, other kinds of obligations. And if this were the case, then even if it is conceded that social roles are an important part of our lives, they may, as a subject, be largely redundant in an account of how best to live and act, i.e. an account or theory of *ethics*. We will now look at some versions of this objection.

Firstly, one could accept that social roles place people in certain situations and describe relationships between persons, but hold that it is these particular situations and relationships – not *roles* – that are the source of obligations and norms. If for example a person starts a career in education and adopts a role as a schoolteacher, she thereby enters into a new set of relations to children and staff. And, this version of the objection runs, the new responsibilities we take on in each case are not role-specific but quite generally applicable to persons, though they become salient here because of the relationships that the role puts the teacher in. On this view, the obligations of this individual qua teacher arise from the more general responsibilities of being an agent among many others, such that the normative aspect of the role-title 'teacher' is

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[6] Accordingly, the example of the PhD student only shows that certain normative demands are role-specific. A particular individual may adopt or leave the role.

operating as shorthand for a cluster of more general obligations that *now* obtain between her and those children and staff. She has obligations to other children and adults – just as we all do – and her role puts her in contact with a certain set of others and gives her the capacity to exercise those obligations to those others. The nub of this view is that roles may well be important in specifying *what* we owe to *which* particular individuals, but they don't tell us *why* we owe it to them. On such a view the 'why' would apply to anyone placed in that situation and relationship, whether by their role or otherwise.

There are, however, counter-examples of roles whose special obligations cannot be accounted for in this way. To adapt one of Hardimon's examples,[7] a professional fire-fighter has a special obligation to tackle a burning and unoccupied building; even at great risk to herself and even though no other person is in immediate danger. Now suppose we were to account for this obligation as a general one which this role focuses onto certain relations (perhaps through a wider civic duty to everyone who may be affected by the consequences of the loss of the property). Still this description would seem not to grasp the source of the *special* obligation she has to put herself at risk that other agents may not have. We might in some circumstances view a non fire-fighter's tackling the same fire in the same way as heroic, admirable, or superogatory. But I think it fair to say that we would not see their doing so as fulfilling an obligation, such that failing to meet it would be a dereliction of a duty. By contrast, the fire-fighter tackles the inferno because otherwise she would not be doing what a *fire-fighter* does, not merely because the activity of her role has placed her in a relationship or a set of relationships with others whom she has a general obligation to help. Whilst any and every agent may have a moral obligation to save others' lives if possible, there seems to be no such general obligation to risk one's own life in order to put out large and extremely dangerous fires. The fire-fighter's obligation to do so is therefore a *role-obligation*.

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[7] 'Role Obligations', p. 335.

Hence, the thesis that the specific obligations incurred in social roles are in fact instances of more general obligations is difficult to sustain. But a different strategy, less vulnerable in this respect, could argue that such obligations can always be construed as those of *agreements* made by individuals. Someone with a quite general account of duties and obligations can nonetheless recognize the distinct normative force of particular contracts and promises between persons, or between persons and institutions, as in the case of literally signing a financial agreement or terms and conditions, for example. Accordingly, they can say that the norms and obligations that arise from occupying roles can always be reduced to, or be explained in, something like these promissory or contractual terms. If they can, then, once again, social roles might serve no purpose beyond that of titular placeholders for what are actually agreements, or promissory or contractual obligations.

The appealing notion underpinning this version of the objection is that a person's obligation to carry out a role's duties derives from their signing up to, endorsing or accepting that role or at least some of its benefits.[8] On this account, unlike the previous objection, the obligations to care for pupils or fight fires are not described by or necessarily reduced to some general obligation we all have, but they are *entailed* by an obligation to honour agreements or promises, or to reciprocate benefits they get from the role. So, in answer to the questions 'why is this teacher obliged to extend a certain level of care to her class of pupils?' or 'why should this individual qua fire-fighter enter the burning building?' the answer is given in terms of what the individual has explicitly agreed to in adopting that role – a contractual agreement – or of what they 'owe' to the role in relation to the benefits they receive – an obligation of reciprocity. A most obvious example of the contractual case is that of an actual employment contract one signs when taking a job. A straightforward example of the reciprocity case would be the obligation to fulfil one's role for which one receives remuneration and other benefits of employment. Less obvious perhaps, is the example of someone agreeing to a club's membership conditions on joining and enjoying its social or other benefits. Here their obligation to participate in its

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[8] Hardimon, 'Role Obligations', p. 356.

activities could be construed as both promissory and reciprocal. Accordingly, to fail to fulfil this role having joined the club could be considered a violation of these obligations and morally wrong insofar as it would be 'free riding'.[9]

Thus a defender of the agreement strategy, whether promissory or reciprocal or both, can agree that certain specific tasks are required by particular roles, but maintain that the normative reasons individuals have for carrying these tasks out flow from obligations they have incurred by virtue of taking on and/or participating cooperatively in a role. This is because on this account, these obligations are to other individuals or the institution or social collective of which the role is a part. Does the agreement strategy succeed in showing that role-obligations are entailed by other, more widely applicable obligations?

Taking the contractual model first, one problem here, again following Hardimon, is that some of our obligations are putatively non-contractual. One's role in a family and as a citizen does not necessarily come about through agreement, but usually by birth, and Hardimon also persuasively suggests that such non-contractual obligations are essential to the very concept of these roles:

> we cannot give up the idea of noncontractual role obligations without also ceasing to conceive ourselves as family members and citizens. What, after all, would it mean to say that we conceive ourselves as family members but regard ourselves as having no familial obligations whatsoever? The suggestion that we could do this is incoherent.[10]

To underline this, in relation to the previous point about relinquishing a role, consider what it means for a person once and for all to denounce one or more of their family

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[9] A free-rider is an agent who, knowingly, benefits from others adhering to an agreement or co-operative scheme, whilst exempting himself. Or as Gerald Dworkin has put it nicely: 'One is free-riding by getting benefits without assuming the corresponding sacrifices.' 'Non-Neutral Principles', in Norman Daniels, ed., *Reading Rawls* (New York: Basic Books, 1975). For a well known discussion of free-riders and what they owe (or do not owe) to co-operators, see Robert Nozick's objection to Hart, Rawls and the principle of fairness in *Anarchy, State, and Utopia* (London: Blackwell Books, 1992); p. 92.

[10] 'Role Obligations', p. 346.

relationships: it would seem impossible to do so without declaring oneself *free* of such obligations (indeed that is usually or very often the point of denunciation). The familiarity of at least some non-contractual role obligations shows that not all role-obligations can be plausibly conceived as contractual. Thus it is not the case that role obligations can always be traced back to a contractual or promissory obligation under which the role occupier has placed themselves.

However, the reciprocity explanation of role-obligations is not so easily dealt with by reference to such counterexamples. Role-obligations that we accept or endorse could be binding because of some more general obligation we have to cooperate in mutually beneficial schemes, and this would not depend on any contractual agreement of the kind we have just discussed. For example, a person's obligation to do what is expected of them in their role as sibling or citizen could be explained in terms of the distinct benefits they receive by virtue of their doing so. On this account, the obligation to continue fulfilling the role is the generally applicable one incurred by anyone taking part in the mutually beneficial practice or institution – which in this case is the family or the State – and not from *particular* roles described by that practice or institution. This would also allow the proviso that when such benefits are withheld or negated by other parties (by dysfunctional or abusive families or by despotic political regimes, for example), the person is no longer under such an obligation.

However, whether or not these contractual or reciprocity accounts of general obligations are defensible or plausible as accounts of many of our *general* obligations, both fail to get at the crucial point about the *particular* obligations and demands of roles. That is, the actions of signing a contract or taking benefits from a cooperative scheme may oblige a person to fulfil that contract or cooperate properly in the scheme: but these actions themselves say nothing about what the details of the contract are or what proper cooperation would amount to. That is, whether or not there is some second order obligations to comply with the obligations of roles we have agreed to, adopted or endorsed, or from which we benefit, the *specific*

obligations of roles are in no way *determined* by these second order obligations. The fire-fighter, like any agent or citizen in any role, may be bound by a contract or principle of reciprocity to fulfil the role they have adopted or from which they benefit, but these binds are altogether separate from the particular obligations *of* that role. To identify some general obligation to adhere to particular role obligations is not to subsume the particular under the general, nor does it render the two kinds of obligation indistinguishable.[11]

Now, if the particular normative demands and obligations of roles cannot be reduced to or understood purely in terms of more general obligations, then how *do* we understand them? Much of Hardimon's discussion, and responses to it, concern the conditions under which we can be said to adopt or 'identify with' a role and so be legitimately bound by its obligations, rather than the substantive obligations of particular roles.[12] But for our purposes we can first accept that agents do adopt or endorse a range of social roles, and then concern ourselves with this question of what *determines* the content of social roles. What *should* the obligations and demands of a certain role be, and why? And how does the role-occupier, more specifically the virtuous role-occupier, infer and act upon these obligations and demands?

We have stressed that roles are socially determined, and we can now see that the norms and expectations of these roles are determined by social *institutions*. Suppose someone were to make a judgment about the appropriateness or otherwise of a colleague's marital infidelity along the lines of – "what sort of swine gets married only to carry on like that?" or similar. This would be a judgment about something that a spouse should or should not do. The point here is not about the correctness of the judgment or its appropriateness to a particular person or situation, but what the judgment is *about*. It concerns not merely the individual and their actions but also the behavioural expectations and obligations that go with the *role* of spouse as

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[11] See Hardimon on Rawls's principle of fairness in this connection. 'Role Obligations', p. 335.

[12] For discussion see A. John Simmons, 'External Justifications and Institutional Roles', in *Justification and Legitimacy* (New York: Cambridge University Press, 1996); and Stefan Sciaffara, 'Identification, Meaning, and the Normativity of Social Roles', forthcoming in *European Journal of Philosophy*.

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determined by the socio-legal institution of marriage, and, in this case, how these norms are perceived as being violated. (We may, of course, argue about whether the institution of marriage itself is worth preserving and respecting in some form or other, or at all: but more on this later.)

Examples such as this indicate the way in which some ethical judgments make important, perhaps essential, reference to roles. Before looking in more detail at role-ethics in the next section, there are three main points to be drawn from the discussion of roles and role obligations so far. Firstly, roles are, necessarily, occupied by individuals but have a normative quality that is determined socially. In this way, they can pre-exist and survive particular individuals. Secondly, the particular normative constraints of roles are not always easily reducible to, or subsumed under, more general moral principles that apply to all agents as obligations and agreements or duties of reciprocity. Thirdly, it is social institutions that determine the substantive and particular role-obligations.

3:3 Why Role -Ethics?

Consider that we standardly take different moral attitudes towards actions under different descriptions. The barely described action of 'killing another human being', for example, takes on a variety of these different dimensions, and so is viewed in different ways, when the action is properly described so as to account for the relevant circumstantial features: for example whether the action was one of self defence or the protection of another person, or one of revenge, or unprovoked, or an accident, or whether committed under conditions of diminished responsibility or was simply an act of wanton savagery, and so on.

Now, the basic claim in favour of the essential place of roles in ethics is this: a key aspect of an adequate description of many such moral actions is the relevant role that the actor occupies. This is so in two ways. Firstly, we face certain moral decisions the resolution of which might affect the lives of certain other people and are morally pressing *because* we are in the role of, say, a soldier, emergency rescue worker or a

medical practitioner. People in these roles face these sorts of role-specific quandaries by virtue of these roles. Accordingly, agents who do not play these roles may not ever have to face those kinds of decisions.

Secondly then, an action ('barely described') carried out by an agent in one role may be worse or better than the same action carried out in the capacity of some other role, depending on what each role-occupier is expected to do *in* each role. This is particularly salient for virtue ethics, when we recall from Chapter One the moral importance, in that account, of the way in which an action is carried out. In their occupation as a medical practitioner, an agent deals with patients and clients. As such, she is *supposed* to act with a high level of discretion, sensitivity and confidentiality: for them to act this way *qua* medic would, in normal professional circumstances, be for them to act rightly, as a good medic. By contrast, precisely opposite demands are placed on the agent occupying the role of police detective when interrogating suspects: so different, in fact, that it may be fair to say that the detective who maintains confidentiality and acts discretely and sensitively when interrogating a suspect acts wrongly, as in 'not as she should', with reference to that role. And each professional role-occupier is expected not only to carry out certain actions but also to *behave* in a certain way according to their respective circumstances. In interrogation, a certain level of assertive behaviour, bluntness and even bringing about psychological discomfort– within certain boundaries – is appropriate to the *role* of police interrogator. (This is not of course to say that this is the whole police 'persona'. A good police officer would be able to act generally politely and particularly sympathetically, say, towards victims of crime and bereaved members of the public. But the way he deals with suspects is a role-specific requirement.) Yet this forthright demeanour and conduct would be wholly unacceptable for a medic in any of their professional circumstances – or so we would reasonably assume.

The ethical demands and norms of social roles, then, make ineliminable reference to those roles, and not just the situation in which each agent finds herself. The demands of non-confidentiality in the police officer case can be construed as stemming from

the demands of effective interrogation and detective work, and that the opposite demands in the medical case stem from the demands of patient-care. Each of these very different situations and tasks, and the ways in which they are best handled, is role-specific. Returning to the first version of the reductive objection to role-distinctness, it is not just that medics happen to deal with the sick, injured, or infirm more than most other agents, with the result that they need to respond in the right way more often. Rather, it is that right action here, in this situation, is that of the professional medic in that role-domain, and the standard of their good conduct, of the medic's doing well what they should, is similarly role governed.

The pertinence of roles in ethical judgments, and hence the scope of role ethics, becomes clearer when we once again consider that, very often, many roles are occupied by the same agent. Suppose that two professional colleagues are each given an exciting and lucrative opportunity to emigrate and settle in a career on the other side of the world, and the requisite citizenship is strictly open only to those individuals: i.e. neither colleague is permitted to take anyone with them. One of them, to return to the parent example, is a functioning parent (a primary carer for young children),[13] and the other is not. Whatever else the non-parent has to consider, she does not have to think about the effects on children for which she is directly responsible, as there are no such children. Hence whatever other pairs of considerations there may be for and against emigration, a *parental* dilemma of this kind is not among them. Moreover, the decision that the non-parent must make may not, other things considered, be an ethical matter at all but the parent, by contrast, faces a decision that is ethical *by virtue* of a certain role s/he occupies. Whatever she decides to do, the fact that she will or will not leave behind dependent children makes the decision a moral one and thereby becomes a salient moral issue in the decision.

From this example there are, then, distinctly *parental* ethical concerns that the role of parent brings with it. A similar level of specificity applies to certain professional

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[13] The rather unflattering term 'functioning parent' is meant only to denote the role of nurturer and at the same time rule out any presupposition of biological relationship. I.e. the 'functioning parent' here is a primary child care provider who is necessarily not absent but not necessarily a biological parent.

roles, social and community workers, carers, or public officials for example. When persons *qua* parents, siblings, lawyers, town-planners or club members decide among role relevant actions – ones relating to their children; their siblings; their cases and clients; the natural wilderness through which they are considering charting a motorway; or their club-mates – these roles count in the process of deciding which actions they should or should not take. As well as presenting specific moral questions, the role or roles of the agent are sometimes an ineliminable factor in weighing up how to answer them. Roles figure in our moral lives by presenting some of the decisions we face and by demanding that we face them in a certain way. These considerations provide reasons to do role ethics in some sense, but what would an adequate role ethics look like, and how should it sit with a more general approach to *Ethics*?

The Role Ethics 'Dilemma'

We have acknowledged both the ethical importance and the multiplicity of social roles, which may appear to raise the following problem, posed by Rebecca Walker and Phillip Ivanhoe in the form of a dilemma:

> Either Role ethical requirements conflict with general moral requirements or they do not. If they do conflict, then we are stuck with deep moral dilemmas in which actors are torn between their ethical duties in their identified roles (as soldiers, teachers, lawyers, physicians, mothers etc.) and their ethical requirements as human beings. If they do not conflict, then there is no distinctive ethical arena for roles – all ethical responses are merely those of the good human being. In this case, either roles are so watered down that the distinctive institutional goals which they serve are construed merely in terms of the general human good, or any distinctive institutional goals and corresponding roles are considered to be outside the arena of morality.[14]

The supposed problem presented in this passage rests on the claim in its first sentence, namely that role demands either do or do not conflict with 'ordinary

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[14]Rebecca L. Walker and Philip J. Ivanhoe 'Editors' introduction', in *Working Virtue* (Oxford: Oxford University Press, 2007), p. 26.

morality'. I now want to argue that this alleged dilemma stands on an unwarranted assumption that role demands are *independent* of 'ordinary morality' or our 'ethical requirements as human beings', whereas they can in fact be better understood as *constituting* such morality and requirements. The ethical demands of roles may well present us with many moral conflicts or dilemmas, but on the view we will consider, such conflicts are not with but with*in* ethics. When understood correctly, role generated moral conflicts are the very stuff of morality and role-requirements just *are* our ethical requirements as human beings. By the same token, the ethical demands of roles cannot coherently be conceived as standing outside of the bigger picture of ethics, nor 'watered down' so as not to provide distinct obligations and norms. Having argued for a constitutive kind of role-ethics that denies this dilemma, we will go on to look at how virtue ethics should be especially suited to, or more strongly *is*, a kind of role-ethics.

There seems, on the strength of developments in modern philosophical ethics, a plausible case for accepting the dilemmatic view. Accompanying the growing philosophical literature in applied ethics has been an increasing interest in the ethical questions specific to areas of conduct described by roles, such that in this sense, 'role ethics' is already a serious position in contemporary moral philosophy. In areas of professional ethics such as business, medicine, or education, the term 'ethics' is being applied to a particular practice that defines a certain role. Medical ethics, for example, concerns the limits of what it is permissible for medical practitioners to do, what they are obliged to do and what they cannot do in a range of circumstances *qua* medical practitioners. A basic worry with 'role ethics' construed this way, captured by Walker and Ivanhoe's dilemma, is that it implies an independent status for each named field of ethics: i.e. that conduct within a certain role-governed area is somehow governed by a set of moral criteria that stands apart from a more general conception of ethics. This is expressed in the first horn of that dilemma, on which general morality and role-ethics conflict. It is also expressed in the second disjunct of its second horn, on which there is no conflict because role-demands are not the concern of ethics, being 'outside the arena of morality'.

Yet whilst the demands and obligations of social roles are, as we have said, ineliminable in addressing role-specific ethical questions, this does not deny the possibility of addressing them via a general theory or approach to ethics. And to do this would not be the same thing as, nor would it entail, denying that roles carry special duties and responsibilities in the way we have seen. This is perfectly consistent with role norms and obligations being a source of moral conflict, and this indicates the erroneous misconstrual of the conflict as being between role demands and 'wider morality'.

Suppose for example we were to look in on a court hearing that involved a defendant whose medical records might provide evidence of his guilt or innocence. Of course, the defence lawyer has a special role responsibility to look after his client's best interests whereas, by contrast, the jurors have a role responsibility to avoid favouring any one party's interest and be as impartial as possible. And a defendant's doctor – called as a witness, let us say – has to consider patient confidentiality as a very stringent constraint on what he should or should not divulge, whereas no such constraint would apply if he were to appear as a lay witness in a non-professional capacity.[15] Now, this is a case in which different roles provide distinct obligations and norms for each role occupier. It may also be, as with the doctor who feels the force of a consideration in favour of divulging information, contrary to his professional oath, a case of *internal* moral conflict between a role occupier's own convictions, reasons for action and various obligations. Yet why does the possibility of this kind of conflict give us any reason to suppose that role-considerations either fly in the face of or transcend 'ordinary morality', any more than other competing moral obligations or reasons for action mean a conflict with the moral framework in which they figure? Moral evaluations of actions, given competing moral reasons in favour and against them, are difficult. But there is no reason to suppose that role-obligations and demands are apt to present a special kind of conflict with a general morality.

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[15] See Benjamin Freedman, 'A Meta Ethics For Professional Morality', *Ethics* 89 (1978) pp. 1-19.

The mistake, then, is to suppose that the specific ethical requirements of roles suggest their independence from *ethics*. If we consider social roles as sources of obligations in our lives, many of which figure in moral evaluations and assessments, then we can see that the conflict just outlined is one of competing moral demands, not one between a set of role demands on one hand and morality on the other. We can accept the normative dimension and specific ethical requirements of roles, whilst allowing that role-related moral obligations and considerations be assimilated constitutively into ethics.

Bradley on Roles

How, then, might we better understand roles in this 'constitutive' sense? A notable exponent of this view was the 'British Hegelian' F.H. Bradley.[16] The basis of Bradley's argument is a reaction to the notion of the universalisability of the moral law and the good will underlying Kant's moral philosophy. For Kant, our moral duties are imperatives that we can ascertain from the formula of the universal law by virtue of our status as rational agents. For Bradley however, like Hegel before him[17], this Kantian conception was of an 'empty' moral will. 'Empty' in the sense of being intangible in terms of the actual duties it provides, and of its being founded on an impossible abstraction away from the concrete properties of individuals and the concerns of ethics, namely the individual actualized, made real, in the social world of ethical life. Now, the part of Bradley's critique most relevant for our purposes goes beyond the observation that our roles provide us with certain obligations, and says one's social role – considered as one of many in the social whole – is at the very least necessary for us to have intelligible moral duties at all. His point here is that if we attempt to focus on the moral agent as an 'individual' person – where that means that we subtract away the particularities of their social relationships, community, state, language etc. – we are left not with an individual that shares something with all others

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[16] F.H Bradley, 'My Station and its Duties', in *Ethical Studies* (Oxford: Oxford University Press, 1927).
[17] G.W.F. Hegel, *Elements of the Philosophy of Right*, H.B. Nisbet trans., Allen W. Wood, ed. (Cambridge: Cambridge University Press, 2004).

(the capacity to formulate and act on the moral law, Kant would say). Rather, says Bradley, we would be left with the opposite – a thing that is not a 'person' or a moral agent at all. 'If we suppose the world of relations, in which he was born and bred, never to have been, then we suppose the very essence of him not to be'.[18] Accordingly, one's sense of duty, and oneself as a 'universal' agent that recognizes oneself as part of a social whole – and without such recognition there is no 'ethics' – is only actualized by virtue of one's place in a social whole. The place of social roles in Bradley's account of ethical life is not merely considerable, but essential and basic.

> What we mean to say [of an Englishman] is that he is what he is because he is a born and educated social being, and a member of an individual social organism; that if you make an abstraction of all this, which is the same as him and in others, what you have left is not an Englishman nor a man, but some I know not what residuum, which has never existed by itself, and does not so exist.[19]

Bradley's appeal to one's 'station' in life as the source of moral duties could, and has been, construed as highly conservative, authoritarian and anti-liberal. This may be one reason for the lack of attention to wider 'role ethics' (or at least to Hegelian/Bradleyan versions).[20] But notwithstanding the Victorian flavour of one's 'station and its duties'[21], and whatever we may think of Bradley's metaphysical claim about the constitution of the self (as I do not pursue a full scale reconstruction or defence of Bradley, I leave this to one side), it is worth considering what Bradley says about roles in relation to ethical life, particularly with respect to virtue ethics' focus on agents and moral character within in the context of modern societies in which agents typically occupy many roles.

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[18] Ibid., p.166.
[19] Ibid.
[20] Certainly Bradley's argument for the social constitution of 'men' subverts the Kantian and neo-Kantian conception of the moral agent which has in turn grounded a strong vein of liberal thinking. For a conspicuous modern example, consider Rawls's parties in the original position who, in deciding on the principles of justice, are divested of the presuppositions that Bradley *starts* with. I.e. they know that there are social roles and positions, but they must not know which they will occupy in order to formulate these general principles.
[21] With respect to such connotations we might think of what is sometimes ascribed as a caricature motto of the British Empire 'A place for everyone and everyone in their place!'

Bradley's interesting sociological and metaethical claim is, in a nutshell, that however general one's principles or approach to ethical life may be, it is in and through many of these social roles that such a life is actually lived. The notion of roles as a significant feature of ethical life seems especially relevant in the modern context of advanced societies in which agents occupy many roles. From Bradley's argument and the way in which roles are both multiple and ethically considerable, we can defend the claim that roles are significant in giving substantive content to ethical life in a way that does not 'ring fence' each role as marking out an independent system of ethics that is in and of itself.

Whatever general ethical conclusions we may reach or fail to reach, role-demands are integral to the way in which we do and think about ethics. Consider once again Hardimon's argument that to think of certain roles without their obligations would be 'incoherent'.[22] If many of the roles we occupy are a source of norms and obligations in the way we have seen, then a conception of living ethically – of coming to understand how we should live and act in a social world – would also seem, if not conceptually incoherent, at least a confusingly unfamiliar picture of how we could come to live that life. It may of course be possible to conceive a social world without social roles and their demands, in which people act morally. And a thought experiment along such lines could, for example, be appropriate in formulating or supporting some more general moral principles. But this does not imply that we could actually grasp and act upon such principles, and develop as social and moral agents without the vehicle of many of our social role-obligations and norms.

To emphasise the special sense in which social roles are part of our moral lives, we can now see that social roles are often the *source* of moral decisions and actions themselves, as well as being urgent and morally considerable features of certain decisions and actions. That is, in a range of important cases, it is not just that there is some morally difficult or dilemmatic situation where some agent also has extra role obligations to consider in addressing that situation. The captain of a stricken ship

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[22] Hardimon, 'Role Obligations', p. 346, and section 3:2, above.

finds himself in the same terrible situation as all the ship's passengers, but it is not merely that she also happens to have the additional moral responsibility of deciding who does and does not get the limited emergency services. True, it is the captaincy role that makes this particular situation a moral one for this individual, but it is also only *through* this role that the individual *qua* captain understands and acts upon the moral urgency of their situation.

The significance of roles in this respect is further underlined by the moral development of agents. When we learn that some of our actions are apt for praise and others apt for blame and admonishment, we do so within contexts which presuppose a social setting and certain social roles. Behavioural norms are often explained to us in social terms such as "*we* do (or don't do) such-and-such". They tend also to be imparted by pedagogic figures of institutions such as the family or school, or by adults in other pastoral and care roles. Hence one important way in which we come to feel the constraints of morality is *through* understanding our roles within the scheme of things as children. But arguably, our moral development also typically continues to maturity along role-specific, or at least role-related, lines. At least in modern societies it is difficult to imagine someone forming beliefs that they should, for example, work hard at school, gain some sort of a living upon leaving school, strive to be honest in their dealings with others and loyal to friends, not steal etc. absent the belief that they *are* a citizen, a friend, a family member, taxpayer and user of public services, neighbour, and so on. The practical incoherence of entirely role-free ethics suggested in the preceding paragraph can be captured by suggesting that we could not reach such moral standpoints were we disconnected from these roles and scenarios. Of course we expect people to come to realise that the 'sphere' of morality is larger than their school or college, family, workplace or neighbourhood. Perhaps they will come to believe that there are human rights, or objective facts about what is right and wrong that obtain independently of any of their own particular situations, relationships and roles. But, and again pertinent to virtue ethics, these situations and roles play a part in the formation of moral character that pre-figures the broader moral outlook that follows.

I have argued that the dichotomy between role-ethics and general morality is mistaken. I have also said that social roles are especially significant in our ethical lives (though this does not entail a commitment to *all* of ethics being explicable in role-terms, a point to which we will return). Our various role requirements are not in conflict with 'ordinary morality' though they may, like other moral considerations, be a source of conflict. To recapitulate, the moral conflicts and quandaries of social roles can be correctly understood as occurring within morality rather than against it. This favours the Bradleyian position that role-demands are a genuine part of ethical life. Role-demands are both the materials and the vehicle of ordinary moral decision making, evaluation and action.

This has been a general and largely positive defence of role ethics. Before moving to the question of virtue ethics and social roles in the final section, I next raise some other objections to and implications for role ethics, some of which we will deal with and some of which we will set aside till later.

3:4 Further Objections and Implications

Earlier, following Dahrendorf, we discussed the way in which social roles were 'predetermined' socially, and I briefly attempted to allay fears that Dahlendorf's thesis was a recommendation of individuals' subservience to the demands of social roles that pre-exist and survive those individuals. For, that there is such a set of expectations that are hard to prise apart from the role does not imply the role's being glued to any individual who occupies it.[23]

One might still object, however, that the distinctness thesis suggests a conception of individuals and roles that we would do well to shake off. Even if we acknowledge that roles are as they are, why does this give us a reason to accept that they should be this way, or that we should assent to role demands? With the help of Dahrendorf, Hardimon, Bradley et al, I might have said something plausible about how roles

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[23] See Williams, 'Goodness and roles', in *Morality*.

actually relate to ethical life, but that might not itself give moral philosophers a decisive reason to embrace role-ethics as a prescriptive doctrine. And, the objection runs, it is undesirable, perhaps wrong or bad, to think that individual agents do not have complete control over what the demands and expectations of their social roles are. (Think of examples of role-obedience from social science fiction such as *The Stepford Wives*.) [24]

As has already been said, the social and super-individual quality of role-demands does not imply that individuals are hostages to role-occupancy. But also, the content of social roles is not so rigid that role occupiers cannot and should not change or destroy certain roles. In fact, this can serve as a premise in arguments for political and social change by popular action. Programmes of resistance to and modification of social roles presuppose that these roles *are* socially given in a way that goes beyond individuals' choices. What has at various times in history been expected of women in many societies or black people under apartheid regimes has altered or disappeared largely because of the reactions of the individuals affected (though usually in a concerted effort) such that these roles have since been modified or eradicated. That domestic drudgery is in many societies an expectation that tends to be associated with the role of mother and less so with father, and the assumption that such expectations can be changed or obviated, figures this way in feminist arguments, for example. That is, the ways in which gender role-expectations serve as a fetter to justice and equality motivates such arguments, and the practical resistance they argue for assumes that the unjust state of affairs can be overturned. And in these cases it was exactly these externally defined role-expectations from which these people felt alienated and which justifiably gave rise to their discontent and subsequent actions of resistance. A corollary of this recognition is that the right or best thing to do in the capacity of some roles might well consist in attempting to change, obviate or replace that role. Doing so may take a hard and socially orchestrated effort over time, sometimes by generations of role-bearers. But the point remains, and is underlined by this

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[24] Ira Levin's novel in which a neighbourhood association of professional men successfully conspire to transform their wives into part-robotic, subservient, willing and agelessly nubile slaves.

recognition, that in these situations whatever was true of the role in question was, at the time, something that was true of society, its social relations and its political structure. And this is importantly different from the way in which, for example, a particular individual's tastes in music could be said to be true of *him*. As Samuel Scheffler points out:

> For better or worse, the influence on our personal histories of unchosen social relations-to parents and siblings, families and communities, nations and peoples-is not something that we determine by ourselves. Whether we like it or not, such relations help to define the contours of our lives, and influence the ways that we are seen both by ourselves and by others. Even those who sever or repudiate such ties insofar as it is possible to do so-can never escape their influence or deprive them of all significance, for to have repudiated a personal tie is not the same as never having had it, and one does not nullify social bonds by rejecting them. One is, in other words, forever the person who has rejected or repudiated those bonds; one cannot make oneself into a person who lacked them from the outset.[25]

Now, what this allows us to see is that role ethics does not, and could not, deny the phenomenon of 'bad roles' or their social significance. That is to say that a serious *ethics* of roles cannot be committed to acquiescing to social roles however or whatever they happen to be. In fact, the recognition of the corrupting power of *bad* roles follows from accepting the significant influence of roles, and this should be part and parcel of a role-ethics. And Scheffler's point, that however much we might wish otherwise, we don't easily make the sometimes pervasive *influence* of social roles go away by rejecting or disapproving of them, can be one of many good reasons for *rejecting* and dismantling some social roles. For extreme examples from history, the roles of slave-master or member of the Hitler youth, for example, were bad ones, where to fulfil the role 'well', as in do what the role demands, was to perpetuate an evil or an injustice.[26]

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[25] 'Relationships and Responsibilities', *Philosophy and Public Affairs* 26 (1997), pp. 189-209, p. 204.
[26] See Alasdair MacIntyre, 'Social Structures and Their Threat to Moral Agency' in *Ethics and Politics* (Cambridge: Cambridge University Press, 2006).

There are of course social roles that are generally accepted as worth occupying, and which guide one's conduct in a way that is at least conducive to good conduct (and virtue) and is not, or at least should not be, inimical to right conduct and virtue. Social roles we might casually refer to as 'worth occupying' are ones which we have no good reason to reject outright, unlike the extreme examples mentioned in the last paragraph. Furthermore some social roles, or perhaps their ideal versions, may be seen not only as conducive to right conduct but also as morally *good* roles: examples may include those of parenthood or professions such as medicine, where the activity that describes the role also describes acting to promote the development and well-being of children or the goals of health. Hence the project of role-ethics is not thwarted by the ominous possibilities and historical actuality of evil roles, any more than the project of ethics in general is thwarted by evil people.

Earlier in this chapter we considered and responded to some 'reductive' objections. This kind of objection claims that role-obligations are in fact instances of, or are entailed by, more general obligations. Conversely, a different kind of criticism complains that roles and their obligations do not exhaustively describe the whole of morality, and that as a result role-ethics is a false or inadequate doctrine. But just as role-obligations do not reduce to more general obligations, the significance of role-ethics, as I hope to have argued, does not depend on role-obligations *describing* all of our moral duties either. Thus the objection – basically that role-ethics fails because role obligations are not the whole of Ethics – misses the mark. To clarify this point, we will turn once more to Hardimon.

Hardimon discusses and denies a version of this objection in the form of what he calls 'the doctrine of perfect adequacy' about social roles. This idea, one that according to Hardimon has been falsely attributed to both Hegel and Bradley, says firstly that all of our moral obligations are role obligations; and secondly that these roles are 'transparent'.[27] The first 'comprehensiveness' claim is made in one of two ways: either by saying that *all* our obligations reduce to some or other role, or that

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[27] Hardimon, 'Role Obligations', pp. 338-40.

social roles are 'constructed in such a way that in fulfilling the obligations attaching to them, [individuals] will fulfil their other, independently specified duties as well'.[28] The claim of transparency says that all our role obligations are visible to role-bearers. Whether or not this two-part doctrine would descriptively ring true of moral life under any actual social conditions, each of its claims should be ditched as a serious account of actual role obligations in modernity. As to the comprehensiveness claim, and consistently with what I have said so far about roles and ethics, there may be some things that no moral agent should ever do and some things they should do whenever possible, where the considerations of none of their roles would decisively dictate otherwise.

Turning now to the 'transparency' claim – that we can clearly see all our roles and what they demand of us – its implausibility is once again underlined by the sheer variety and changing nature of many roles in modern life, and the accompanying murkiness of what may have previously been transparent in some role or other. As we have noted, these kinds of details need not be this clear-cut in order for us to understand some of the demands of a social role. People who perfectly well understand that the role of parenthood is to care for and nurture children can also strongly disagree about, for example, whether that role is best fulfilled by pursuing a provident and lucrative career or sacrificing it – and therefore at least some of the lucre – for the sake of spending more time with the children. Precisely what some other role obligations do or do not require, such as the obligations of adults to their ageing parents, may be disputed, and the difficulties of discerning precisely which obligations attach to which roles and which should take precedent over others, underlines this complexity further: the trouble is determining and justifying the actual particular obligations and norms of a role. This of course gives us no reason to deny the normative force and importance of role obligations, but it does indicate that the task of an adequate role ethics is to come up with some way of determining the demands of roles, as we saw at the end of section two above. This is so even if full 'transparency' is neither realistic nor required for such an ethics.

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[28] Ibid., p. 338

3:5 Roles and Virtue Ethics

I end by considering ways in which role-ethics, i.e. an approach to ethics that takes social roles as an integral part of our ethical lives, bears an affinity with virtue ethics as described in chapter one. We look further at this affinity in the next chapter, with some extant contemporary approaches to the question of virtues and roles.

We have seen that a feature of the virtue ethical approach is that it deals with moral evaluation of action in a way that does not reduce to principles that are abstracted from the concerns of actual agents. That it resists e.g. Kantian or consequentialist attempts to abstract the detail of ethical action away from such agents in concrete situations, is what some friends of virtue ethics have found attractive. Similarly, role ethics resists abstracting the ethical demands of roles away from actual role occupiers in the detail of role-indexed concerns and obligations.

Accordingly, one way in which an ethics of roles and virtue ethics lend themselves to each other is their particularity of judgment and evaluation. This does not mean that either a role ethics or virtue ethics cannot hold that certain actions are always prohibited. But the virtue ethical conception of virtuous action, as we saw in chapter one, has a conception of right and virtuous action that is rooted in situational sensitivity. For what counts as virtuous action can, and does vary according to the circumstances of an action. Similarly, a role ethics, as we have characterized it, considers the reasons for or against, the normative demands of an acting agent's social role or roles. From the perspective of role ethics, we weigh up an agent's or agents' action(s) and, crucially, take account of the normative claims of the relevant role(s). This requires consideration of what a given agent is supposed to do in this situation in one or another *role*. One could be in a situation in which one's role made all the difference as to how one should act, i.e. one could be in virtually the same circumstances, but not required to act the same way if what differed about those circumstances was the role in which one was acting.

Notice that the particularity and situational sensitivity which virtue ethics and role-ethics have in common is, importantly, a lot to do with agents in both cases. A conception of ethics that pays attention to particular features of actions need not be an ethics whose starting point is agents, and whose judgments of actions stems from considerations about agents. But if we include roles and role-demands as the basis of judgments and evaluations of agents' actions, then we make particular agent-focussed judgments. 'I (or some other agent) acted rightly or wrongly *qua* parent, sibling, magistrate, pedagogue' – and so on. The features we focus on here are those of a relevant role that the agent herself occupies. Hence the situational particularity of virtue ethics and role-ethics is also agent-focussed in both cases. The features of actions in both cases, virtues and roles, are features that concern the persons acting.

These aspects of Role-ethics and virtue ethics might more closely converge if we consider the way in which a role provides certain behavioural expectations: norms of 'how' one acts as well as what one does. We might say that the behavioural norms of conduct that attach to roles describe an 'ethos' of whichever activity or function the title describes. Consistent with the points just made about personal particularity, the ethos of a role seems to refer not only to actions that should or should not be carried out in a role, but also to a set of attitudes, characteristics and habits that a role occupier should adopt in order to play a role *well*. It is this feature of a role ethics to which virtue ethics bears a strong similarity and suitability. I now say a bit more about what this might mean in terms of virtuous action being sensitive to action in a certain *role*.

A distinguishing feature of what constitutes right/wrong action on any virtue ethical account is that an action involves essential reference to the reasons, motivation and disposition of the acting agent in relation to their action. To act well is not just to ape the actions of the virtuous but also to act for the right reasons, from the right motivation and with the appropriate feelings not only towards those affected by the action, but also towards the action itself. Recall that central to the Aristotelian and neo-Aristotelian account of right action, is the strata of action on which an agent can

do 'what is virtuous' ('what is just' or 'what is generous' etc.), but fail to act virtuous*ly* by acting 'continently' (*enkrateia*). To act this way is to do what one should: to 'do' – in the narrower sense – what the virtuous agent would, but without 'acting' – in the broader sense – in the way the virtuous agent would act.

Now let us bring this to a role-scenario by using the example of the parent role. Right, or at least fully virtuous, action will stem from the proper concern and emotions appropriate to being a parent who cares for their child. Hence the judgment or assessment of a *parental* action, one where the parent's relationship to the child is central, is rooted in what it is to be a good parent. To make this move from acting as one should, according to parental duties, to acting from virtue[29] relates to one's acting well in and from a role. For if a parent were to make this transition from fulfilling parental duties 'because they are parental duties' to doing them gladly (or at least not altogether grudgingly) as a parent, and to feeling kindly disposed towards those actions as a parent should, then as well as their actions changing status, they, the agent, move towards fulfilling the parental role in the right way, towards being a *good* parent. If we are to understand right (virtuous) role-action in this agent-specific way, then it would seem that the ethical demands of the relevant role should figure in the assessment in the same, or in a very similar, way. Putting the point differently, to help a child in need might be what *any* virtuous agent would do in similar circumstances. But in a case where an agent has no particular relationship to the child, virtue ethics would not assess this agent's action by reference to how a virtuous *parent* should act with respect to *their* child. To do so would be to appeal to irrelevant features of the situation and agent; to a role that this agent does not occupy.

So much for key roles such as the parent's, but from the point of view of virtue ethics, is the conception of a good role bearer key to all, many or few of our social roles? It might seem odd to suggest that any particular activity that describes a role, and its expectations and duties, is sufficient for the existence of role-specific conception of virtuous action. One's role as a player for and member of a cricket club

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[29] See Robert Audi, 'Acting From Virtue', *Mind* 104 (1995), pp. 449-471.

describes what one is 'supposed' to do in that capacity, and it may bring with it sport-specific norms of sporting conduct and etiquette. Yet we do not have a familiar sense of 'cricket-ethics', nor do we think the role of cricketer as one that would figure essentially in many if any morally difficult scenarios.[30] How polite and gracious a player is towards a winning arch-rival team may be very important for club and sport, but we may not see it as an *ethical* issue that can be considered apart from or in conflict with an agent's general conduct.

But notice that even this role embodies an *ethos* that is specific to conduct in that role. This sporting *ethos* may be highly pertinent when playing or representing one's club, such that in these capacities it is considerable in weighing what would be the virtuous action. Such an ethos might warrant a keen, tough and detached approach to playing the match that may, in other roles and social contexts, seem decidedly unfriendly, whilst *also* warranting a level of post-match hospitality that may in those other contexts and roles appear to be obsequious. So, whilst it may be that some less significant or transient social roles are not as pressing in our ethical lives as those of e.g. parent, they too *can* be morally considerable in assessment and evaluation of action. This is not only because of virtue ethics' appeal to the broader Aristotelian conception of ethical life as opposed to a narrow sphere of morality. It is also because, on a virtue ethics analysis, whether or not one is acting in some role can be pertinent to whether one acts well or badly in a role-relevant scenario. In weighing up whether or not it would, all things considered, be virtuous to attend an insufferable relation's wedding, the question would not be merely 'would it be benevolent to do so?', but 'would it be benevolent and sympathetic to do so in the familial role?' Essential to this question is what the virtuous agent *as* sibling-in-the-circumstances-of -a-family-who-would-be-hurt-were-he-not-to-attend: or something similar.

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[30] Note, however, that the 'ethics of sport', dealing with questions of e.g. the ideals of fair competition, professionalism versus amateurism, and the legitimacy of performances that are chemically or mechanically enhanced, is a growing area of applied ethics.

3:6 Conclusion

In this chapter we have explored the idea that social roles are distinctively normatively significant, and then moved to a preliminary defence of the place of these roles in ethics. More specifically we have rejected the notion that a role ethics need present conflicts with general or 'ordinary' morality; or that it need be understood in the narrower sense of an ethics that attaches to a particular activity or profession. Rather, the broader sense of 'role ethics' we have defended says that agents occupy and act from many roles which figure ineliminably in our ethical and social lives.

We then looked at how this broader conception of role ethics fits with the distinguishing features of virtue ethics. Working towards the first step of the virtue political project, this has been to claim that virtue ethics has a strong affinity with role-ethics, and set the stage for addressing the problem of role-indeterminacy, which we raised in this chapter and which we have said requires a solution in terms of institutions. The task of the next chapter is to clarify further this problem of role indeterminacy for virtue ethics, by examining some ways in which virtue ethicists have dealt with the subject of roles.

Chapter 4: Contemporary Virtue Ethics and Roles

4:1 Introduction

So far we have established what the political problems for virtue ethics are, and turned to the subject of social roles as a way of addressing them. In the previous chapter we concluded that there is a strong affinity between virtue ethics and role ethics, citing three related areas of common ground. Firstly, the notion of acting rightly or wrongly in a role relates specifically to the particular role-occupying agent and encompasses the relevant facts about their situation. Likewise, a feature of virtue ethics is its focus on the circumstances of particular actions, away from more abstract formulations that supposedly apply in the same way to any moral agent. Secondly then, as a procedure for assessing and guiding action, role ethics comes up with situation-specifically variable answers to practical questions of ethical action according to the demands of particular roles. And similarly, virtue ethics looks to the agent in a given set of circumstances in order to find out what acting virtuously here, in this scenario, would mean. Thirdly, the normative and ethical dimensions of social roles are not captured merely by reference to codified or formally specified duties of a role. Together, these considerations favour a virtue ethical take on role-ethics, and vice-versa.

The question which we turn to now is *how* virtue ethics should deal with role ethics (and vice-versa). That is, how virtue ethics' central conception of acting virtuously relates to acting as one should in a role. We might think that a person-specific ethics of the virtuous person is well placed to fulfil what we have identified as the crucial task of *determinacy* i.e. that of establishing and acting on the normative demands of particular roles. That is, the type of question 'what should the virtuous person *qua* teacher, parent, sibling, sports-club member, or whatever, best do in such-and-such circumstances?' seems apt for addressing in virtue ethical language, by reference to what the *good* teacher, parent, etc. would do in this situation. I want to show in this chapter that despite this affinity, different contemporary virtue ethical approaches to role ethics each presents, but fails to solve, a version of the determinacy problem.

Hence if a coherent role/virtue ethics serves as a key prop for a virtue ethical approach to politics, this discrepancy requires attention. The main task of this chapter is to set out this problem, so as to orient us towards the institutionally focused solution which we will formulate in succeeding chapters. In the next section I outline these problems, and in the rest of the chapter we examine them in more detail, using examples from three contemporary virtue ethical approaches to roles.

4:2 Roles: Over-Determinacy and Indeterminacy

In Chapter Three we rejected the idea that there stands a set of general ethical requirements for humans, *against which* stands the requirements of roles, thus dissolving Walker and Ivanhoe's alleged dilemma between the demands of roles and 'ordinary morality'. It is not that there is a set of ethical standards and an entirely separate or discrete set of, say, standards for parenthood. Rather, 'parent' is one of many social roles in and from which people *do* ethics – to put it somewhat bluntly. But on the other hand, we also argued that acting rightly in a particular role cannot be subsumed under the thin conception of the 'virtuous person' and how they would characteristically act. The demands of social roles, then, are *integral* to being a moral person; but at the same time they cannot be *reduced* to being a good, virtuous person.

When evaluating an action in some role, in response to this problem, it could be that the virtuous person evaluates the *role* itself in terms of what the 'good *parent, teacher, doctor* etc. etc.' should be like. Alternatively, the demands of roles could be taken as something already, as it were, *given* by role-descriptions themselves, such that the virtuous person has somehow to respond to these demands. We can call the first view 'externalism' about roles, as on that view the standards of a role are subject to assessment from a standpoint outside, independent from, the role itself. Correspondingly we can use 'internalism' to characterize the second and opposite view that the internal standards of a role are not themselves accountable to such independent evaluation.

In what follows, we will see that both the internalist and the externalist strategies face problems of determining or failing to determine what, in virtue ethical terms, acting rightly means in a role. The 'internalist' strategy accepts actual institutionally specified role obligations as *too* determinate: as binding duties that are somehow a given, and to which the virtuous person must respond. The main problem here is that internalism about roles fails to give a satisfactory virtue ethical account or justification of role obligations themselves: of *why* this or that action is obligatory, virtuous or best in a certain role. Now, by contrast the 'externalist' approach redresses this, by appealing to standards *beyond* the particularities of institutionally specified role-obligations. But in doing so, it *fails* to determine what the substantive demands of roles are or should be. Its weakness is *in*determinacy. So if, on one hand, we construe virtuous action as individuals adhering closely to whatever role-obligations are specified by institutions as they happen to be, we risk failing to do virtue ethics. If, on the other hand, we do virtue ethics in spite of, or instead of, these institutional constraints, we risk failing to determine which actions a particular role requires of us, and why.

Overleaf is a map of the problems of internalism and externalism we will explore, using the example of the professional lawyer's role.

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│ What is it to act as the│
│ virtuous person *qua* good│
│ lawyer?                 │
└────────────┬────────────┘
             │
    ┌────────┴───────────┐
    │ Cannot be answered │
    │ satisfactorily only by│
    │ reference to the   │
    │ 'virtuous person'. │
    └─┬────────────────┬─┘
      │                │
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┌─────────────────────────────────┐   ┌─────────────────────────────────┐
│ 'Internalism'.   │   │ 'Externalism'   │
│ Role-action itself *not* subject to│   │ Role-action *is* subject to independent│
│ role-independent evaluation: i.e.│   │ evaluation: i.e. standards and ideals│
│ only the standards internal to the│   │ external to the role as defined by legal│
│ role, as defined by legal   │   │ institutions, *can* determine good and│
│ institutions, determine conduct.│   │ right conduct *qua* lawyer.   │
└─────────────────────────────────┘   └─────────────────────────────────┘

┌─────────────────────────────────┐   ┌─────────────────────────────────┐
│ Problem: Over-Determinacy   │   │ Problem: Indeterminacy   │
│ Interprets role obligations (as they│   │ Appeals to abstract ideals that are│
│ happen to be specified by legal │   │ indeterminate, e.g. 'justice', and fails to│
│ institutions) as determinate, and│   │ account for the way in which role-│
│ so fails to offer a *virtue-ethical*│   │ demands are particularized, and │
│ account *of* the legal role, and│   │ determined, by institutions.   │
│ these institutions.   │   │   │
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The purpose of critically analysing the 'internalist' and 'externalist' approaches is to allow us to see clearly their difficulties and shortfalls. This will enable us to transcend these difficulties and fill these gaps by formulating a more promising, institutionally focused, alternative in the rest of the thesis. Hence the rest of this chapter is largely an exposition of what, from a virtue ethical perspective, is wrong with these views. To

do this, we take some examples from virtue ethical approaches to professional roles, starting with a version of what I have just called 'internalism'.

4:3 Virtue Ethical Approaches to Professional Roles

(i)Hursthouse on Lawyers' Dilemmas

In an article on the obligations of legal professionals,[1] Hursthouse sets up a problem of the adversarial legal system which may 'sometimes oblige [lawyers] to do immoral things'[2] in order to fulfil the stated obligations of their profession. As outlined by Hursthouse, these two obligations are 'the obligation to pursue, zealously, your client's interests (not just, for instance, the interests of the clients you morally approve of) and the obligation to respect your client's confidentiality'.[3] For example a defence lawyer might in some cases be obliged to maintain confidentiality even if this means withholding evidence that would be highly advantageous to the prosecution. Hursthouse allows that it is a good, or at least not bad, thing to adopt the role of the lawyer (the role is not itself inimical to virtue in civilised societies in which the law is necessary) and a lamentable fact about the role that it sometimes demands less than virtuous, or even apparently vicious, actions of the lawyer. Hence a good person can quite feasibly want to practise law well, but it appears that in order to do so they must somehow be prepared take the rough with the smooth – be prepared, regretfully, to do what appears bad – when doing so. The problem, then, is in determining whether this action is, or is not, what is demanded of the virtuous person occupying the lawyer's role. It would fulfil the relevant role obligation, yet how could it be to act virtuously if it involves being dishonest or callous? [4]

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[1] 'Two Ways of Doing the Right Thing', in Colin Farrelly and Lawrence B. Solum, eds., *Virtue Jurisprudence*, (Hampshire: Palgrave MacMillan, 2007). (References here are to author's manuscript). For another example of virtue ethical approach to law (more specifically the role of the legal judge) see Lawrence B. Solum 'Virtue Jurisprudence', *Metaphilosophy* 34 (2003), pp. 178-213.
[2] Hursthouse, 'Two Ways of Doing the Right Thing', p. 236 .
[3] Ibid.
[4] We have so far dealt mainly with examples of roles that are conducive or at least not inimical to good conduct (such as teacher) and with vicious roles which we have reason to reject (those of slavery, for example). But what of role-demands that are, on the face of it, not vicious or even praiseworthy but which nevertheless clash with certain deeply held *personal* beliefs of the role bearer? The British Prime Minister Gordon Brown recently (2008) said that Members of Parliament should be allowed to 'vote with their consciences' for or against am Embryology Bill to which the Roman Catholic Church

One strategy that Hursthouse attributes to Geoffrey G. Hazard Jr., and rejects, is that by correctly discharging the lawyer's specified obligations, the lawyer simply does not act immorally. The idea here seems to be that if one fulfils a role which it is, overall, right to fulfil and uphold, then actions that do so cannot involve wrongdoing. The 'rough' is not *truly* rough if the role is, by and large, 'smooth'. But this, Hursthouse rightly says, just stipulates *that* immoral actions are no longer 'immoral' when they are carried out in pursuit of the legal profession, rather than explaining *how* this transformation is supposed to take place. We might add that actions in these hard cases essentially evoke inherently *morally* problematic concepts of *deception* or *injustice*. Thus they do not merely obviously involve harms or bad states of affairs which, when properly considered under the correct description, might in fact be amoral or even good. They are not like that of, say, the dentist 'causing someone pain' with her drill: where her doing so to drain an abscess is not morally questionable but where doing so *as* an act of gratuitous torture clearly would be.

A different approach denies that lawyers really are obliged to do immoral things, by recasting the good lawyer's task as interpreting their specific obligations so as *not* to act immorally. On this account, which Hursthouse attributes to Anthony Kronman and David Luban, the good lawyer is one that does not simply defer to these obligations but interprets them in such a way that avoids wrongdoing. Hursthouse then questions whether such an approach is supposed to guide lawyers *never* to

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is opposed. That is, Catholic MPs should, if sufficiently committed to their faith and the decrees of the Vatican Council, vote against the proposal to allow this research. In an article in the *New Statesman* (April 10th, 2008) Mary Warnock rejects Brown's claim, arguing instead that the role of an MP is to represent their constituents, and that in doing so, MPs must put aside their personal religious affiliations in deciding how to vote.

Warnock questions the rightness or wrongness of an MP's action not in terms of which decision they make, but in terms of *how* they make it, more specifically which of their roles take precedent in making the decision. So on Warnock's account, a Roman Catholic MP should reach the decision to vote for *or* against the research bill on the basis of the proposed research's potential costs and benefits, i.e. whether or not the passing of the bill would be conducive with the interests of the general public. And if they do, then they would have acted well *qua* MP, unlike the MP qua 'Roman Catholic' who votes no on the basis of their religion. Interestingly, Warnock urges that as political *representatives* making such decisions 'it is the role of legislators to be consequentialists': but this assessment of their actions *qua* MPs seems equally conducive to a virtue ethics analysis. For it suggests that their 'action' in this role be assessed and evaluated in the broader Aristotelian sense that includes acting on certain reasons and deliberating in a certain way.

commit apparent wrongdoings that the obligations allow and require of them. If it is, then what would then remain of the lawyer's role? '[T]he problem [with this account] is not – 'How can these people count as doing the right thing or being admirable or good people?' but 'How can they count as *lawyers*''.

Faced with these two unsatisfactory ways of reconciling the demands of the lawyer's role with those of being a good, virtuous person, Hursthouse writes:

> It seems to me we must bite on the bullet of saying that lawyers, as lawyers will sometimes have to do immoral things and look for a way to make that a less awkward fact. We must try to find, as I said above, some way of explaining how it might be that a virtuous person – someone who is, for example, just, compassionate and honest – could, if a lawyer, do what is, at least *prima facie*, unjust, callous or dishonest[5]

Hursthouse's bullet-biting solution is to explain occurrences of unavoidable role-specific wrongdoing as instances of ethical dilemmas in which the 'right' thing to do – as in the *'correct'* thing to decide upon and carry out in these regrettable circumstances – may simply be impossible to construe as 'virtuous' and so should involve the 'moral remainder' of regret or remorse:

> *When* in accordance with their role obligations, they are forced to do something contrary to common morality or virtue, something that is not right 'without qualification', through no fault of their own, lawyers count as 'doing the right thing' *only* if they recognise their choice as one side of a serious dilemma and subsequently act (and react) in the way a virtuous agent would. When, and only when, they regularly 'do the right thing' in this broad sense of 'do' are they candidates for being virtuous people who merit our esteem.[6]

Assuming, for the sake of argument, that the role of lawyer is just one among many relevant examples of roles (and in the absence of any indication that the legal case is

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[5] 'Two Ways of Doing the Right Thing', p. 237.

[6] 'Ibid., p. 240. For Hursthouse on resolvable and tragic dilemmas, see also *On Virtue Ethics*, Chapters 2 and 3.

supposed to have unique problems in this respect, I think it fair to say that it is), it highlights the more general problem which I will highlight next. Hursthouse's bullet-biting approach, in sum, assumes the urgency and authority of role specific obligations, and asks that the good person who occupies the role *then* deal with these obligations in as virtuous way as possible. Hence Hursthouse's treatment of the lawyer's case advances a form of internalism about roles. The standards of the role are internal to those of law, and the virtuous person is subject to these standards when in that role.

In assessing this approach notice firstly that, consistent with the virtue ethical approach, Hursthouse does not simply *equate* adherence to the specified duties with right action, but urges that doing so may, regrettably, be the correct action in a grave dilemmatic situation. So, whereas a strict role-deontolgy on the lines of Hazard Jr.'s would claim that to fulfil the role-obligation is to act *rightly*, thus not inviting any dilemma, Hursthouse's approach says that it may sometimes be just what the lawyer is 'forced' regretfully to do. Hence role-requirements are, on this account, construed as *so* strongly determinate that they can oblige lawyer's to do things that cannot credibly be considered virtuous – or 'right without qualification', in Aristotelian parlance.

Yet whilst this strategy avoids implausibly deeming any action 'right' by virtue of its being obliged by a generally good role – thus not collapsing into a strict form of role-deontology – it so far fails to explain role requirements or obligations in virtue ethical terms, i.e. say *why* they should be followed. *When* and *why* is fulfilling or not fulfilling one's role obligations the correct thing to do? More particularly, this question can be put as that of *when* and *why* the option to fulfil it crops up as one side of a serious, unavoidable, dilemma for the virtuous person.

One answer could be that, *a priori* by virtue of what a lawyer 'does or is supposed to do, or 'what law is or is supposed to be', the virtuous person who understands that law is a good thing to practise would need sometimes to act deceptively or callously

in fulfilling the lawyer's role. But there seems nothing in the *concepts* of law, legal institutions or justice that would require its practitioners to act in these ways, and in any case this is not what Hursthouse is saying. For her case focuses specifically on the demands of a particular kind of system, claiming that the role-obligations specified by a particular legal *institution* or practice, rather than law itself, can form the correct resolution of a serious dilemma.

Alternatively then, we might say that, in an imperfect world, this role *contingently* obliges a morally problematic action. On this view, and in this case, the virtuous person characteristically understands the action as one horn of a serious dilemma when and only when it would be necessary to pursue the goals and sustain a generally good role. This would be to take the rough bits of a (mostly) smooth role as hard facts in a less than perfect world from which alas, sometimes, there will arise difficult moral conflicts: unavoidable or tragic conflicts from which 'one cannot emerge with their life unmarred'.[7] This is what Hursthouse seems to be claiming when she casts the lawyer's dilemma as arising through 'no fault of their own', and so we will pursue this line of enquiry next.

One such 'standard' case of a moral conflict or 'tragic dilemma' is that which is forced on agents by the evils of others: In William Styron's harrowing (and faithful to actual events) novel *Sophie's Choice*, for example, Sophie, a prisoner in a Nazi concentration camp is forced to choose which of her children is to be killed or else do nothing – in which case both will be killed. Another kind of dilemma is foisted upon agents through some other 'natural' evils, such as when in order to save anyone from death, a relief worker can only rescue one set of flood victims and let the other perish. Now, it might be argued that the lawyer's dilemma arises, for the good person *qua* lawyer, by virtue of similar kinds of contingencies beyond her control. The individual good person *qua* lawyer, after all, has not chosen, willed or perhaps even foreseen a scenario in which the only chance of successfully defending her client is through deception, though she has chosen her legal role in order to pursue law. And she did

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[7] Ibid., p.74.

not, after all, choose the dog-eat-dog culture that inevitably arises from such a system. Her particular conflict arises because firstly, law is required in a civilised society in which there are nevertheless criminals and, secondly, because the legal system in question is – as it happens – currently adversarial.

Yet as I see it, there is a crucial dissimilarity between the morally problematic obligations of a *role* and these other kinds of tragic or unavoidable dilemmas that the virtuous person faces, through no fault of their own, through the evils of others or natural disasters. Consider the 'standard' cases of moral dilemmas just exemplified. In understanding that these circumstances *are* tragic or dilemmatic, it is rightly presupposed that the evils of the Nazi regime and officers force the dilemma on Sophie, and that natural disasters are unavoidable and not subject to moral evaluation in any meaningful way. Thus when we find morally good persons facing such tragic or unavoidable dilemmas, it would make no sense to offer a solution by evaluating and censuring the *conditions* that forced us into the dilemma, by saying for example that the evil or terrible conditions should not be there or should be something other than evil or tragic. If they were absent, or something other than evil or terrible, then there would be no such forced dilemma to address. Now by contrast, social or professional roles, their institutions and their particular obligations are not tragic and unavoidable features of the world in quite the same way, as these roles and institutions that we endorse are surely *themselves* apt for ethical scrutiny. When faced with what seem to be morally difficult obligations of a role we endorse, it *does* make sense for the good person to ask *why* this obligation is as it is; what is it about the role or institution that might make it so, and in some cases even question whether it should *be* an obligation at all.

Hence, socially determined role obligations cannot simply be seen as the unavoidable and unfortunate cause of a serious dilemma for a virtuous person in just the same way as other standard conflicts and dilemmas. Now of course this is not to say that roles cannot give rise to conflicts and dilemmas. It may be that for an individual agent in a less than perfect world, their particular circumstances dictate that having to fulfil a

particular role and its demands is the correct resolution a serious dilemma, such as extreme situations in which a person takes on a certain role because the only alternative is abject poverty or worse. And in such circumstances, Hursthouse's way of construing these constraints might amount to good practical advice for an individual who is genuinely 'forced' into adopting a role or adhering to its demands. But in these cases the dilemma is forced upon an individual by circumstances that forced them to adopt the role, and not merely by the demands *of* the role. It is to say that, on a cogent role-based virtue ethics, an agent faced with problematic obligations of a generally good, worthwhile role cannot merely take their situation as an unavoidable or tragic dilemma by virtue of the role being a generally good one or their having adopted or endorsed it.

The mistake, then, of the 'internalist' strategy we have looked at is to view institutionally defined role obligations as more like contingencies of the world than human social phenomena; ones that moral agents shape and through which they live. (And for virtue ethics, or ethics *per se*, to avoid these phenomena is in my view both a glaring omission and a wasted opportunity – more of which later.) More particularly in Hursthouse's example it is to construe the actual obligations of the lawyer's *role* – whatever these might be – as if they were an unfortunate feature of the world that we sometimes have to deal with, whilst largely avoiding an ethical critique, still less a virtue ethical critique, of the role itself or its obligations. In this way, Hursthouse's case of the lawyer presents the problem of *over*-determinacy of institutional role-demands. For her account appears to interpret the lawyer's particular institutionally defined obligations as an unfortunate aspect of the role, such that they can be determined, *given*, as one side of a serious dilemma for the good person. But this fails to provide a virtue ethical explanation of why these particular obligations are themselves justified. It acquiesces to institutional particularities of roles, as *pre*determined, rather than getting at and assessing the obligations or the institution in anything like virtue ethical terms.

In closing the discussion of Hursthouse's account it is worth adding that she does in fact acknowledge both the institutional source of role-obligations and the institution's susceptibility to ethical evaluation and criticism. For she claims that those striving to be both good lawyers and good people should, in addition to fulfilling their present role-obligations, do what they can to 'go the extra mile' for justice, by campaigning for changes in legal practices (e.g. by writing to their local law reform commissioner).[8] Yet this renders even less clear the suggestion that role-obligations specified by legal institutions should be taken as determinate enough to figure in serious, apparently unavoidable, dilemmas. For by acknowledging the way in which practitioners and members of institutions form practices and institutions, this proviso weakens the claim that institutionally specified role-obligations can be seen as contingent features of the world that can force unavoidable dilemmas on role-bearers.

But perhaps a less rigidly determinate, not 'dilemmatic' in the strict sense but pragmatic version of this claim might be offered, such that in everyday circumstances of the profession, an individual good person *qua* lawyer may sometimes do better to accede to certain role obligation, rather than fail in her profession, *whilst* striving in the long term for a better institution – in other words she may have to lose the battle in order win the war. Yet even on this view, we still arrive back at the problem of determining when and how an individual should concede *which* battles and why, with reference to the good person or the obligations of the role. More importantly for our purposes however, and consistent with Hursthouse's account on this last point, the notion that there is such a 'war' to be won points virtue ethics beyond the limited subject of the individual and towards role-determining institutions. Having now seen the problems of internalist account of role-standards in relation to the virtuous person, we look next at a different 'externalist' account.

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[8] Ibid., p.244.

(ii) The 'Good-Role-Bearer', and Oakley and Cocking's 'Regulative Ideals' of Professional Roles

Justin Oakley and Dean Cocking[9] argue for a virtue ethics approach to the ethics of a professional role through the notion of 'regulative ideal' of a profession, which in the terms we introduced earlier, can be construed as a kind of externalism about roles. On this *eudemonist* view, on which certain professional roles – they too cite legal but also look at the medical profession –are conducive with human flourishing, a lawyer might know that suppressing evidence will best serve the end of successfully defending a client, but in so doing, the lawyer would be acting contrary to the *ideal* of justice that regulates virtuous conduct *qua* lawyer, and so should not necessarily suppress the evidence just because the 'role' of lawyer provides a duty to do his best to defend his client.

Hence Oakley and Cocking's account of virtuous action in a role differs from Hursthouse's in two respects. Firstly, the lawyer or the doctor has role-obligations to something beyond the *current and specific* obligations of the relevant profession. On Oakley and Cocking's account, a doctor or lawyer's primary role obligation is *to* the very cornerstone – the ideal – of that profession, its overall purpose and practice that makes it what it is. In the medical case, this is the goal of good health and the practice of medicine, and in the legal case, it is justice.[10] This means, for example, that the lawyer may not need simply to refer to the specific and explicit obligations of the profession in order to act rightly. Rather, he should be guided by the goal of that profession, which as a practitioner he has internalised as something more like a disposition to act in a certain way. So, this may mean not always furthering his client's interests, for the virtuous lawyer would resist doing so when it would be contrary to that guiding ideal of justice.[11]

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[9] Justin Oakley and Dean Cocking, *Virtue Ethics and Professional Roles* (Cambridge: Cambridge University Press, 2002).
[10] Ibid, p. 114-5.
[11] It seems clear that Oakley and Cocking would allow many roles, and particularly professional ones, to be guided this way. Structural engineering, on this account, is an example of a profession guided by a regulative ideal and as being conducive to their virtue ethics approach. For the role of engineer appears to meet the condition of being 'part of a good profession' where such a profession is defined

Secondly then, these roles describe activities in which an agent acts virtuously and in which virtuous conduct, *in* one's role under the auspices of the goals of health or justice, is the measure of right action. That is, Oakley and Cocking recognize what we might call the 'immersion' of oneself in one's roles.[12] Rather than seeing role demands as things that make claims upon the good person conceived distinctly from those roles, Oakley and Cocking acknowledge some sense of the particular ethical standpoint of a role. So the doctor *qua* doctor must, for example, act virtuously from his role, as a doctor should, and be guided by the regulative ideal of his profession. Acting *as* the good, virtuous doctor could mean refraining from assisting the voluntary death of a terminally ill and suffering patient, even if the notion of refusing may not seem the right thing to do when 'wearing a different hat'. If the same doctor was, in another off-duty scenario, acting as a husband looking after his terminally ill and suffering *wife* who pleads to be allowed to die, he may not have to do this.[13] In the latter case, his conviction as to what would be the right action *may* correctly be that the compassionate and empathetic, though extremely painful, thing to do would be to support his wife's decision. Hence right actions in each of these roles – what it would be to act from virtue – are specific to the standpoint of each role he occupies. Each action is assessed *by* – from the moral viewpoint of – the role occupier.

On Oakley and Cocking's account then, the notion of the 'virtuous role-occupier' rather than the good person who fulfils lawyers' or medics' obligations or balances the demands of the morally good person with those of being a 'good lawyer', is central. To this extent, it meets the problem of over-determinacy raised in Hursthouse's account. However, I now want to argue that Oakley and Cocking's externalist account, whilst it has the advantage of opening up role-conduct to ethical standards outside of the role, veers oppositely to a problem of role *in*determinacy.

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as one 'which involves a commitment to a key human good, a good which humans need to live flourishing lives' (p .4).

[12] For an account of the way in which a regulative ideal is inculcated so as to be more like becoming fluent in a language than 'learning' its rules of grammar, see Oakley and Cocking, Ibid, Chapter 2.

[13] Ibid p. 83.

The general problem here is not that ideals have no place in determining what is or is not good practice for professionals. Rather, it is that the actions of ideally regulated individuals are unintelligible outside of an institution that is not guided in quite the same way. There are two dimensions to this problem for the regulative ideals account, both of which contour an institution shaped gap. The first concerns the way in which abstract ideals of roles are only realized and particularized by institutions, whilst the second comes from the other direction: institutions play a significant part in determining what these ideals are. Let us take these dimensions in turn.

A problem with individuals evaluating the demands of roles via abstract regulative ideals is the actual, potentially countervailing, concrete institutions in which they play those roles. To go back to the legal example, consider the individual lawyer who is steadfastly guided by the regulative ideal of justice – however that may be interpreted by the individual – will do well as a lawyer as long as the institution of his profession also does so. But if his regulative ideal and the strictures of the legal system diverge to the extent that the lawyer is doing one thing whilst his colleagues, in fulfilling their obligations and doing their jobs 'well', are doing quite another, then we might yet again be entitled to reapply Hursthouse's question: to what extent does he count as a lawyer?' Or rather, is he now just a good person not doing law very well?

A proponent of regulative ideals could respond by claiming that a guide to virtuous individual conduct is precisely what is needed in order to check the corrupting influence of institutions.[14] But the more pressing problem is that of the individual *interpreting* the nature of the regulative ideal itself without doing so via the institution, and so the way in which the institution does this interpretive work. Whilst the concepts of 'health' or 'justice' are each clearly linked to professions, of medicine and law respectively, each is open to a number of different interpretations – each as *a* conception – such that even in general terms, virtuous, ideally guided, conduct could amount to quite different ways of acting in the role. The ideal of justice might be taken to refer to the goal of just *outcomes* (as in the guilty being punished

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[14] See MacIntyre, 'Social Structures and Their Threat to Moral Agency'.

appropriately and the innocent not being punished) or it might refer to a 'purely procedural' notion of justice, where what is referred to is just the fair procedure of the law, with no criterion for a just outcome. Some procedural accounts of justice recognize a criterion for just outcomes together with an account of just procedure that is supposed to ensure just outcomes. Other accounts do not claim that just procedure will guarantee just outcomes.[15] Whilst both accounts may correctly appeal to the concept of 'justice', the debates they generate are not about guiding ideals but particular conceptions of how 'justice' is best done, in practice, in the context of the legal system of a society. Whether or not some there *is*, in some sense, an abstract ideal or form of justice, it is institutions of law that justice is actualized.

We might be tempted to think that 'health' is more determinate than 'justice', in that any medical professional can, like anyone else, understand what 'health' is in terms of some paradigm cases.[16] And we might also think that, as a result of this putative understanding of health, the indeterminacy of 'justice' is a special case that does not affect health and ideal of healthcare in the same way. But notice here that the health professional occupies the role of a health practitioner only within the institution of medicine, and so must understand the way in which 'health' regulates her conduct in a particular way. That kind of role-specific 'action-guiding-for-a-professional-medical-practitioner' understanding is not the same as the basic understanding of 'health' shared by suitably experienced and sufficiently articulate human beings. For in regulating her decision making and conduct, a *particular* and substantive notion of health, in the context of the profession, is at work. Suppose for example that the regulative ideal was 'health' conceived broadly as the physical condition of functioning well and being free of illness. This would then invite the question of whether or not alleviating pain with high levels of opiates with damaging side-effects would be conducive to 'health', and on this broad conception, that question would remain open. A straightforward paradigm of good health or ideal of 'health' is not

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[15] See Rawls, *A Theory of Justice*, pp. 85-87.
[16] In fact, health may be even *more* contentious as a guiding concept, particularly when we consider the debates generated by the question of what should or should not be included in the remit of disability care or mental health: a point persuasively put to me by Gideon Calder.

something that serves here as an action-guiding goal in this case, because the patient's health – on the functioning/well-being view – is going to deteriorate. The patient would not progress, even minimally, toward such a goal.

Of course, defender of the regulative ideal of health might argue that 'health' or perhaps 'health*care*' should surely be conceived with a wider rubric than health as well-functioning and freedom from illness. On this interpretation, for example, alleviation of persons' suffering *and* increasing as far as possible their well-being and comfort may serve the health*care* ideal even if it may not always conduce with the well-functioning and freedom from illness model. And on this interpretation, healthcare as a regulative ideal could determine that palliative care took precedent over the elongation of life. Yet this now seems a far more *concrete*, rather than an ideal notion of health or healthcare. For, it is actual institutional constraints that determine how the ideal of healthcare is to be interpreted and embodied in practices and policies. Not to alleviate the discomfort of addicts by refusing them the addictive substance and instead to try in other ways to promote their cessation, even if this actually *requires* that they suffer the ill-effects of withdrawal, is a practice or policy that good medics, indeed virtuous medics, might reasonably pursue. In such a case, a patient's long-term 'health' – in the earlier well-functioning sense – takes precedent over comfort and reduction of suffering, and this practice or policy is institutional. It is, at least, not something decided upon by an individual medic by reference to 'health'. Perhaps we could accommodate these discrepancies within the regulative ideals account by saying that when the promotion of 'paradigm' or full health is possible – as in the case of the dependent substance abuser – then this must be promoted, but when it is not possible – as in the case of the near mortal patient – it need not be, and alleviation of suffering/promotion of well being takes priority. But again, how does a regulative ideal *itself* determine that this is the case or otherwise? A hedonistically minded utilitarian medic might argue that, at least in some cases of this kind, by allowing the ill-effects of withdrawal a practitioner would be failing to promote the patient's overall 'health', when comparatively minimal advantages of

cessation (e.g the possibility of a few more added years of old age) are weighed against the severe loss of well-being, pleasure or comfort that comes with withdrawal.

Of course there is enough fodder here for an eternal conference on applied ethics (even in just the previous paragraph) yet the point of raising these debates is not the obvious one, namely that there is a range of interesting and competing ideals of health for philosophers or medics to argue about or rank one above the other. Rather, regardless of whether a particular and substantive model of health or healthcare could be shown to be the right or best one, it is that the medical role cannot be adequately regulated only by such ideals. If and when it is right or best that a medic chooses one pain-inducing, costly but long term health-promoting course of action over another that would certainly alleviate the immediate suffering – and likely increase the short-term pleasure – of addicts, this cannot just be because it serves the abstract ideal of 'health'. As we have just seen, that ideal of health could also be served by a practitioner choosing another quite different course of action. It is the right or best thing to do only also in the particular context of the institutionally defined practice of healthcare.

(At this point it is worth noting that Oakley and Cocking invite just the kind of charges of impracticality against virtue ethics that they seek to combat with their approach to 'applied' professional ethics. Where some philosophers have criticized what they see as virtue ethics' basis in an intangible or unachievable, or in any case practically inadequate, paradigm of the 'virtuous person', they might now be equally skeptical about the practical efficacy of the virtuous role-occupier's conduct being regulated by idealized notions of e.g. 'health', 'justice', education' or 'parenthood'. All this, in a rather inflammatory nutshell, is to suggest that as it stands, the regulative ideals account risks accusations of being too ideal and not regulative enough.)

We have so far said that abstract or regulative ideals lack determinacy because of the way they *bypass* the particular conceptualization of institutions. That is the first aspect of the problem of indeterminacy for the externalist account, as exemplified by

Oakley and Cocking's account. As to the second dimension of this problem, the regulative ideals account is indeterminate in that institutions can determine ideals, and this is clear even in examples of professional roles whose purpose and defining activity might seem to be quite clearly defined. To illustrate this, and further how this problem pervades social and professional roles in general, we turn to a different example of journalism.

What *is* the ideal of 'journalism' such that it tells a journalist what to do and what not to do? The journalist's role, we might think, is 'to report the news', but this does not account for a long and important tradition of campaigning journalism, for example. And, less intuitively 'ideal' but alas all too actual, the content of what actually makes it onto the pages or screens – and what should or should not make it – as *news* is far less clear. A survey of the topics of newspaper 'top stories' of celebrities getting in or out of taxicabs and ways in which they are reported – along with the increasingly blurring lines between reportage, 'opinion' or 'comment', and in some cases guttural invective – shows the journalist's role to be one which would be hotly contested by the organs that employ journalists and the readers who keep them afloat. Hence the conception of the good or virtuous journalist is no more tangible when understood only via the notion of a regulative ideal

Of course, all this does not means that we cannot have some shared conception of what a good journalist or good journalism is or should be regardless of what they *happen* to be. What the externalist approach in general has right, echoing the point about roles being rightly subject to evaluation and change made in the previous chapter, is that the institutions and practices of journalism, and journalists, can and should be subject to standards: of e.g. thorough research, clarity, truthfulness and sound argument (would that this were actually the case). There are surely norms or standards, outside of the practice, with which we can evaluate the actual practices of journalism. But as journalism has evolved as a practice guided by the demand and supply of various information, its 'ideal' is not abstract and *prior* to its institutions and practices but at least partly created and shaped by them. Even the purely

descriptive question of what journalism *is*, should be or could be can only be answered by looking at how it has developed at particular stages in history. Try to envisage a paradigm conception of what the 'good journalist' would look like without reference to the institution of journalism of which the journalist is a part. As well as a particular institution such as newspaper or broadcaster that may employ their services, this could refer to the 'institution' in the wider sense of a practice. Nevertheless, even this wider sense of institution is itself contingent on the activities of particular media outlets and the individuals they employ.

We have seen that Oakley and Cocking's externalist account contrasts with, and avoids the over-determinacy problem with Hursthouse's internalism, by construing the virtuous individual as guided by regulative ideals that transcend institutional particularities. However, their regulative ideals approach raises and leaves looming the opposite problem of *in*determinacy for roles and virtue ethics. From one direction – from ideals or concepts to individuals' practices – institutions determine particular ways in which these ideals are actually realized, as we saw in the examples of legal and medical institutions in relation to justice and healh. From another direction – from practices to ideals – institutions and their activities play a crucial part in shaping and determining what these ideals are, as we saw in the journalism example.

We end this chapter with an approach to roles that offers a course through the problems of internalism and externalism presented in the previous two examples, but which also, through its own insights and its shortfall, points in the institutional direction I have promised.

(iii) 'Prototype Virtues and 'Contouring Roles': Swanton's Account
In a recent article on virtue ethics and business, Christine Swanton[17] seeks to dissolve the supposed tension between the demands of that profession and virtuous action. She first accepts that 'business organizations have a distinct purpose such as promoting or maximising (within limited constraints) owner goods and services', then argues that

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[17] 'Virtue Ethics, Role Ethics, and Business Ethics', in Walker and Ivanhoe, eds., *Working Virtue*.

there need not be any conflict between being good in a business role and being a good human being. This is because, on Swanton's account, '(A) being good as a human being is itself shaped by role demands, and [...] (B) role demands are constrained by requirements of being a good human being'.[18] Swanton explains this relationship via the idea of 'prototype' virtues. Virtues such as trust and loyalty at the level of prototype are necessarily vague in terms of specific action guidance, and are 'contoured according to the exigencies of the role'.[19] 'For example the prototype virtue loyalty does not prescribe that, characteristically you should stick with your employer for several years'. At work here is the notion that the correct understanding of 'loyalty' is necessarily indexed to the context of to whom or what one is being loyal. Whilst walking out of a job to start another without due warning may reasonably be understood as acting disloyally, pursuing one's career by moving on after one or two years, and serving notice, may not be disloyal. Similarly '[t]he prototype virtue honesty does not prescribe that, characteristically, you should state the bad features of your product and not overhype or exaggerate its good features when advertising or selling it'.[20]

Like Oakley and Cocking's *eudemonist* construal of roles, but diverging from Hursthouse, Swanton's non-*eudemonist* and non-Aristotelian account gives a picture of virtuous action that does not privilege the 'good person' as prior to or distinct from the role – in this case the business role – that the person occupies, with the result that role-demands are not, on Swanton's account, 'internal to the role and then assessed from the point of view of a 'virtuous agent'. An agent in the role of business comes to understand that appreciating and instantiating a prototype virtue in action means acting on it in a series of contexts that give it substance. Accordingly, whilst Swanton's prototype virtues are 'vague' to the extent described above, they 'are not empty – they provide constraints which inhibit the untrammelled pursuits of the institutional goal'. By 'alerting us to possibilities of excess and other forms of

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[18] Swanton., Ibid., pp. 210-1.
[19] Ibid., p. 215.
[20] Ibid., p. 214.

wrongness',[21] prototype virtues, though specified in action through and constrained by various domains of practice, also limit the influence of the demands of the role on the virtuous agent. So a virtuous business person does not ignore the 'bottom line' in pursuit of virtuous action, but neither is right action *qua* business-person reducible to working for the bottom line. So Swanton sees this professional role as part of the make-up of the agent who strives to act well, not a role whose obligations and norms will conflict with virtue and with ethical life.

Swanton's account of role-contoured 'prototype virtues' indicates perhaps the best strategy for addressing that problem, but is, however, still susceptible to a weaker version of the indeterminacy problem. For whilst Swanton argues that roles – and this can include all sorts of social roles – give prototype virtues determinate content, and so can guide action from within different roles in different ways, this approach still leaves a worry with determining the right action in terms of the virtuous person and a good role bearer. That is, insofar as a virtue is supposed to be mediated by roles *and* place limits on role-specific action, there still remains an unresolved tension between the demands of a prototype virtue, and the *role* that contours the specific action. The task now is determining, in particular situations, the extent to which, on one hand, the all things considered virtuous action is that which displays a role-mediated specification of a prototype virtue: and the extent to which, on the other hand, the prototype is a constraint on an action that would fulfil the demands of the role; where the problem that persists is in determining just what these role demands *are*. Swanton's view, which charts a course between externalism and internalism, suggests that the demands of institutionally defined roles are bound up with the demands of virtue. Still, in terms of the role-determinacy question and from the standpoint of the virtuous person, we seem no closer to grasping these role-demands.

To illustrate this, consider that in the case of the business-person's role, such questions are those of whether to go beyond 'the bottom line' or not and if so why and in which ways. Role-specific ethical questions of this kind might be 'do I pollute

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[21] Ibid., p. 217.

the environment because my role within the company tells me to do so; or do I refuse because to do so would not be virtuous- however much virtue may be contoured by my role? Now, Swanton avoids the rigidity of institutionally specified obligations by insisting that the virtues serve as a check on the 'bottom line' view. And accordingly, by acknowledging that the 'bottom line' specified by business and businesses is indeed a constraint or a contouring influence on virtues, her account improves on the intangible quality of abstract regulative ideals. As a formal explanation of how role-demands should figure in relation to virtues, this account is promising. Yet it also presents us once again with *the* question of *how* exactly should we interpret what roles demand in this respect: If not the actual and specified obligations of institutions, and if not transcendent ideals of roles, then what? Anticipating the answer to this question we will begin to formulate in the next chapter, it is in response to this question that Swanton's story can provides an under-developed but crucial insight, as follows. Understanding what right and virtuous role action is or should be requires an understanding of what the role-determining institution is and *should be* like in order to solve, or get closer to solving, the determinacy problem.

4:4 Conclusion: The Need for a Virtue Ethics of Institutions

The problems of roles, virtuous action and indeterminacy discussed in this chapter points a role-based virtue ethics, beyond the individual and towards the level of social organizations and institutions. For the task facing virtue ethics in light of these problems is how best to articulate and understand the demands of our various social roles: and it is various social organizations and institutions that do this.

Hursthouse's solution to the problem of the virtuous person who wants to be a good lawyer – fulfil the morally dubious obligations virtuously – presents a problem of institutional *over*-determinacy. Oakley and Cocking's regulative ideals account raises the opposite indeterminacy problem. Whereas what I have called Hursthouse's internalism about roles adheres too rigidly to the institutional specifications of roles as they are, Oakley and Cocking's externalism become so detached from these specifications that they fail to determine what role demands should be like. Both

Hursthouse and Oakley and Cocking pass over the possibility of averting to an institutional strategy, but the conception of the good institution or association as a subject of normative ethics is a line of enquiry virtue ethicists need not and should not pass over. Firstly, such an approach will be fruitful if virtue ethics is to address adequately the problems of roles and virtues and role-indeterminacy as I have presented them in this chapter. Secondly, it can also provide a distinct and fruitful way for virtue ethics to apply at the level of institutions and communities of persons. Hence, to look at the possibilities for a theory of virtue at the level of the institutions that determine social roles and their ethical demands seems to be a good place to continue the political task of virtue ethics. A summary of some of what we have argued towards, and an indication of the direction we take in the next chapter, is neatly stated by Swanton:

> Any work on professional ethics needs to supply a view about the point or function of the roles in which roles are embedded. For [...] the point or function of those institutions determines the nature of the roles which individuals in those roles occupy, and the nature of those roles determines what counts as ethical behaviour of individuals occupying those roles.[22]

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[22] Ibid., p. 210.

Chapter 5: Institutions, Functions and Goods

5:1 Introduction

We started, in chapters one and two, with the problems contemporary normative virtue ethics has had with making its mark at the level of political philosophy. In Chapter Three I argued, with Hardimon and others, that social roles provide certain normative demands for those who occupy them and that these demands are often morally significant. I then said that an adequate virtue ethical conception of right action can and should incorporate what it means to act well and rightly *qua* parent, professional, team member, and so on, in a particularly role-ethical way. In Chapter Four we saw that some contemporary virtue ethicists have been keen to address, in different ways, the question of what 'being and acting as the good role occupier' entails. But we also saw that in doing so they raise, in different ways, the problem of *role determinacy.* That is, by recognizing the importance of the relation between socially determined roles and the conception of the virtuous person, they raise the problem of how are we to determine what the good and virtuous role-occupier should do.

We ended the last chapter with Christine Swanton's claim that an understanding of the institutions that define and shape professional roles is essential to doing professional ethics: 'the point or function of those institutions determines the nature of the roles which individuals in those roles occupy'. I agree with Swanton, and think that her point generalizes to social roles beyond those of professions. My aim in this chapter is to give an account of how we could understand a good institution of its kind in terms of its possessing or failing to possess certain strengths and weaknesses – i.e. certain *institutional* virtues and vices. This is to construe Swanton's challenge normatively, by saying, firstly, that we can understand institutions in terms of what they should and should not be like (not merely what they *are* like), given that they are instances of a kind. Secondly it is to say that the virtue ethical approach can prescribe good or better institutions on that basis.

After next commenting briefly on the kind of institutions which can fill this gap, the remainder of the chapter concerns the institutional strategy that I hope can do so.

The term 'institution' can pick out a number of social phenomena ranging from localised cultural habits, to the common pursuit of a leisure activity, to prisons, to corporations, to the apparatus of a legal system, monarchy or whole political State. I do not mean to offer anything like a conceptual analysis of what an institution is and the different categories of institutions.[1] Rather, at this point and for our purposes, I mean to allow in the discussion any institution that (i) determines the demands of a social role or roles and thus (ii) warrants a normative account of what makes that institution a better or worse institution of its kind. Thus, such a broad definition might disallow only those disorganized institutions of habit or practice that do not give determinate content to any social role. So the widely established and practised social *activities* of family get-togethers, or socializing in the bar with teammates after playing sport, for example, can be construed as social institutions in some sense, but they are not themselves role-determining, whereas families and clubs are. Just *what* – as a role determining institution – a 'good' family, or club, or corporation is or should be like is the crucial determinacy question for role and virtue ethics, and I will not claim to give anything like a separate and substantive solution for each and every relevant institution.[2] But I hope to provide a conceptual framework in which virtue ethics can address those questions.

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[1] Geoffrey Hodgson, for example, offers such an analysis: '*Social structures* include all sets of social relations, including the episodic and those without rules, as well as social institutions. *Institutions* are systems of established and embedded social rules that structure social interactions. *Organizations* are special institutions that involve (a) criteria to establish their boundaries and to distinguish their members from non-members, (b) principles of sovereignty concerning who is in charge and (c) chains of command delineating responsibilities within the organization'. Geoffrey M. Hodgson, 'Institutions and Individuals: Interaction and Evolution', *Organization Studies* 28 (2007), pp. 97-116.

[2] Of course it may turn out that there are institutions for which the determinacy problem would never be solved once and for all. E.g. 'the family' might be an 'essentially contested concept'. Nevertheless, the conceptual point, following Swanton, holds: interpreting virtuous role-action requires some understanding of the type of institution that defines that role. And virtue ethicists could not escape the need to interpret familial obligations via some conception of the family simply by citing the concept's contestability.

5:2 Why Look at Institutions?

We begin by recapitulating Oakley and Cocking and Hursthouse's accounts in order to illustrate the 'institution shaped gap' in role virtue ethics. In looking at these accounts I suggested that an adequate notion of the virtuous role-occupier, and so of virtuous action in a role, is grasped neither by construing institutional demands as contingencies to be dealt with virtuously, nor by transcending institutions and averting to abstract guiding ideals. The problem, on Hursthouse's internalist construal of the virtuous person/role relation, is not that the concrete institutional demands of roles are passed over, but on the contrary that they are – forgive me – 'set in stone'. What is missing here is a normative account of what a good or role-determining *institution* should be like. As to Oakley and Cocking's externalism, by contrast, their notion of the 'regulative ideals' of a profession fails to provide adequate action guiding or assessing criteria for individuals. It is unclear how an individual can construe the all too abstract ideal of health, in such a way as to guide medical practice, whilst at the same time bypassing the particular determining features (practices, policies, procedures, rules, terms and conditions etc.) of the relevant health oriented institutions in which they practise.

As already stressed in the introduction, this chapter proposes a way of addressing these problems of determinacy and indeterminacy via the *institutions* that determine the demands of roles. Why? In light of the problems raised by individualistic strategies we have looked at, consider that the medical centre, or indeed the entire medical profession, is not merely a collection of health professionals or teachers each doing everything they can in any old ways they can to promote 'health' where this concept may be broadly instructive but realizable in so many different ways. Rather, each is a system of structures and procedures that promote health in some ways and not others; and these particular goals, procedures and policies are not specified as such by the ideal of health alone. Suppose for example that a Local Health Authority has a policy of prescribing preventative medicines and education to hitherto healthy people in the community – consistent with the promotion of health. Suppose it also makes it explicit that such a policy would nevertheless be scrapped or suspended if

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following it meant taking scarce resources away from ill or recovering patients. This is a particular feature of medical practice – a condition on the *ways* in which health is and is not promoted and under which circumstances – determined by this institution. Both promotion of existing good health and the prevention of worsening health are objectives led by the ideal of health. But it is an institutional demand that positive maintenance and prevention of health is pursued only insofar as it does not thereby allow preventable illness to ensue or worsen elsewhere.

Of course, a particular institutionally defined practice or policy – say, that of preventing potential illnesses through education and provision of vaccines only under certain conditions – can be seen as guided by the goal or ideal of health.[3] And in this way an abstract concept of 'health' may be fundamental to what the institution is and, in turn, what its practitioners do. It would not be a medical institution if it did not serve that ideal – and should to this extent guide the conduct of practitioners. But it is *only* to this extent. For the medic's and other social roles, the institution is a crucial determinate and particular layer that stands between such ideals and the individuals that occupy the roles they determine. It is within the details of institutions that individual role-occupiers operate, and hence it is the quality of institutions to which virtue ethics should look.

If what we have said so far about the ethical importance of roles and their relation to institutions is correct, then it seems to me that institutions are the proper subject of ethical assessment as much as, and inextricably linked as they are to, the 'virtuous person'. The individualist virtue ethical approach should be augmented with and completed by a story about what makes role-determining institutions good institutions. After relocating the social and political bearings of this project and clearing aside some worries about institutional virtue ethics, I turn to that story.

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[3] Here, an institutionally defined conception of healthcare might in fact be seen as *limited* by the regulative ideal of health, subverting the structure of Oakley and Cocking's account.

5:3 Notes on Political Virtue Ethics and 'Corporate Persons'

Having looked at the significance of social roles for the virtuous agent and then the role-determinacy problem, I am now claiming that applying a virtue ethical approach to role-determining institutions can meet some of the problems of individualist virtue ethics and find its way in political philosophy. So it is important to note that in defending this claim, we need not collapse into traditionalism or instrumentalism and their respective problems which we set out to avoid. As to traditionalism, we need not suppose that the purpose of all social and political institutions, or their arrangement together, is to nurture virtuous persons. Different institutions are established for different reasons and aims, the task being to say what these are and should be in a way that determines the normative demands of the relevant roles. And as to instrumentalism, institutions are not on this account viewed as good only or primarily to the extent to which they tend to produce certain goods or states of affairs considered prior to the institutions – though they may do this. We can understand institutional goods as properties intrinsically linked to the functions of particular institutions, rather than to separately defined duties, goals or states of affairs – or so I hope to show.

Let us now set aside another possible problem or set of problems. The starting point for this account, to which we turn next, is that an institution itself can, as a thing of its kind, be a better or worse, more or less excellent – virtuous – institution that can operate accordingly. Hence we have referred, casually it seems, to institutions – collections of individuals within certain structures – as being the kind of thing that can in some sense possess virtues or vices of character. In the final chapter will say some more about what kind of thing an institutional virtue is or is not, but for now the worry is about attributing personal traits to groups of people or institutions' presupposing the reality of institutions or corporate social groups *as* agents or persons. In response, it is important to understand that the strategy pursued in what follows does not employ a strongly 'personified' conception of institutions as moral agents in this sense. In terms of action guidance and assessment, institutional goods and virtues are aspects of institutions that we consider to be habits, policies,

structures and practices worth nurturing or eradicating, and can to this extent be construed heuristically as aspects of an institution's 'character'. But the virtues and vices of social institutions and organizations are, on this account, unlike personal virtues insofar as they are not psychologically complex traits of rational agents, or in this case 'corporate persons'.[4]

5:4.Goodness, Characteristic Activity and Function

Corporate persons aside, in the present context, the very idea of 'a good institution of its kind' might rightly strike us as ambiguous. Do we mean simply 'highly effective at what it does'? As should be clear from the discussion in the last chapter of 'internalism' about role-demands, we cannot if this means merely 'what the institution *is* doing'. In giving a normative account of institutions as a certain source of role demands, we want to understand the 'what it does' in normative, non-contingent and non arbitrary terms. I.e. not just what an institution happens to be doing, but what it *should* be doing.

To begin with, how might the characteristic activity of an institution be normative as well as descriptive? Consider firstly the way in which an institution can fail in this respect. Think of 'institutional racism'[5] or, more recently, investment banks' fatally reckless gambling with customers' money. These are cases of institutions themselves subverting the putative practice which they supposedly embody: failing justly to protect and serve a community and having little or nothing to do with good financial practices respectively. Yet notice that in these cases, there is not a sharp conceptual distinction between 'failing' to fulfill its function and 'failing' in some wider or moral sense. That is, the criteria of what counts as a 'good' or 'bad' institution is not simply a matter of its either corresponding to those concepts as we commonly employ them in ethics *or* being contingent on how an institution happens to be operating at

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[4] I do not reject outright the idea that we can understand certain social groups as corporate persons or collective agents. I will, however, go on to argue in Chapter 7 that this is a problematic model for a virtue *ethics*, and that the less psychologically demanding model discussed here is preferable.

[5] The term 'institutional racism' came to the fore in the MacPherson inquiry into the Metropolitan Police Force's investigation and handling of case of the murder of black teenager Stephen Lawrence in 1993. The report was published in 1999, see:
http:/www.archive.official-documents.co.uk/document/cm42/4262/4262.htm

the time. That a legal institution X *is* operating to a large extent outside the law cannot mean that on one hand it is being 'morally bad' but, on the other it is 'doing well' because it is 'very successful at' its *current* practices of embezzlement or concealing its miscarriages of justice. For, we would intelligibly say that it is 'bad' at being a legal institution *tout court*. Similarly, a toy manufacturing business that sells all its products at low prices that will plunge it into deep financial crisis or liquidation may also be doing something good in some sense – as in 'praiseworthy' – by providing cheap toys that bring joy to children. Here it would seem implausible to think of it as a 'good business'. It does bad business to a point at which it will likely stop *being* a business, though it may be a 'bad business' with some good effects.

An initial point here, following Phillipa Foot to whose account we will come, is that 'good' is an *attributive* adjective. Like adjectives such as 'big', 'small', 'cold' and 'warm', 'good' is comprehensible and apt for evaluation only in conjunction with its accompanying noun or noun phrase. So to describe a thing as 'cold' is of course to make reference – essential reference – to its temperature. But descriptions of 'cold liquid nitrogen' where it is used in deep-freeze, and drinks of 'cold beer' or 'cold tea' will describe markedly *different* temperatures in each case, because our criteria of evaluation for what counts as cold are different in each of these cases. This is in contrast to such adjectives as 'white' or 'silent', which are comprehensible without being affixed to a noun or noun phrase. (The claim is not a metaphysical one about universals or forms; for example about whether or not there is 'white' independently there being at least one particular white thing. It is simply that whiteness – unlike goodness or smallness or coldness – can be evaluated in the same way in 'white sugar', 'white paint', or 'white light'.)

This question of how standards of goodness or excellence are in this way attached to subjects is explored by Phillipa Foot in 'Goodness and Choice'.[6] Foot begins by noting that it hardly seems odd or controversial to speak of an objective standard of 'goodness' for certain things such as knives and pens: 'One would not know the

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[6] In Phillipa Foot, *Virtues and Vices* (London: Blackwell, 1978).

meaning of the word "pen" if one did not know that a *good pen* has to write well, or the meaning of "writing" without understanding that good writing had to be writing which it was possible to read'.[7] To understand what a pen is, is also to know what a pen does, and so to know what a pen is, is necessarily to know what a 'good pen' does. Foot calls words (and, we can assume, strings of words, i.e. terms) whose meanings bear a functional definition, such as 'engine and 'pen', 'strong functional' words. So strong functional words' have a strict relation to normative claims about things they describe. To cite the good for something referred to by a strong functional word is to make an analytical proposition – for example, 'a good heart pumps blood well'.

Foot's discussion grounds her naturalistic arguments against the supposed separation of 'good' from other attributive adjectives. The assumption she challenges is that the term 'good' as used in 'good man' or 'good action' is somehow 'subjectively chosen' in a way that need not make reference to the subject to which 'good' attaches. Foot is surely correct in claiming that the adjective 'good' is always in some sense determined by whatever it is attached to, though it may of course be determined in different ways. There are, in different ways, functional aspects of things that require understanding in order to grasp what constitutes the good for a thing of that kind. In beginning to assess whether this functional sense of 'good' can work in the institutional case, and if so how, we will first look at how it figures in conceptions of virtue ethics.

As discussed briefly in Chapter One, a dominant approach in virtue ethics has been to claim that virtues are those traits that are good for – that tend to *benefit* – their possessors in the course of a characteristically human life.[8] Contrasting with instrumentalist accounts, where virtues are identified as such because of goods or

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[7] Ibid, p. 135, my italics.
[8] See Hursthouse, *On Virtue Ethics*, Chapter 8. Note that once again, we see the crucial feature of intrinsic virtues as they figure in virtue ethics, as opposed to the instrumental conception of virtues. Virtues on the former account are a necessary part of a person's being good, and are as such the very germ of right action. On the latter account, the presence of virtues in persons is explained and justified in terms of a prior conception of right action or the good.

good states of affairs their exercise tend to bring about, virtues are on this account just an integral part of what it is to live well. On this account, a virtue is an aspect of a life that is going well, cashing out the 'benefit' in question as the facility to do well *qua* human. Here, the intrinsic quality of virtues is linked to something essential in the life of the agent who possesses them, and virtues are so called because of the way in which they positively constitute that life. So one way of evaluating compassion as being a virtue of individuals, for example, would be to argue that without it, our lives *qua* rational and social beings will not tend to go well: to have and exercise compassion in the right measure is therefore to do something characteristic of a rational and social being, something we are by nature, *well*. (Note that the Greek term *'arete'* is sometimes translated into English as 'virtue' and sometimes into 'excellence'.)

Hence this theory of virtue is grounded on the idea of a certain thing's having properties that *make it* such a thing; it then proposes a way of evaluating that thing in terms of those properties, according to how strongly or weakly they are instantiated; then arriving at a judgment of its goodness or otherwise. And in the case of humans, virtues are traits that, by their presence, make the lives of their possessors go better than they would without their presence.[9] The relation between a thing doing what it should and human virtue is famously explored, albeit far from perspicuously, in Aristotle's 'function' or *'ergon'* – 'function' or 'characteristic activity'[10] argument.

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[9] This is of course only one 'intrinsicalist' account among other slightly different ones. John McDowell, for example, sees virtue as consisting in a certain moral knowledge and sensitivity, without the 'rationality of virtue [being] demonstrable from an external standpoint.' 'Virtue and Reason', in Crisp and Slote, eds., *Virtue Ethics*, p. 160. See also his 'Two Sorts of Naturalism', in *Mind, Value, and Reality* (Cambridge, Mass.: Harvard University Press, 1998). We cannot, on McDowell's account, deem someone's empathy for his friend a virtue *because* it benefits him *by* contributing to or constituting his flourishing, where such flourishing is defined *independently* of knowledge that friendship demands empathy and care. That is, to attempt to explain that friendship is a virtue *because* it is part of a separately conceived good life is to already have misunderstood virtue. Appropriate concern for one's friends is, as it were, built into the explanation of (ibid., p. 159). Thus for McDowell, to acquire virtue is grasping that very knowledge of 'how to get it right' and the willingness to develop a sensitivity to the demands of particular ethical situations – 'from the inside'. For McDowell, we can see what virtue is only as an agent who has already understood the requirements of virtue.

[10] *Nicomachean Ethics* 1.7. Whilst the term *'ergon'* has variously been translated as 'function', 'work [and] product.' See e.g. Broadie and Rowe's commentary in their translation (Oxford: Oxford University Press, 2000), p. 454. 'Characteristic activity' is perhaps the most useful English translation, primarily for the avoidance of importing 'purpose' into *'ergon'*, which also translates into 'work', see

5:5. Aristotle's 'Ergon Argument'

What follows is a template of the *ergon* argument on which to assess the strength of a function argument for institutional virtues, and so the *ergon* strategy for institutions. As such its treatment will necessarily be cursory in comparison to the breadth of scholarly and philosophical controversy the argument has generated.

The form and naturalistic thrust of the Aristotelian *ergon* argument can best be illustrated as it applies to natural life forms via their biological processes of development and survival. A plant that is doing well, by doing what it *characteristically* does well, will typically be soaking up nourishment from soil that bears the appropriate nutrients, by growing towards sunlight, and flowering. Worker bees that do well, in the same sense, will seek pollen and work (in apparent cooperation with others) to construct the hive. Aristotle links the life processes of humans to a conception of what is good for them, in a way that incorporates the simple and broadly construed aim of ethical enquiry as he sees it, namely how we should live. The characteristic activity of rational humans, of humans realizing their nature, is linked inextricably to a certain kind of flourishing *eudemon* life, of which the virtues –such as benevolence, etc. – are constitutive. Living well, and being a fine example of a human, on this account necessarily includes these virtues, because a human that does not posses or at least aspire to these virtues cannot lead a fine human life. He appears to makes this link in the following way.

Aristotle's identification of the *ergon* of humans is based on categories in nature, and the argument for humans 'being as they *should'*, through their living according to their rational nature, is of the same form as it is for other categories. The 'good' of say, some individual x, depends on x performing the characteristic function of an 'x' *well*. A tree's extending its roots and finding nourishment, or certain species of

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e.g. Kelvin Knight, , *Aristotelian Philosophy* ,esp. Ch 1; also Broadie and Rowe, trans. and eds., *Nicomachean Ethics,* 'Introduction'.

animal hibernating, for example, are considered in the same way.[11] A certain form of life[12] has a characteristic distinctive (*idion*) to that form of life iff all normal members of that life form have that feature, and no members of a lower form of life have it. Humans, like other forms, have the functions of nutrition, perception and growth, but the *ergon* which distinguishes a rational agent from lower forms of life is the activity of theoretical and practical reasoning. A rational agent that is a good rational agent of its kind is one that performs that this *ergon* well.

Ergon, then, is 'characteristic activity' because without it we would not be the kind of thing we are. How does *ergon* fit into a normative account of how we should live? Aristotle's key claim seems to be that without exercising our *ergon*, we cannot achieve or even set ourselves on the path towards the best kind of life for us qua rational human beings. We, naturally, strive to live well, *eudemon*, as humans, where what counts as 'a good human life' makes sense only on an understanding of what a human is and, more importantly, *does*. As Christopher Megone observes nicely, 'Aristotle presents his function argument [...] as a resource to help him clarify what constitutes *eudemonia*'.[13]

So, this account goes, for humans to exercise their characteristic activity well is to do so in accordance with the appropriate excellence(s) – the virtues.

It is a matter of controversy precisely what Aristotle was getting at –and what he should have been getting at – by employing the ergon argument and, for reasons which should become clear in the next section, we can leave much of this controversy

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[11] Cf. (the later) Phillipa Foot, *Natural Goodness* (Oxford: Oxford University Press, 2001), esp. Chapter 2 for a recent interpretation of Aristotelian Categoricals, and following chapters for a version of exactly this kind of biologically and functionally related ethical naturalism. See also Hursthouse, *On Virtue Ethics* Chapter 9.

[12] See NE 1, 7 (1097b22-118). Cf, Gerasimos X. Santas, 'Does Aristotle Have a Virtue Ethics' in Staman, ed., *Virtue Ethics: A Critical Reader*. See David Keyt, 'Intellectualism in Aristotle', in Anton and Preus eds. *Essays in ancient Philosophy* (Oxford, Oxford University Press, 1989), pp. 366-8. See also Gerard Hughes, *Aristotle on Ethics* (London: Routledge, 2001) p. 36ff.

[13] Christopher Megone, 'Aristotle's Function Argument and the Concept of Mental Illness', in *Philosophy, Psychiatry and* Psychology 5 (1998), pp. 187-201.

aside.[14] However, it is fair to say that on the *ergon* account, we have, at least, a case for linking the intellectual and practical excellences of humans – practical and theoretical wisdom – with the life of that agent going *well*.[15] Exercising the distinctly human capacity to reason can take the form of pure contemplation – *theoria* – and in deciding upon the correct action, the virtuous person does so in accordance overarching virtue of practical wisdom – *phronesis*. Aristotle looks to the *ergon* of a subject – human beings – in order to establish the good *for* that subject, and so what will count as a virtue or a vice for that subject.

Could we employ this sense of goodness as an attributive adjective, in relation to function, to assess the 'characteristic activity' of an institution so as to provide normative criteria for how it should operate?

5:6 The institutional *Ergon*

What, then, is the characteristic activity of a given social institution? With respect to this question, consider firstly the idea that institutions bear more of an affinity to objects with purposes than to humans or other species. When we put together a functional artifact, there is some purpose that it is deemed to serve, and the notion of an artifact's functioning 'well' will be in some way connected to its function. And the idea is that Aristotle's insight, which Foot draws upon, can apply to some extent to institutions, whilst avoiding some problems with deriving statements of value and 'purpose' from facts about natural organisms, and the social nature of human beings. Think for example, following Foot, of the self explanatory nature of e.g. the proposition 'the good raincoat keeps its wearer dry'. Analogously, the *purposes* of structured institutional groups – the things they do, for reasons given by what they are

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[14]It has been debated whether Aristotle is contending that the life of perfect virtue would, ultimately, be the life of *theoria* – purely intellectual contemplation in pursuit of *sophia* – purely intellectual wisdom; or whether the non-intellectual virtues such as courage also figure essentially in such a life, even if a life fully devoted to intellectual contemplation was achievable. The former interpretation of Aristotle has been called the 'intellectualist' or the 'dominant' reading, the latter the 'inclusive' reading: see Richard Kraut, *Aristotle* (Oxford: Oxford University Press, 2000), and Hughes, *Aristotle on Ethics*, pp. 43-4.

[15] See Stephen Everson, 'Aristotle on Nature and Value' in *Companions to Ancient Thought 4, Ethics* (Cambridge: Cambridge University Press, 1998).

– are usefully identifiable than they are in the case of 'human being'. In this way, as suggested above, running an *ergon* argument for institutions can avoid some of its problems in the case of individual persons.[16]

I have suggested that a conception of something doing well – and thus its strengths or excellences – is essentially linked to the kind of thing that it is, and that the virtues or excellences of institutions are especially apt for this kind of construal. Given that a 'local government sub-committee for town planning', for example, is there *to* plan towns, we can appeal to a definition by specific reference to its role and task. We can know clearly, at least more clearly than we can in the case of 'humans' what it needs to do in order to be doing well, to be a 'good local government sub-committee for planning a town'. But if this strategy of understanding institutional virtues is to apply as a form of virtue ethics that helps to determine the demands of roles for virtuous individuals, we need to address two related questions. Firstly, does the primary purpose of the institution comprise its *ergon* such that its excellences will be derived from it? Secondly, is the *ergon* of an institution any more transparent than a 'guiding ideal' of a role?

I now want to answer a qualified 'no' to the first of these questions, and a qualified 'yes' to the second. That is to say that, with regard to the first question, this *ergon* can and often will comprise more than the nominal or primary function, such that statements about the 'good institution' will not necessarily bear the same analytic or self-explanatory mark as those about the 'good pen'. However, as to the second question, the *ergon* of an institution, when properly understood, can be transparent enough to be usefully intelligible as a way of determining the demands of its roles. In the remainder of this chapter, I explain the negative answer to the first question, i.e. the way in which the institutional *ergon* is not captured by reference to an

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[16] Problems, briefly and non-exhaustively: (i) Humans are capable of doing all sorts of things, so why does an activity being distinctly human preclude its being bad for humans, e.g. can't humans use their intellectual capacities viciously? (ii) Human beings, unlike plants and other species of animal, seem to have many 'characteristic activities' to choose from, and there are and have been some highly contemplative and rational crooks, liars and tyrants of whom it looks odd to say that they lived 'well'.

institution's nominal or primary function. The following chapters then develop a positive account, and concern a proper understanding, of the institutional *ergon*.

We have so far talked about the 'primary' function of an institution. A primary function can be thought of as the activity that makes an institution what it is and sets it apart from other types of institution. Hence the term 'primary' can be taken as standing for the *sine qua non* function of an institution: if an institution failed to have that function it would also fail to be that institution. Yet the primary functions of institutions stand in contrast to some functional artifacts, where, as Foot says, an understanding of the primary (*sine qua non*) function is also an understanding of what it is supposed to do, and how it does it well. For whilst such primary functions – restaurants serve meals; sports clubs play sport; schools teach children; hospitals treat illnesses – are necessary in an account of these institutions' respective characteristic activities, primary functions are not obviously identical with 'characteristic activity', as I will now explain further.

Arguing for the importance of primary functions in business ethics, Elaine Sternberg considers the scope of considerations with which a business should concerned, and why:

> Increasingly [...] such a narrow definition of business [in terms of owner profits] has come to seem controversial. The trend has been to see business not as something that exists solely for the financial benefits of its owners, but as something with a myriad of other objectives, social and psychological, political and economic. As the objectives have multiplied, so have the groups to which business is assumed to be accountable. [...] Since these proliferating objectives and interested parties are of growing importance, they cannot be ignored. *But nor can serving them be the purpose of business.*[17]

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[17] Elaine Sternberg, 'The Business Purpose Specifies Business Values', in A432 Applying Virtue Ethics, *Offprints* (Milton Keynes: Open University Press 1999) pp. 61-69, p. 62, my italics.

Consistent with our appeal to *ergon*, Sternberg urges that to do business ethics intelligibly cannot simply be to apply one's general notion of ethics to business whilst ignoring its primary function, i.e. what the business is *there to do*. She makes a point about the way in which we have come to see businesses as having objectives and assuming responsibilities that are related to things other than their primary function, and her aim is to distinguish between primary function and these other objectives. A commercial business simply cannot, for example, proceed by assuming that it needs to do everything it can to serve the public good if it is to remain that kind of business. To do so would be to make it indistinguishable from charities, hospitals, or other kinds of associations and institutions.

Sternberg cites the core or primary function of business as something that business persons, or businesses, should not lose sight of when thinking about business ethics, then sees the increasing number of other objectives, ones that are not conceptually integral to that purpose (i.e. we can think of a business maximizing profit without them), as important only insofar as they are, as a matter of fact, things that a business cannot ignore. So on this view, a business may need to consider social and political matters as ethical ones it needs to weigh up in deciding what to do: but this is not because acting on them is part of the purpose or goal, the raison d'être, of business as such. Such non-integral aspects of business can on her account be seen as constraints on that goal, though not necessarily constraints which reasonable business persons should want to remove. For example, Sternberg goes on to propose that the procedure of businesses is best understood as 'the business purpose of maximizing long-term owner value [...] in accordance with distributive justice and ordinary decency'. Thus Sternberg should not be misconstrued as claiming that ethical or other extraneous considerations always 'get in the way' of doing business well. Perhaps she would even concede that businesses or business persons have certain moral duties that are nothing to do with their business status- though these would just be a matter of common morality. She does, however, appear to claim that the objectives of business that are unrelated to its primary purpose are not part of its purpose – its *ergon* or characteristic activity at all, though they may be considerable for other good reasons.

Taken as a general claim about institutions and their functions, I find Sternberg's distinction between primary purposes and other objectives of an institution implausible. This is because it is not clear that the function/activity or functions/activities of a social institution can, unlike some functional artifacts, be separated instructively into a scheme of, for example, primary and extraneous functions; or defining activities and necessary but auxiliary activities. Clearly a manufacturing business is not a hospital or care institution, nor should it take itself to share the same primary functions in this sense. But from this it does not follow that maximizing owner value is the business's function by which we judge its excellence qua business whilst all other factors are valuable only to the extent that they serve this function. For it seems that, unlike the *erga* of pens or knives, the *erga* – i.e. the functional purpose or purposes, of different social institutions – can be both manifold and modified or replaced to the extent that institutions are socially constructed and sustained through time. The primary functions of a charity, hospital or savings bank will delimit the characteristic activities of each institution, such that to fail to serve them will be to fail in some respect *as* that institution. But this does not entail that the exercise of its sole primary function is identical with its doing well, as might be argued in the case of pens or knives. Its *characteristic* activity might involve more than its primary function in the sense we have understood it.

If we are to gain an understanding of an institutional good or virtue, as a strength or excellence in terms of exercising characteristic activity or activities well, we need to see how such activity can be characteristic in ways that go beyond primary functions. In closing this chapter, I turn to some different examples that illustrate the ways in which the *primary* or *nominal* functions of institutions are not identical with their characteristic activity: the activity or activities the exercise of which makes them good instances of their kind.

Example 1

A small group of environmental volunteers and natural historians meets regularly. Each weekend, the group carries out remedial and constructive work on sites and facilities in and around their town. The group convenes one evening per month and through discussion, decides on its forthcoming tasks for each weekend, and on the distribution of labour among the group for their completion. Over time, the group attends to various environmental projects, and develops a *modus operandi* for implementing its plans. The group is limited by its size and resources, and must often therefore prioritize certain projects over others. In deciding upon its projects and prioritizing them, the environmental group also, as a matter of established deliberative practice, takes into account the wishes of the community that lives in that environment, balancing this as one of many environmental concerns. On summer weekends, the group tends to reach decisions that avoid closing off areas of parks for maintenance work, as to do so would be to deny park users this aspect of their environment at a time when they can benefit most from it. On the other hand, if a rare species of bird was found to be nesting in the same park, the fact that it was a busy summer would push the group towards a decision to prioritize closing of the nesting area immediately, and for whatever period of time may be necessary to protect the birds.

Here, the group has been established for a clear purpose or function, of maintaining and improving the environment. Hence we are able to infer the institution's primary function. But how are we to understand its *characteristic activity* in terms of its strengths? This institution values and pursues its purpose and develops certain behavioural and procedural habits, which are exercised according to the demands of different situations. The group's habitual practice of consideration, for users of the environment as well as the environment becomes its policy and practice. This is an excellence that is linked to and serves the primary purpose of the institution. Yet its level of detail as such a feature cannot be inferred straight from the primary function of the group, any more than how to be a good teacher can be inferred from an ideal of 'education'.

In this example of the environmental group, even though the institution has a clear and singular function, its particular ways of serving that function – its actual excellences – are specified and brought to life by the institution and its members. So, whilst the primary purpose of environmental care straightforwardly informs the institution as to how it should be operating, the institution's *ergon* – what it actually does – is also shaped by the practices and policies of the institution itself. Hence when a member of the group thinks about what it would be best for the institution to do as a collective, she thinks not only in terms of acting in her role as environmentalist guided by a purpose or the value of 'environmental care',[18] but also in her role as a member of *this* group which characteristically considers the environment in such-and-such ways. The environmental group is a case of an institution with a clearly intelligible and nominal primary purpose, but where the details of its substantive characteristic activities still depend on a certain interpretation. Hence, in cases of institutions with clear and relatively non-contentious primary functions, that primary function may yet not suffice in an explanation of characteristic activity and strengths.

Example 2

The environmental group is an example of an institution's primary purpose describing, but falling short of specifying the particular details of, its *ergon*. But consider now a slightly different case in which an institution's *ergon* becomes determined at least partly by activities that are unrelated to its primary function.

The staff and management team of a high street 'fun-pub' that attracts a youthful clientele. To maximize the profitability of what is, after all, a business, this team regularly puts on events and adopts admission policies that add to this attraction. (e.g. special price offers on drinks at certain times, entertainment and extended opening hours at weekends.) This has resulted in increased anti social behaviour in and around

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[18] Note, once again, that there is a growing body of literature that sees the environment as topic that bears a virtue ethical analysis, some of which cite 'environmental' virtues. See Chapter 2, pp.3-4 fns. 5 and 6.

the bar at certain times. Local residents' complaints are numerous, and on the increase. Whilst all of the bar's practices and policies are within the law, the police are becoming increasingly exasperated with what they see as a lack of social responsibility on the part of the bar's management team.

The team believes, reasonably, that it alone cannot be held responsible for every individual customer's behaviour, and that it cannot be expected to curtail every likely incident of group anti-social behaviour. But over time, it also comes to believe that this abnormally high level of anti-social behaviour is unacceptable, and that it does bear a certain responsibility to prevent it, on occasions where attempts at prevention stand a fairly high chance of success and prevention would be reasonable, given that the team is running a business. (Closing down the bar altogether would be a surefire preventative measure, but it would not be reasonable, at least not until anti-social behaviour got so far out of hand that this became a reasonable option.) Through a series of meetings and consultations with local residents' associations and police, the team adopts a certain social responsibility which is reflected in the policies and practices of this institution.

Suppose then that the team starts to modify its policies with respect to what it now takes to be its social responsibility, finding that on some nights, it is acceptable to open the outside area in front of the bar to drinkers, whilst on others, it should close it. The team sees itself as capable of judging the likelihood of anti-social behaviour as a result of allowing outside drinking, according to features of the situation. It may also be strict with admissions when the atmosphere is increasingly rowdy, or it may even decide to close earlier than planned if such rowdiness looks to be potentially dangerous. Correspondingly it may do the opposite on occasions where no such concerns present themselves.

Now, as this is a business organization that sells drinks and entertainment, its primary purpose seems more or less straightforward. But note that in deciding to review its policies in light of considerations about anti-social behaviour, it appears to have

adopted a function that was not originally the primary function of the institution, i.e. selling drinks for profit. But this seems not to be merely a necessary constraint of business or, in Sternberg's terms, an objective that they cannot ignore: for they could quite easily go on doing what it takes to maximize takings regardless of these wider social factors. The pub did not originate *in order* to further social responsibility but to run a business, and to this extent eradicating or preventing anti-social behaviour is not its primary function or purpose in the way it is for a unit of the police force dedicated to that task, for example. But given what it now does- the way it actually functions – the bare description of the pub's primary function – 'to sell drinks' – now seems rather too bare. The pub is a social venue organized for the purposes of socializing in what it would hope would be a reasonably pleasant and safe locality. These features seem to be more than adjuncts to the *ergon*, but now part of its characteristic activity – what it does.

On the question of virtues as excellences that determine role-demands, the team's recognition of its social responsibility comes about and becomes evinced by its running the business in a certain way. The attitude and practice of social responsibility then became an institutional feature when the group understood this as a valuable feature that *should* be pursued –a habit worth forming, in other words. In this way, a virtuous agent who is part of this institution infers the demands of her role accordingly. The virtuous team member, in this institution, not only sells drinks but promotes socializing, as this is the guiding aspect of institution's *ergon*.

Example 3

In the example of the environmental group, the primary purpose is clear but its ergon is more detailed. And in the fun pub's case, the primary purpose fails to fully specify ergon. For a third kind of counterexample to *ergon* being explained by primary function, we turn to a case in which the activities and practices of the institution, and the way it develops accordingly, can be seen to have a direct bearing *on* what that primary purpose is.

Suppose, for the sake of argument, that a large campus University's or any conventional University within a whole higher education system's twin primary functions are education – meaning roughly the formal teaching of students – and carrying out research in the pursuit of knowledge. Suppose also that the *ergon* of the organization as a whole, usually through smaller groups of individuals, is to formulate policies, make decisions and act on the basis of how to best serve these functions. The institution comprises many people making joint decisions, sometimes in different individual roles, and has various functions. Focusing on the first of these functions, education, one way to explain the university's *ergon* and according excellences would be to say that it has some activities that centrally concern teaching, e.g. lectures and seminars, and others which are linked indirectly in a supporting role. Instances of these aspects of a university that directly or indirectly effect policies and practices are numerous, and the ways in which excellences or strengths could be inculcated are similarly manifold.

Earlier in this chapter I have alluded to the difficulty of understanding 'education' as an abstract ideal, and here also we can see that a similar difficulty arises with trying to construe it as an activity considered apart from instantiations of practice. Take a familiar debate over education. On one construal, 'higher education' just is or should at least incorporate this whole wider experience, whilst for others more instrumentally minded it need only or primarily concern the gaining of qualifications, for example. Now the point of the example is not to suggest that we could never grasp a determinate understanding of what education is or should be, just because there may be disagreement over what it should be. Rather it is to illustrate that if education is a primary function of a University, as it seems reasonable to suppose, its nature is something that is at least partly determined by actual practices, experiments, policies, debates and dialogues. In the case of a commercial business, the primary purpose (though not necessarily its *ergon*, as we have seen) may be specified by reference to a defining feature of profit-making by selling whatever it is in business to manufacture or sell. But in the case of a University, the nature of its primary purpose *itself* – what education *is* – may be something that is only intelligible from within the

institutional practices and procedures of educational institutions. This is only to be expected, in some cases, if the *ergon* account is to be superior to the regulative ideals account. But the point here is that *ergon* – characteristic activity – can play a part in shaping what a primary purpose is.

In sum, primary purposes of institutions are not necessarily identical with characteristic activities – their *erga*. *Ergon* can specify the ways in which those functions are served; non-primary functions can be or become part of institutional *ergon*; and actual characteristic activity can to some extent say what it means to fulfill a primary purpose.

5:7 Conclusion

These considerations, of what institutional *ergon* is and is not, suggests that the most useful way to view institutional virtues is as policies, practices and habits within social organizations that are appropriate to that organization, where 'appropriate' appertains to its function or functions construed more broadly than what we might consider to be its 'primary' function, though not so narrow as to allow just any activity that an institution happens to be carrying out. It suggests, that is, that an understanding of the way in which institutions determine the demands of roles for the virtuous agent depends on as full an actual and current understanding of its *ergon* as we can gather, and then its according strengths – those institutional features that should be promoted.

To return to the reasons for looking at the institutional *ergon*, we identified a need for virtue ethics to steer a course between accepting and dealing virtuously with the demands of institutions as they happen to stand; and appealing to abstract ideals that are unrealized in institutions. This is the way in which the salient considerations for the 'good-role-bearer' in a particular role are determined by the *ergon* of specific institutions, and the way in which these role-bearers' actions can be guided and assessed from a virtue ethical standpoint.

Continuing with the last example, there is, of course, a degree to which any account of what makes an institution a better or worse instance of its kind must accept that there are actual conditions, outside the institution itself, that shape institutions' *erga*. Consider that the functioning university in a set of circumstances C – a certain historical, financial and political situation and educational climate – may need to formulate its policies according to these conditions, but adapt different policies in different circumstances C*. Thus for example in some historical circumstances 'frugality with resources' may be a real strength for a university that seeks to survive and continue to provide education, though it may not always require it or have required it. But that is nothing like understanding the role-determining functions of institutions simply in terms of the obligations they happen to decree. Rather, it offers some understanding of *why* an institution does or should demand what it does of its constituent individuals, in terms of its *ergon* so described and thus its strengths, broadly conceived.

So far we have identified that the '*ergon*' of a social institution is informative with respect to its doing well as an instance of its kind, but that this *ergon*, being subject to ongoing social activity and practices, is not straightforwardly discernable only by reference to some primary or nominal function. So as to grasp and make use of it in a politicized form of virtue ethics, in the following chapter we pursue further and attempt to grasp what this elusive conception of institutional *ergon* might be.

Chapter 6: The Institutional *Ergon* and Human Goods

6:1 Introduction

So far in the thesis I have argued for a virtue ethical approach to political philosophy grounded in the normative demands of social roles and that this, crucially, should extend to an understanding of the social and political institutions that *determine* the demands of those roles. And in the last chapter I suggested that the Aristotelian notion of 'characteristic activity' – *ergon* – can usefully serve as a normative criterion for the assessment of an institution in a way that avoids Aristotle's problems with inferring the *ergon* of the human being.

At first glance, this suggestion is conceptually very plausible. Consider a claim such as 'the University which fails to educate people or advance knowledge is failing to be a good University'. Yet it might also seem obvious to the point of being uninteresting – arguably both trivially true and 'trivial' in the everyday sense of being unimportant. What *is* interesting, or so I hope to have shown, is how elusive institutional *ergon* proves to be when we look a little more carefully at some different examples of institutions. For then we find that merely identifying 'characteristic activity' with the primary and distinguishing – or 'nominal' – function of an institution will not do. Firstly, the distinctly characteristic activity of an institution can specify particular ways in which its primary function is served, thereby denying the identity of this primary purpose with characteristic activity (as in the environmental group example). Secondly, non-primary functions can themselves be or become part of institutional *ergon* – such that they can figure meaningfully in statements about 'what the institution characteristically does' (as in the retail bar example). Thirdly, such actual characteristic activity can, to some extent, determine or shape what a particular institution's primary purpose *is* (as in the University example). On the one hand, then, we might think that institutions are, like pens or knives, 'strongly functional' such that they each have their own evaluative standards built in to an adequate description of what they are. On the other hand, however, we struggle to say what these functions and standards are or should be.

This elusiveness has so far only been suggested in the three examples presented at the end of the last chapter. In this chapter we explore the puzzle of institutional *ergon* in more depth and then offer a solution aiming, ultimately, to address the normative determinacy problem of what constitutes the virtuous, right action in particular social roles. Where Hursthouse's account sees the lawyer as 'forced' by role obligations into a serious dilemma, and where Oakley and Cocking cite 'regulative ideals' of roles as guiding individuals, this alternative account continues to look at what they both importantly fail to address, namely the normative quality of institutions.

In the next two sections (6:2 and 6:3) I discuss the strengths and weaknesses of some candidate explanations for institutional *ergon*. The first kind of account, which we look at in the next section, focuses on the extent to which institutions facilitate 'flourishing' in one form or another. This approach is examined in terms of the institution itself as, or analogous to, a natural organism that can function better or worse in terms of an instance of its kind; and via the extent to which an institution facilitates the flourishing of individual humans – *eudemonia*. Another approach, which we come to in section three of this chapter, seeks an 'artificial' account of the way an institution is, was, or would be, constructed by actual or hypothetical agents. Here we consider actual historic intentions and contracts involved in such constructions; and a hypothetical contract model.

I will show that whilst each of the naturalistic 'flourishing' and the artificial accounts is problematic, and though none fits the bill as it stands, they together indicate some conditions that are at least necessary for a determinate institutional *ergon*. In the fourth section (6:4), I draw on these accounts' shortcomings and insights to propose and defend an alternative view, in which the *ergon* of a social or political institution is best understood as its purpose or function linked essentially to some specific human good or goods. The fifth and final section concludes by recapitulating how such a formulation applies to the question of role determinacy.

6:2 Institutions and Flourishing
Institutions as 'Centres of Life'

To start with, can a social institution be usefully seen as sufficiently like a living organism, so as to understand what makes its life go better or worse in terms of something like its 'health'? Recall that the basis of the Aristotelian *ergon* argument is the idea of a thing's defining activity – what it *does* and *is* – providing normative criteria by which we can judge better or worse instances of its kind. Now, in cases of natural organisms, this view *distinguishes* a plant, for example, by the fact that it grows, blooms, and gets nutrition from soil etc. and says that a plant that starves and withers fails to *do well* as a plant. Similarly, a social institution consists in a certain collective human activity or clusters of activities, and this activity or these activities account for what *it* is. Consider that it seems impossible to characterize a social institution *without* referring to a collective social activity: a social institution is what it *does*. Furthermore, this line of thought continues, institutions endure over time and are sustained in particular ways and not others. To this extent an institution might be sufficiently analogous to a natural 'teleological centre of life, striving to preserve itself and realize its good in its own unique way'.[1] Hence one way of grasping a social institution's characteristic activity, such that it could provide normative criteria for how it should best operate, might be via an analogy with natural living things. This would be to claim that institutions can flourish or fail to flourish, and fare better or worse according to the extent that they do so, like organisms, creatures and plants.

I think we should first reject any claim that institutions are so much like natural biological organisms that we can determine when things are going better or worse for them – just as we might do with a withering or blooming daffodil.[2] We may well be able to derive some account of a living organism's characteristic activity from identifying a species or genus's natural life activities and processes of survival, and then surmising that this is what such and such a being does if it is to live well and flourish *as* a member of its genus or species. Yet in the institutional case, *finding* a

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[1] P.W. Taylor, in John Benson, *Environments, Ethics and Human Concern* (Oxford: Open University Press, 1999), p. 106.

[2] Though this is not entirely to dismiss all arguments that social collectives can be 'persons' in *some* sense. I go on to discuss some of these arguments in Chapter 7.

class or type – analogous to species or genus – that identifies an institution by something like its 'natural life' is exactly the problem highlighted at the end of the last chapter. Whatever else the flourishing of institution X, Y or Z might consist in, it is not a set of natural characteristics – such as growth, nourishment or reproduction – from which we can start the investigation into how it flourishes. If the problem with establishing an institution's *ergon* is as I have characterized it, then one thing that makes it so difficult to capture is precisely that we cannot categorize its 'characteristic activity' in quite the same way as we can with natural and living objects.

Why can't a credible explanation of an institution doing better or worse be built on certain observable characteristics, as it might be in the case of natural organisms? Primarily because social institutions originate from and comprise various collective purposive activities of persons, and thus the *ergon* of a social institution – a normative notion of *what it is there to do* – must ultimately relate to the *justifying* reasons for persons to form, participate in and sustain these institutions. That is, to ask properly 'what is the characteristic activity of this institution?' will be at some point to ask about the reasons that people have for creating and sustaining that institution. Let me explain this by further contrasting institutions and natural objects.

Consider the limits to the analogy between a natural species or a single organism and an institution. In both cases we are of course attempting to extract criteria for judging whether a thing's life is going better or worse as an instance of its kind, but now take the frog (or a frog) as an example of a natural species (or member of that species). There may well be an evolutionary explanation for the frog coming to be as it is, but in establishing what kind of creature a frog is and therefore what 'frog-flourishing' might be, we do not need to find justifying reasons why the frog is made and endures as an amphibious chordate and not as something else, or indeed why it exists at all. We can start by identifying and classifying frogs as creatures with such-and-such natural properties and not others: and from this we can then see how a frog flourishes or fails to flourish according to the degree to which these properties are instantiated.

Now, by contrast, the life and activity of any social institution are born and sustained by persons who could have failed to bring about and sustain them in the particular ways they have. Hence to examine the properties of, say, an association or club in order to infer from these its characteristic activity, cannot be to look only at for example its structural features – such as its rules, constitution and procedures – as if they were features of the natural world. It must also be to look at the activities of its constituent persons, including the activities of establishing those rules and procedures, and at the reasons why *these* activities, and not others, were established and are going on. In other words, a purely empirical account of what a social institution is doing, or has done, cannot yield a normative account of what it – as a good instance of its kind – *should* be doing.

Some intelligent design theorists may of course argue that natural beings, objects and species *are* created for reasons and specific purposes by God, for example. But without the space or inclination to engage with their arguments here, I think that even they could concede this disanalogy between natural objects and institutions. For the present point is not to deny that organic life forms may be purposefully created and sustained for reasons by a higher being or according to a rational order. Rather, what matters is that once they *are* living and self-sustaining as an organism with a distinct life form, we need only look at these life forms to establish what constitutes better or worse specimens. Thus even if it were true that, for example, bees were made by God *for* the purpose of cross-pollination in the great scheme of nature, it would not follow that God's reasons for creating the bee would have to figure in a naturalistic account of the bee's flourishing. But by contrast, the 'life' of a social institution is always *constituted* by persons' actions, where to look closely at its activity will be at some point to come across the reasons for these persons acting this way.

The upshot of the disanalogy is that natural and observable frog-type features can form a 'rock-bottom' explanation of frog-flourishing, but a similarly basic explanation of a social institution must get further down to the 'what good it is *for us'*

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– the ways in which persons form and sustain an institution and the reasons they have for its formation and sustenance. So, the main problem for the organic approach is that social and political institutions come about and continue through, and for, the participation of people and the benefit of people. This is, at bottom, what they are for.

Institutions and Characteristically Human Flourishing

We might call the problem with the organic approach just raised the 'constitutive' problem, as it arises when we discover that its constitution can be analyzed into reasons, intentions and actions that *persons,* or collections of persons, have for forming and sustaining institutions. In response to the constitutive problem, a different kind of naturalistic strategy could focus on the flourishing of the human beings it comprises and affects, rather than institutions themselves as (analogously) flourishing organisms. On this account, in keeping with the Aristotelian conception of human flourishing – *eudemonia* – the *erga* of social and political institutions could be determined by the extent to which they facilitate or fail to facilitate characteristically good human lives. Or, putting this view negatively, a good social or political institution cannot be one that *thwarts* human flourishing. Because social or political institutions comprise human activities and are, we can assume, worth maintaining in some form for humans, their conducing with humans doing well could be seen as at least a necessary condition for their *erga*. So for example, the standard by which we judge a good and well-functioning family could be the extent to which it facilitates flourishing family members and has structures and practices which tend to promote, or at least not inhibit, such flourishing.

This account of institutional *ergon* looks more promising than the 'organic' one, in that it avoids problematically construing the 'life' or activities of an institution as something observable apart from those of the individual persons it comprises and affects. However, someone sceptical of a supposedly necessary or characteristic link between social institutions and *eudemonia* might offer, for counter-example, the penal institution, i.e. the prison or other legal institutions that authorize other punitive measures. Surely, they would say, *this* kind of institution – whatever else it is meant

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to do – is not there *to* make people flourish? Yet even here, some form of the *eudemonia* account could be defended in ways compatible with a variety of theories of punishment. On the assumption that prisons or legal sanctions (or at least the authority and means to impose those sanctions) are a necessary part of a good society, the *ergon* of a punitive institution might be construed in one way as conducing to the flourishing of other law-abiding citizens: by for example providing them with immediate protection from criminal acts, deterring potential criminals, enacting a form of public retribution or enforcing reparations from the offender. Furthermore, successful rehabilitation programmes within punitive institutions could be seen as conducing to the flourishing or future flourishing of those punished: not only through the prevention of future recidivism and the facilitation of a normal crime-free life, but also through publicly, as it were, 'wiping the slate clean'.

A point to be taken from the example of punitive institutions is that the *eudemonic* conception of the social institution is teleological, i.e. pursuing what is ultimately good for humans in some way, even if there are some institutions whose very job might be to constrain at least some persons' *eudemonia* to that end. Even if we were to hold a hard retributivist conception of punishment – by which those incarcerated for any or some crimes should, for the duration of their punishment, *not* flourish in any putative sense of the term – the goal of flourishing human beings could nonetheless serve as a criterion for assessing what makes good prisons. And this fits well with some of the far from obviously *eudemonic* particular practices within other kinds of institutions. Good schools, for example, may need disciplinary procedures but can still conduce with or at least not run contrary to the goal of flourishing pupils, teachers, pupils' parents and carers and future citizens.

What objections might the *eudemonic* construal of institutional *ergon* face? One problem that any *eudemonic* account comes up against is that of what actually does and does not constitute human flourishing in a plausible and not entirely subject-dependent sense; that is, in a sense that cannot reduce or explain an individual human being's flourishing to that particular human being's 'feeling happy'. Would we say,

for example, that the University student who hardly attends lectures, but thoroughly, and seemingly happily, enjoys nightly (and perhaps daily) Bacchanalian excess, is flourishing? If we were to say that she is, then the *eudemonic* way of determining institutional *erga* might well collapse into a crude form of hedonistic utilitarianism. In response, of course, the Aristotelian, as well as the more sophisticated utilitarian, would say that the student is failing fully to flourish, arguing respectively that the student's current happiness was nothing like *eudemonia* or had far less value than a Millian 'higher pleasure'. Yet even if their arguments were successful – so showing flourishing to be far more than sensuous pleasure or a subject- dependent feeling of happiness – the difficulty for determining institutional *erga* would not go away. For, as I will claim next, the main problem with the *eudemonic* conception of institutional *erga* is not that of finding and justifying some objective measure of human flourishing (though that is certainly an interesting and persistent problem). The problem is, rather, that making some general condition of human flourishing the evaluative benchmark of *institutions* fudges the very distinctiveness of institutions that makes them apt for an *ergon* kind of description. That is, the general *eudemonia* account fails to distinguish just what the characteristic activity of a particular institution *is*.

Consider firstly that a business, a charity, an educational institution and a sports club might all facilitate the kind of human flourishing of the kind that would conduce with the Aristotelian conception of *eudemonia*. If they did, it would not follow that each would thereby be exercising its *ergon*. Echoing both Sternberg's and Swanton's point about the importance of business purposes, an investment bank could facilitate flourishing by, for example, repairing roads, thus keeping its employees physically fit and maintaining the transport infrastructure for road-users. A sports club could insist that in order to be considered for a place in the team, players must first present the selection committee with a critical analysis of Kant's third antinomy – thus expanding its members' intellectual capacities, or at least trying to do so.

These somewhat fanciful counter-examples show only that an institution's *ergon* cannot only be its capacity to promote human flourishing in any old way. In response, it may be that, as we have said, facilitating or not thwarting human flourishing is necessary in determining any social or political institution's *ergon*: and the problem might be that it is insufficient. What, then, if we were to try to combine human flourishing with an institution's primary purpose? This would make the singly necessary and jointly sufficient conditions for institutional *ergon* a) an institution's conducing with or not thwarting human flourishing and b) its serving its primary purpose. And this would seem to get round counter-examples of good institutions that make people flourish but also fail to be good examples of their kind.

Yet whilst this goes some way to bringing together the social-human aspect of all institutions with the purposes of particular kinds of institution, it still fails to help determine precisely what particular institutions' *erga* are or should be in some difficult cases. This is because the many ways in which humans can flourish, or the many aspects of human flourishing, still allows for multiple interpretations of institutional *ergon*. Perhaps the investment bank is increasing its stock market value *and* its employees are flourishing in their social interaction with each other. Yet whilst the bank's primary purpose is necessary for it to be a bank at all, and whilst a burgeoning and fun social life may be a good, desirable, thing for *any* normal human beings, these features together do not seem to provide criteria by which we can evaluate a good investment bank *of its kind*. Just adding the extra condition of human flourishing to primary purpose still allows that an institution can meet the flourishing condition in ways that have little to do with distinctly characteristic activity – *ergon*. It seems, then, that merely adding the flourishing condition to the primary purpose condition is insufficient for determining an institution's *ergon*. We return to this question in the penultimate section of this chapter (6:4).

Perhaps, then, we could add that the flourishing promoted by an institution must at least *conduce with or not inhibit* its primary purpose, even if the flourishing in question is not essential to or even involved in that purpose. This could disallow

sports clubs that test their members on Kant, but might allow the profitable bank whose employees have fun –at least to the extent that the fun does not thwart financial activity. However, I remain sceptical of the *eudemonic* model even with this modification because of a further, slightly different, inadequacy arising from adding the condition of human flourishing to that of primary purpose, as follows.

Recall, from the end of Chapter Five, the difficulty in some cases of establishing an institution's primary purpose, where we saw the example of the University and 'education'. Now suppose two parties are trying to determine the *ergon* of a University on this *eudemonic* view. Both parties in this debate, and I take it, most bystanders, would agree that 'education' is what this institution is about, yet they disagree on what education *is*. One's view is that education's primary purpose is nowadays about training people for the job market and 'meeting the bottom line' by efficient bureaucracy. The other's opposing and more traditional view is that education is and should be nothing of the sort, but rather an exercise in the development of the person: of their critical, social, intellectual and even moral capacities, all of which are incorporated in the expansion of their own and others' knowledge within a unique environment of critical research.

Now, the inadequacy with the *eudemonia* condition here is that it fails to arbitrate either way in this kind of substantive debate over differing conceptions of the educational institution's purpose, i.e. the debate over what education should *be*. That is, the general notion of *eudemonia* is just as amenable as a key premise in both sides' arguments. If a proponent of the first view could, let us suppose, show that there is a sufficient number of technocrats that thoroughly enjoyed bureaucracy and meeting statistical targets, and a sufficient number of students whose career aims could be well served by training courses (and it would at least be difficult to argue that job-satisfaction and career ambition are not conducive with human flourishing), then he could, on the *eudemonic* view, argue convincingly that his conception of education *is* the educational institution's *ergon*. For he could show us a University operating under his conception of education – churning out graduates well equipped for jobs

and winning the institution points for effective data collation – tends to make a lot of people *eudemon*, thereby meeting the two conditions. In response his opponent might for example simply insist: "*those* activities may conduce with persons' flourishing, but they are not what education is about. *Those* attributes belong to personnel training departments within other institutions, or data collation services, but not to institutions of education". But whether or not he could convince his opponent about the nature or value of education for some other reasons, the general *eudemonia* condition is here doing nothing to determine what education is or should be like, and so is failing to help determine the institution's *ergon* in this case. The difficulty of determining what best constitutes good *education,* and thus what makes a good educational institution, persists beyond the appeal to human flourishing.

Conclusion to 6:2

We began with the problem that a particular institutions' *ergon* is not just given – as it were, analytically – by its nominal primary purpose. We have explored two possible ways of combining eudemonia with purpose in order to establish criteria for institutional *ergon*, but have found that by adding the conditions of either institutional or individual human flourishing, we still fall short of the target. Because of their constitution by persons, institutions do not themselves possess characteristics amenable to an 'organic' naturalistic construal of their flourishing: on the other hand, however, the condition of individual human flourishing is too general to help specify a particular institution's *ergon*.

Yet notwithstanding the problems with these flourishing accounts, what we can take as instructive from both the organic and the *eudemonic* construal of the institutional *ergon* is the point that social institutions are just that: centres of human activity – albeit not themselves usefully conceivable as analogous to biological organisms, nor understandable to the extent that they facilitate human flourishing in some way or other. Where next? Well, the flourishing accounts just considered point to the necessarily human social quality of institutions, so another way of determining

institutional *erga* might be via the reasons *why* we humans construct and maintain these institutions. It is this kind of 'artificial' strategy to which we now turn.

6:3 Artificial Strategies for Determining the Institutional *Ergon*

The basic thought underlying the artificial strategy is that institutions have a *purpose* for which they are constructed and sustained by humans. But in contrast to the organic account, this view sees institutions as more akin to artifacts than living organisms. And in addition to the *eudemonic* account, the artificial strategy seeks to explain institutional *ergon* in terms of specific purposes for which a particular institution is made, rather than merely the extent to which it makes or tends to make people flourish. On this view, then, institutions can be evaluated functionally like pens or knives, in terms of the use they are designed to serve.

In Chapter five we noted the caution needed in translating *ergon* into 'function' and, following Kenny, Everson, Hursthouse and others, have since been careful to use the English term 'characteristic activity' as an alternative. Yet, tellingly, on the artificial account of institutions the term 'function' might not be so potentially misleading, and an immediately appealing aspect of this general approach is that it appears to capture the defining characteristics of institutional activity as purposive functions. For whilst the Aristotelian account of human *ergon* does not rely on the notion of human beings being imbued with a function as in 'a purpose *for which* a thing is designed or made',[3] institutions actually *do* seem to have these kinds of functions. And a further advantage of this approach appears to be that it could do more than observe the ways institutions happen to be operating at a given point in time – which in itself may be normatively indeterminate. As we have seen, ideals of health or education are elusive and protean, whilst educational or health institutions actually do a variety of things

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[3] It is perhaps unfortunate that some introductory texts and courses on ethics cite the insight of modern evolutionary theory as itself a fatal blow to Aristotle's *ergon* argument. I.e. that in light of what we now know about evolution, we cannot take seriously any suggestion that we humans are 'made for a purpose': therefore the *ergon* argument anachronistically fails. But in looking to the human *ergon*, Aristotle does not make such a suggestion, and his argument need not be interpreted as standing on such a claim. (See e.g. Stephen Everson, 'Aristotle on Nature and Value' in *Companions to Ancient Thought 4: Ethics* (Cambridge: Cambridge University Press, p. 86); and Anthony Kenny 'Happiness', *Proceedings of the Aristotelian Society* 66 (1965-6) pp. 93-102, p.27).

that are not adequately captured by descriptions of these abstract concepts. It is in these respects that an artificial strategy could look to more determinate criteria, i.e. actual historical events or agreements on what an institution's purpose is, or specific reasons we had or would have for bringing about such institutions. We will begin with the first kind, by looking at origins and original intentions of institutions as a way of determining *ergon*.

Origins and Original Intentions

A characteristic of institutions, as has emerged from the discussion of the *eudemonic* account, is that they are constructed: put together by human beings. A starting point for an artificial construal of institutional *ergon*, then, might be the actual intentions of those who originally founded the institution in question. In some cases, these intentions are explicit and preserved, such as when we have available a 'founding fathers' statement or a constitution – which may be written or unwritten. But the absence of such a statement or constitution would not, in principle, prevent actual original intentions and reasons for the formation of a given institution being germane to its *ergon*. For example, some historical research into why and how a co-operative wholesale organization came into existence in the way it did might be more informative than 'it is a co-operative- that-trades-at-the-wholesale-level'. For the fact that it came about as a way of facilitating fair and affordable trade for people in abject poverty when ruthless profiteers were monopolizing such trade, might tell us something about its mission and its defining 'ethic', even though those particular, original, historical conditions may have significantly improved.

The main problem, however, is not with determining the original intentions of and reasons for forming an institution, but the extent, if any, to which they can be useful in determining the institutional *ergon*. This is because there is no reason to suppose that in all or even in any cases, original intentions and reasons are either necessary or sufficient for determining instituions' *erga* as normative criteria for what makes an institution a better or worse thing of its kind. Institutions tend to change and evolve, as do their characteristics, and the question of whether or not they have done so *for*

better or for worse doesn't seem to be answered by considering how an institution was or why it came about in the first place. Suppose, following feminists following Engels, that the origin of the monogamous heterosexual family as we know it was due to people's responses to a certain set of determinate socio-economic conditions, and that these conditions facilitated the subjugation of women through their role within the family:

> With the advent of civilization and class society, the twin changes [the rise of private property and the unleashing of new social forces] were consummated: the private property system was victorious, and women plummeted from their former high status to become the oppressed sex of patriarchal society.[4]

If something like this reading is correct, or at least if, as seems likely, the modern nuclear family originated for *some* reasons that are grounded in property acquisition and patriarchy, there still seems no reason to suggest that these reasons should play any part in determining normative criteria for families since then. Many would agree that whatever else they may be, good families function as centres of social support, friendship, love and nurturing, and the characteristic activity of the family has evolved such that it can now be seen as a well-functioning institution *without* ancestral traces of patriarchy and inequality. (And a good thing too, most would say.) Of course some other institutions may have stayed true to their original form or some founding principles or intentions, and they may have done so for some good reasons – as in the case of the wholesale co-operative whose particular characteristic activity is inextricable from its original concern for socio-economic justice. But this is a contingent matter and the historical connection between original intentions and *ergon* is not necessary, and certainly not sufficient, for formally determining *erga*.

Actual Contracts and Agreements

Moving on from origins, and following the point about the ways in which people actually see institutions and their functions, a different kind of artificial strategy

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[4] Evelyn Reed 'Introduction' in Frederick Engels, *The Origin of the Family, Private Property, and the State* (New York: Pathfinder Press, 1972).

appeals to contracts or agreements. One way of formulating such a strategy would be to claim that the *ergon* of an institution can be construed from the agreements that persons in institutions sign up or agree to in taking their place within an institution. Consider the contract one might sign when joining an association or taking employment, or the rules or guidelines one assents to in joining a club, for example. These kinds of explicit contracts or agreements may embody or reflect a mission statement or a constitution, but they need not, thus avoiding problems of unavailability with the intentions and origins account. And because these features and activities of institutions are those that people actually agree to, and in many cases literally 'sign up' for, actual contracts and agreements appear to provide determinate criteria for institutional *ergon* that track the reasons we have for forming and sustaining those institutions.

One problem with this approach is that many kinds of institutions and their particular instances do not give rise to any actual and explicit contracts or agreements for which people sign up or even agree verbally. This may not be a fatal problem as, arguably, it may not render agreements obsolete as a way of establishing an institution's *ergon*. There are, arguably, agreements, duties and constraints one tacitly – and possibly even non-verbally – agrees to simply by actively taking part in and sharing the benefits of family life without explicitly expressing that agreement, for example. As a general philosophical matter, what may be arguable about such examples is the extent to which we are genuinely obligated by tacit agreements or contracts. However, whether or not there is any truth in the glib adage 'tacit or non-verbal contracts are not worth the paper they are not written on', there is a substantial problem with the contract or agreement model that is more pressing for our purposes.

The problem is that it is quite possible for actual contracts and agreements within institutions to fail to 'track' the *ergon* of an institution. In the case of detailed employment contracts, for example, such agreements typically specify certain duties, terms and conditions of a particular role, but these agreements can themselves fail to provide criteria for assessing the institution as a better or worse thing of its kind. An

institution that is failing or succeeding in all sorts of different ways might yet, in principle, have available for scrutiny a whole series of highly detailed individual contracts and agreements. But nothing about these many contracts or their level of specificity, whether considered singly or collectively, necessarily tells us why it is succeeding or failing *qua* that institution. Institutionalized agreements and contracts, explicit or tacit, can in fact be agreements to do all sorts of things, including fail.

We might think that even though these agreements and contracts fail to capture *ergon*, their being agreed to must be grounded on the reasons that individuals have for agreeing in the first place. Hence the reasons for which someone actually signs up to an institution's rules or endorses its duties could tell us something about the social purpose that institution serves. Yet still, with regard to actual contracts and agreements, the fact that such agreements are actually undertaken does not necessarily determine any justifying reasons for their being undertaken. People may undertake agreements for all sorts of reasons that have little or nothing to do with an institution's purpose or *ergon*. The simplest example might be an individual signing an employment contract for *no other* reason than to sustain a basic or even subsistent level of welfare.

What if, in response, we were to change the focus of the contract/agreement model to agreement among these individuals on what they actually take to be the *ergon* of the relevant institutions in relation to their roles? On this approach – call it the 'social consensus' model – the data by which we would infer the characteristic activity of an institution would not merely be the actual reasons particular individuals have for assenting to institutional agreements at a given time, but the beliefs people have about how their doing so relates or should relate to the institution's *ergon*. Thus it may be that what actually motivates a given individual to take up a certain role as an employee is financial desperation, but this does not rule out her answering the separate question 'what is the purpose of, and the reasons for agreeing to the demands of, such and-such a role within this institution?'

The social consensus model has something going for it. We have already said that social institutions are identifiable as such only with reference to the social activities they describe. So a good way of establishing the nature of these characteristic activities might be to appeal to the relevant persons' actual beliefs on the matter. If a social institution's characteristic activities *are* the activities and interactions of persons, then who better for us to consult? Still, whilst the social consensus model gets right to the constitutive nuts and bolts of institutions – persons and their reasons and beliefs – in its analysis, I think that the difficulty with both the actual contract/agreement and consensus approaches concerns the way that institutional *ergon* stands in relation to social roles, as I will now explain.

As argued in the last two chapters, it is the determinacy and indeterminacy of individuals' roles that is exactly the problem for which we are seeking institutional *ergon* as a solution. Now, if in trying to grasp the institutional *ergon* of a University, for example, we look to actual contracts and duties of employees and students and at other tacit social agreements, established practices or to a survey of how individuals see this institution's *ergon*, it seems we can hope to be successful in one of two ways. We could start by assuming that these individual contracts, agreements or views reflect the fact that the University *is* operating as it should: or we could define the 'as it should' just *as* those contracts, agreements or views. Either way, there is on these approaches just no such thing as an institution *failing* as a thing of its kind, as long as some or other condition of agreement or consensus among individuals is met: such actual agreements or consensus, whatever these might be, will define institutional *ergon*.

Yet to employ this methodology is simply to deny what we have identified as the problem, namely that institutional *ergon* is needed to determine what role-defining contracts and agreements should look like. The problem, recall, is that on a virtue ethical analysis the individual, *qua* virtuous agent, lacks a satisfactory set of normative criteria of *institutions* that determine what their actions *qua* role-bearer should be. If this is the structure of the problem and the source of its solution – and I

hope in previous chapters to have shown that it is – then we cannot make it disappear by reversing that structure. That is, if we are to continue to look to institutional *ergon* as the thing that can remedy the indeterminacy of individuals' role-demands, we cannot then simply build up institutional *ergon* from that which individual role-bearers actually contract to or agree upon. To stress once again: It is something about the institution and what it *should* be like, as a good instance of its kind, that we are seeking. Actual contracts and agreements between individuals may, for example, provide micro-level evidence for how an institution happens to be operating at a given point in its history, and that may well be a useful starting point, but this cannot amount to discovering institutional *ergon* in such as way as it could usefully guide role-conduct.

Hypothetical Contracts

If the reasons for an institution coming into being and enduring are salient to its *ergon* but cannot be satisfactorily inferred from the details or presence of actual agreements, what of determining an institution's *ergon* through the idea of the 'hypothetical contract'? In a strand of thought that continues the classic social contract tradition in political philosophy, arguments based on this model are, roughly, that groups of people without a political state or some political principles – those in the state of nature or in Rawls's original position – would, rationally, come to choose such principles and accept certain personal restrictions and coercive powers such as laws or taxation. Thus the hypothetical contract model is directed at the problems of political legitimacy and of political obligation, thereby providing both the justification for the state's authority in exercising these principles and measures and for the obligation of citizens to abide by their dictates and restrictions.[5] Let us now consider whether the hypothetical contract might provide us with a useful way of determining the *erga* of particular institutions.

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[5] See Michael Huemer, 'The State' in John Shand, ed., *Central Issues of Philosophy* (Oxford: Wiley-Blackwell, 2009), p. 275.

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As a candidate explanation of institutional *ergon*, the hypothetical contract model looks promising, for as it has been employed in political philosophy, we might say that it does good work towards determining the *ergon* of the state. Let me elucidate. As I see it, a key feature of the hypothetical contract model is that its justificatory force rests on a claim about what people would strive for in the *absence* of a political state or civil society (regardless of whether anyone actually did so in a pre-societal state of nature) .[6] But notice that in claiming that individuals, if rational and under certain conditions, would come to select certain political constraints were they deprived of them, the argument also must advance some claim about what requirement(s) the state would be fulfilling: in other words, a claim about what the state is *there for*. A conception of the state's *ergon* can be characterized on this model as the provision of protection from the arbitrary power of other individuals or other states: of peace, justice and security for its individual constituents. This, we might add, is why a state that radically fails to fulfill some or all of these criteria provides a most perspicuous example of a 'failed' or 'failing' state. And even if this functional conception of the state – as an institution that is there *to do* these things – is itself open to further and competing specific interpretations, or is very often not instantiated by actual states, the philosophical bite of the hypothetical contract model is, nevertheless, that it offers a normative and functional account of better or worse states via the extent to which it meets or fails to meet criteria that suitably well-informed rational people *would* choose for themselves. Accordingly, the form of the hypothetical contract might seem able to do similar work in the case of social institutions. When asked how we can best identify the *ergon* of a particular institution, the proponent of the hypothetical contract could reply: we identify the institutional *ergon* by the functions and activities that rational agents would want, agree upon and strive for were they not there.

In its basic form, this hypothetical contract model clearly avoids some of the problems of both the actual contract/agreement and the original founding fathers'

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[6] See Andrew Levine's essay: 'Rawls', in *Engaging Political Philosophy* (Oxford: Blackwell, 2002), p. 191. For this observation on the hypothetical model more generally see Jonathan Wolff, *An Introduction to Political Philosophy* (Oxford: Oxford University Press, 1996), Chapter 2.

ideas discussed previously. Firstly, it does not depend on mission statements or actual agreements, less still on dubious assumptions about how they explain or justify the *ergon* of the institution. Secondly, it is not vulnerable to the problem of social evolution. For construing the *ergon* in terms of that which *would* reasonably be agreed upon appeals to reasons for bringing about an institution in the first place, softening the force of the objection that particular characteristic activities of institutions are actually apt to evolve. The typical nuclear family may have changed, and may now have little to do with the original actual reasons for the nuclear family's emergence, but the reasons why we would want to bring about families have not. Thirdly then, the hypothetical contract story is true to the 'artificial' picture of institutions as being made for a purpose, in that it finds the source of its explanation in why such an institution has and *should* come about.

These strengths of the hypothetical contract model can help with the question we first set out to address in turning to the institutional *ergon* in the first place, namely that of role-determinacy. Our problem, recall, was that accepting role-obligations as they happen to be defined by institutions, or transcending these by appeal to abstract ideals, proves unsatisfactorily indeterminate with respect to what the good, virtuous role bearer should do in a role in a given set of circumstances. Now here, the use of the hypothetical contract has improved on merely acquiescing to institutions as they happen to be specified, by providing some normative purchase apart from these contingent obligations. In assessing a doctor's action in the capacity of her role, for example, the notion of the *reasons* that rational persons would have for instantiating medical institutions might well figure instructively in a construal of how the institution *should* operate, and hence how the medic should act on a particular occasion regardless of how the institution is operating at a given point. And the hypothetical contract also improves on the regulative ideals account, at least in one sense. For rather than bypassing the constraints and institutional embodiments of concepts – those such as health or healthcare, education, or justice – it recognizes the relevant institution *as* playing its crucial determinate part. Consider again our journalism example from Chapter Four, in which the 'regulative ideal' of journalism

appears firstly, to be elusive without a story about news and media institutions and their history and, secondly, intangible for individual journalists to realize alone – at least all but impossible to realize outside these institutions and without also shaping these institutions accordingly. According to the hypothetical contract view, by contrast, individuals *qua* journalist have recourse to something about the institution when evaluating action in such a role. Ideals and values may of course *figure* in such a formulation. If in deciding how to act in her role, the journalist decides that among the reasons we would have for instantiating a news media institution are those to do with, for example, communication, expression and exchange of views, or a polity that is well informed about domestic and international affairs, then this may be to reflect such ideals such as truth and democratic participation. But this is quite different from supposing that these reasons are inherent within, still less made visible by, abstract ideals themselves. That is, in evaluating an action *qua* some role, turning to the reasons rational humans would have for creating and maintaining an institution that describes this role, adds something more determinate to the ideals to which the institution or practice is connected.

However, the main shortcoming of the hypothetical model, as it stands, is that it accounts for why rational human beings make, and should make, certain institutions but not quite *how* particular institutions are, or should be, made. The problem here is with specifying which of these reasons apply to which institutions. It may be that there are *some* very good examples of institutions that do not face this problem. A quick look at the reasons we would have for forming a fire and rescue service – because we may need rescuing or fires extinguishing – might tell us a lot about what a good fire and rescue service should be doing. But it is the not-so-straightforward examples that are harder to deal with via the hypothetical model, thus illuminating its limitation. Consider the range of reasons we have suggested agents would have for creating and participating and furthering various social institutions. These include reasons to promote health, learning and education, knowledge, justice, communication, availability of information, truth and political participation – among many others. The difficulty that this throws up is that in identifying reasons to further

these things – health, learning, etc. – in the form of institutions, we have not yet distinguished *which* kind of institution should further *which* of those concerns. Learning, and arguably 'education', takes place within a number of institutions and social practices including the family and the workplace, whilst the notions appealed to in the journalist example above – such as informing the populace and democracy – overlap with the putative practices of other political and legal institutions, to give two examples. Continuing with the second of these, a moment's reflection on campaigning journalism tells us that even 'justice', apparently essentially connected as it is with institutions of law, is not obviously debarred from figuring in an explanation of why and how we should maintain institutions in which journalists operate.

I claimed above that the problem with the hypothetical contract model described here is not a failure but a shortcoming. This is because it seems to me that the hypothetical contract does go a good way, though not far enough, towards identifying the *ergon* of a particular kind of institution. To illustrate further, let us return to the place from which we borrowed the model, and make a contrast with its more traditional use in political philosophy. In the case of justifying the political state, that which is to be formulated are general principles, laws and parameters of political relationship for individuals living together whilst what is explained and justified is why the state is warranted in enforcing and maintaining these principles etc. and individuals' obligation to comply. Now, by the same token and to this extent, the hypothetical model can give explanatory and justifying reasons for the existence of *some* kind of institution that serves the purpose and activity we have reason to want, and thus could also provide justifying reasons for persons to promote it and abide by its constraints. Hence when we account for the *ergon* of the family, we say why people would want to be in families rather than without them: social bonding, childcare, love and friendship, and so on. But all that this might show so far, if successful, is that institutions' primary functions are things we have reason to pursue and that we may in some way be obligated by constraints of institutions which successfully promote these functions. However, as *many* institutions may promote such functions, the

institutional *ergon*, the point of which is supposed to apply to particular institutions' characteristic activities, remains elusive, even if better illuminated by the hypothetical contract. So we don't yet know, for example, whether the *egon* of a newspaper is communication, justice, or something else, we just know that these are desirable ends that *some* institution(s) or other should pursue, but we don't know which, where until this issue is settled, we cannot use the *ergon* account to help a journalist work out what it is that her situation requires. As claimed already, the hypothetical contract is instructive with respect to institutional *ergon*, and I will say a bit more on this in the next paragraph. But we cannot derive institutional *erga* from this model alone.

It may seem that the hypothetical contract embodies only the plausible claim that the existence of such institutions can be justifiable in terms of what rational persons would agree to.Yet an aspect of this hypothetical contract model does, crucially, show up to a further necessary feature of institutional *erga*, namely the connection between any social institution and some *specific human good or goods*. If there are good reasons for rational persons to establish, promote and maintain a socially constructed institution, whatever form it may take at whichever stage in its history, then those reasons are linked to some human good or goods. The key point I want to draw out and build upon is that the extent to which an institution realizes such a *specific* good or set of goods can serve as a normative criterion for the institution in a way that primary or nominal function, either alone or in conjunction with *eudemonia,* cannot. As for the appeal to primary nominal functions, it is true to say that hospitals must characteristically promote and care for health, legal institutions should uphold the law, and Universities should educate. But we have also seen, merely adding a *eudemonia* condition to these functions fails to determine an institution's *ergon*. What the hypothetical contract model helps reveal in addition, is that health and law etc. are *goods* that rational people would have reason to promote by forming and sustaining such institutions. Hence it gets us a bit closer to *linking* the particular human *goods* of education, or law or health, to the *functions* of educational, legal or healthcare institutions. So to return to our earlier example, it is not the case that an investment bank has a financial function plus a human flourishing function, the latter of which

could be fulfilled in all sorts of ways. On the hypothetical contract model, there are human goods *of* finance that would, we are supposing, give rational agents reasons to create and sustain financial institutions. *These* goods, and not just general human flourishing, are what a good financial institution of its kind instantiates. Hence, in determining the *ergon* of an institution, the ways in which an institution should best function and operate appear to be assessable against *those* good or goods: the *specific* goods that figure in explanations justifying their existence.

However, the gap in the hypothetical contract account is in establishing which specific goods a particular institution should be concerned with, where many such goods still seem serviceable via more than one kind of institution. The difficulty is with saying why *this* institution, and not some other(s), should be linked to *this* or *these* specific good(s) and not others in a way that helps determine whether it does well as an instance of its kind. The question, then, is one of distinctiveness: or at least that is the thesis I will expand upon in the next section, before which, let us sum up the chapter so far.

Conclusion to 6:3

We have seen that naturalistic approaches to determining institutional *erga* favour a human flourishing – *eudemonic* – account. Institutions are human, social phenomena and it is reasonable to assume that good institutions would benefit the human lives they affect in some way. Yet the extent to which an institution accommodates individuals' flourishing cannot do enough to determine its *ergon*, either on its own or in conjunction with an institution's primary purpose. Nevertheless, the essential human social aspect of institutions that motivates the *eudemonic* account highlights the way in which institutions are made by humans, for humans, and so the way in which the notion of a *good* institution is linked in some way to its serving the purpose for which it is made. We have also seen that whilst actual historical origins, intentions and agreements can only play a limited role in discovering *ergon*, the hypothetical contract model can get a bit further, though not far enough, by providing some justificatory reasons for how institutions should be in terms of specific goods. In the

light of the strengths and weaknesses of these candidate conceptions, we move to a positive account of institutional *erga* that interprets these reasons in the form of the goods *of* a particular institution that its primary purpose concerns.

6:4 An Alternative Account

The conception of institutional *ergon* I wish to pursue can be initially characterized by a pair of necessary and jointly sufficient conditions. One is that an institution serves its primary purpose, and the other is that by doing so it substantiates some specific and distinctive key human good or set of goods. In this section I expand on this conception, and the ways in which is meets the challenges and problems of the previous candidate explanations of institutional *ergon*.

In second section of this chapter (6:2) I said that the *eudemonic* conception of institutional *ergon* indicated the distinctly human dimension of social institutions, but that the human flourishing condition – either on its own or in conjunction with primary purpose – failed to specify institutional *ergon*. I suggested that our task, therefore, is to *link* some specific good for humans that an institution serves with the effectiveness of the institution, rather than conjoin *eudemonia* with 'function' and hope for the best.

With this task and that discussion in mind, let us start by considering the mutually dependent relation between human goods and good institutions. From one direction, it is such goods which, as part of its goals or ends, the relevant institutions should serve. And from the other direction, as we saw in the previous two chapters, it is institutions that actually determine the substantial human goods in question, for example by specifying to a large extent what health and healthcare actually *means* in terms of policies, procedures, research and organizational structures. To see initially what it might mean to connect an institution's primary purpose with some specific human good or goods in this way, let us return to Oakley and Cocking's notion of regulative ideals. So far in the thesis I have taken a largely combative stance towards the regulative ideals account, arguing that such abstract concepts alone fail to provide

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the particularity required to assess or guide individual practitioners' actions. But more positively now, it worth considering the basis of their approach, namely the distinctly Aristotelian way in which those ideals are said to be valuable, as follows:

> Broadly speaking, what counts as acting well in the context of a professional role is in our view importantly determined by the goals of the profession, and by how those goals are connected with characteristic human activities. That is, good professional roles must be part of a good profession, and a good profession, on our virtue ethics approach, is one which involves a commitment to a key human good, a good which plays a crucial role in enabling us to live a humanly flourishing life. Further, while a certain profession itself may meet these requirements, it must also be possible to demonstrate how the particular role under scrutiny contributes to the overall good of the profession. So, for example, if (as many suggest) it is appropriate to take serving *health* as the central goal of medicine, then given the importance of health for human flourishing, medicine would clearly count as a good profession on this approach.[7]

Now, I argued in Chapter Four that Oakley and Cocking are mistaken in focusing on individual professionals' conduct in relation to the goal or ideal of a profession and bypassing the particularity of the institution. This is because, in my view, such goals or ideals as 'health' without an adequate conception of the relevant institution fall short of determining role conduct in the right way. Yet this is not to claim that such social and political *institutions* should not be guided by such ideals of human goods. On the contrary, it has been to stress that we can only make sense of them via institutions embodying and serving these goods in particular, substantive, and intelligible terms –in contrast with individual practitioners trying to interpret guiding ideals. Furthermore, it is the hitherto thinly conceived concept of a key human good (be it e.g. health, justice, intellectual development, basic material comforts, love and friendship, security and defence, or even social interaction more generally) which good institutions (e.g. hospitals, law courts and legislative bodies, Universities, welfare organizations, families, military and police forces, or even fun-pubs) should be guided by and which they should also flesh out, or so I claim.

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[7] *Virtue Ethics and Professional Roles*, p. 74.

At this point we might reasonably ask: 'Why should institutional *ergon* turn out to be any better than individual role-occupiers or practitioners at determining the ways in which these goods are instantiated?' For how can the human goods conception of the *ergon* of a University capture in ways that address the problem of disagreement about what education is essentially *about*? The question is a reasonable one because it is these kinds of cases in which institutional *ergon* has proved especially elusive and problematic for the accounts discussed so far in this chapter. As I will explain in what follows, I think that the answer lies in the distinctness of the institution – its being of a certain type and not another – being understood in terms of the distinct good or goods it serves: i.e. its purpose being such and such goods and not others. First let us get clear what distinctness, in relation to *ergon*, amounts to by returning briefly to Aristotle.

Aristotle and Ergon Briefly Revisited

In Chapter Five we outlined Aristotle's *ergon* or 'function' argument as applied to humans only for the purposes of exploring its institutional possibilities, thus sidestepping the philosophical and exegetical controversy it has fuelled. I intend it to remain sidestepped, but for the purpose of clarifying the notion of distinctness it employs and so then the work it does in the institutional case, it is now worth considering the argument, and a most plausible interpretation of it, in slightly more detail.

A potentially misleading aspect of the *ergon* argument as applied by Aristotle to humans is its appeal to uniqueness, i.e. that the notion that humans' capacity for reason is unique – *idion* – and so characteristic of us because it is not shared by other, lower, life forms. As Stephen Everson notes, however, it would be a mistake to suppose that Aristotle saw a property's being *idion* to a species just as its *peculiarity* to that species. Had Aristotle done so, then, in conjunction with the claim that what is *idion* is also *ergon*, this would allow that peculiarly human activities such as Morris-

dancing or prostitution are part of our *ergon*.[8] But for a feature to be *idion* is, as Aristotle says, for it to be '"convertibly predicable" with what possesses it'. Everson explains that 'it is not sufficient that a capacity should be possessed only by humans: it must also be the case that anything which is human has that capacity. This will knock out prostitution, queer-bashing and quite possibly Morris-dancing as well'.[9] Everson goes on to argue, firstly, that because pure intellectual contemplation – *theoria* – is, for Aristotle, a property we share with the gods, it cannot be *idion* to humans. He also argues, secondly, that for Aristotle, *ergon* is anyway not identical with *eudemonia*: there's more to a good and characteristically human life than reasoning well.

I find these arguments persuasive, but I will in any case pass over their conclusions about what Aristotle thought, or perhaps what he should have said, about human nature and flourishing. Instead, I will employ the Aristotelian *idion,* and some of Everson's insights, in showing how the human goods account meets the problems and shortfalls of those we discussed earlier in this chapter.

Ergon and Distinctive Human Goods

Firstly, the properly understood Aristotelian notion of a property's being *idion* can apply to the good *of* an institution in a way that can help clarify what it is supposed to be doing. Both the *eudemonic* and the artificial approaches to determining *ergon* appeal in some way to humans having reasons to pursue the human good in making and sustaining institutions. But the *eudemonic* conception falls short of grasping the particularity of institutions' activities and goods, whilst artificial strategies give us justifying reasons for the existence of institutions without going as far as specifying how those institutions should actually operate, as in the case of hypothetical contracts. By contrast, a distinctly Aristotelian conception of *ergon idion*, as has just been characterized, construes an institution's characteristic activity as the good or goods only *it* serves, and the serving of which makes it *that* kind of institution and not

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[8] Everson, *Aristotle on Nature and Value*, pp. 87-89.
[9] Ibid, p.89. Everson takes the Aristotle quotation – 'convertibly predicable' – from *Topics* I.5.

some other. Hence the conception of the human good *of* a given institution is institutionally specific, rather than general and serviceable by other kinds of institution. And where the hypothetical contract model can explain why we would and do bring about these institutions, it is these substantive and distinct goods of institutions that, on this view, serve as normative criteria for how institutions should operate. The medical institution's essential specific good, the *idion* good for which it is constructed and that that specifies its characteristic activity, is health. Questions concerning what these actual institutions should or should not be doing are answerable only by reference to this particular good and the extent to which it is being instantiated.

Secondly, though controversy may long continue over the questions of whether Aristotle sees *eudemonia* as identical with humans exercising their *ergon*, or of whether such a view is plausible independently of whether or not he did, the institutional account can avoid this particular mire. In Aristotle, the problem is with equating human flourishing only with essentially or distinctly human activities, whereas some apparently non-essential activities might arguably contribute to humans' flourishing. But because, as we have seen, institutions are constructed and sustained for *purposes* connected to particular human goods, the institutional account can stipulate that the extent to which an institution does better or worse as a thing of its kind is understood in these terms. Now, what we can take from this contrast – between the natural human species and the institution as a purposive social construction – is that the essence of an institution, as something made for some particular good or goods, *is* the criterion for its doing well or badly. This picture is faithful to the reasons we have for forming institutions, whilst avoiding the pitfalls of looking to actual contracts or agreements of individuals, which may not reflect those reasons and which are, in any case, not what can explain institutional *ergon* as we have characterized it.

Thirdly, this conception of *ergon* can remain informative despite evolutionary change. As mentioned already in the example of the family, the actual functioning,

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and structures, of families may have changed considerably according to wider historical socio-economic changes. But by appealing to specific goods of the family which endure these changes, we can infer normative standards of a better or worse family in a way that avoids relying only on primary functions (which prove contentious in this case: what is a family's nominal or primary purpose?) or general human goods such as flourishing that fail to specify what makes an institution not just 'good for humans' but a good example of its kind.

So then, what of the possibility of fundamental persistent disagreement over what an institution's primary or nominal function actually *is*? This problem is perhaps *the* problem of institutional *ergon* or at least the most pressing: that of establishing whatever nominal human good is served by the institution – health, education, welfare, etc. – in terms that tell us something about how better or worse to structure and operate institutions. Let us return, finally, to the example of the debate over the *ergon* of the University, to illustrate how this model of *ergon* might be employed this way.

Recall that the parties in the University debate agree that its primary, nominal, purpose – that which sets it apart from other institutions without which it would not be a University – is education, or more specifically higher education. Still, there is a disagreement over what higher education *is*. As we would expect, this also then entails disagreement about substantial institutional policies and procedures: *A* includes in its description such things as the wider life experiences of young undergraduates' new-found independence, social activities, sports and social societies, because *A* sees the *ergon* of a University, in serving the goal of education, as encompassing a quite broad range of activities within a whole social community. *B* disagrees. *B* would focus on effective bureaucracy and vocational courses because he sees the *ergon* as serving education but sees education as primarily a career training and business enterprise. *A* and *B*'s debate, then, is about what 'education' comprises and should comprise, and the practical import of that debate is precisely the ways in which particular Universities should be organized: their policies, structures,

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procedures, objectives and so on. It concerns the way in which the good, or regulative ideal, of education should itself actually be conceived so as to regulate the right kind of institution.

I have suggested that in this respect, the human goods conception of institutional *ergon* can do better than other models we have considered previously. If this claim is correct, then it is this kind of substantive disagreement – over interpreting an institution's primary purpose – that can, in principle, be better addressed by the notion of primary purpose in connection with a human good or goods. How might this account of social institutions that serve human good(s) better arbitrate in these debates?

The key difference between the human goods conception of *ergon* and others is the way in which the goods of institutions are inextricably part of its purpose, rather than something apart from its 'primary' or nominal purpose. Consider that, despite the problematic differences in their substantive conceptions of education, *A* and *B* can agree that education is, or is essentially oriented towards, a key human good. (Or at least, we would rightly wonder whether one who disagrees with this could come up with good reasons for promoting education.) And at a basic level, they agree, this good comprises at least the acquisition and development of knowledge by students and researchers. Now recall that the problem with the eudemonic account was that the extent to which education facilitates human flourishing could be employed in favour of either A or B's conception of 'education': as both could be shown to facilitate flourishing in some way. If we instead focus on the distinct *good* of education, one that other specific job-training and data collation institutions do not possess, then this gives *A* and *B* more to go at in determining what is, and is not, the characteristic activity. They can argue about which specific goods *distinguish* or fail to distinguish education from the goods of vocational training or those provided by other institutions.

Returning to Aristotle and Everson's insights now, we can see that the distinctive human goods of higher education are not only unique but also essential to Universities as institutions that serve those goods. A University could have unique features, perhaps even ones connected to some human goods, which it would not need in order to *be* a University. (My Alma Mater is the only one with a working Paternoster lift, for example.) But these features, whilst unique, do not distinguish a University, whereas the goods specified by *A*'s conception of education do this, offering *A*'s argument purchase in establishing what the University should be about and how, therefore, it should be operating. And returning to the strengths and shortcoming of the hypothetical contract model, we also have, in an account of the University's *ergon*, more to present than merely the reasons rational agents would have for wanting institutions that further knowledge, teaching and learning and social interaction – where these are things that can be nurtured and developed in a number of kinds of institutions. For in arguing that the goods *of education* are what should be embodied in Universities, we are distinguishing a certain kind of practice specific to research and intellectual inquiry: one that distinguishes a University *and* one that an institution must further in order to *be* a University. In terms of persistent disagreement over what fulfilling a primary or nominal purpose actually entails, the specific human good of the institution can do some work that gets beyond the browbeating involved in contesting concepts that are supposedly 'essentially contested'. What the human goods approach to *ergon* does in this case is tie the human goods *of* education in with the specific and distinct activity of the institution, such that these specific goods are themselves criteria for what counts as a better or worse higher educational institution.

6:5 Conclusion to Chapter 6

We originally embarked on the institutional strategy as a way of addressing the question of role-determinacy for virtue ethics. That problem, to recap, concerns a virtue ethical understanding of individuals' acting virtuously with respect to their institutionally defined role-demands. Transcending the institutional aspect of a role and seeking to act as an individual according to a guiding ideal fails to accommodate

the institutional nature of the role. And to adhere to the given, contingent obligations of a particular social role fails to give a satisfactory virtue ethical account of why it is virtuous to act in such a way. So, we saw that a normative account of institutions is needed to address the determinacy problem because it is here, at the level of institutions, where the determining is done. Individual practitioners require the determinacy of institutions, and institutions need the normative determinacy of their *erga*. The aim of a normative institutional virtue ethics as we have presented it, then, is that better or worse institutions of their kind instantiate their strengths or excellences to a greater or lesser extent.

I have claimed in this chapter that the Aristotelian *ergon* or characteristic activity of an institution can be conceived as its primary and distinguishing purpose as the substantiation of some key human good or goods. So, as stated in the discussion of the Oakley and Cocking passage quoted in the last but one section, this notion does appeal in some way to the 'regulative ideals' that serve some human good, e.g. health, education etc. That is, as part of its *ergon*, an ideal in the form of some specific good or goods is necessary for a relevant institution's properly formulating its policies, practices and organizational structures. Without the goal of health or education, hospitals and schools would not be as they are or should be, so an account of what constitutes a particular institution's excellence must include these goals. But, as I have also argued, it is institutions that determine the particular ways in which these goals are and are not instantiated, and it is at this critical level that the goods of education, health etc. must be actualized for role-occupiers. Drawing on the insights and problems of the previous accounts discussed in the last section, the human goods account incorporates the human dimension of institutions, the reasons humans have for making and sustaining those institutions, and the specific purposes of particular institutions. But it can also provide criteria for establishing what the 'purpose' of an institution should be in terms of the good it serves. If we can in this way grasp how an institution is to be a good instance of its kind, then it can offer a virtue-ethical way of conceiving, and actually structuring, institutions that addresses the role-determinacy problem.

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In the next and final chapter I will defend and expand on this strategy, by considering some objections concerning this conception of institutional *ergon* and its relation to the demands of social roles, and its potential as a political virtue ethics.

Chapter 7: Defending the Human Goods Account of Institutions

7:1 Introduction

In the last chapter we looked at some ways in which we can grasp what it is about a social institution that makes it a good instance of its kind: what best captures its *ergon* such that we can evaluate it in terms of its doing or failing to do what it should. That is, in drawing on the strengths and addressing the shortfalls of what we broadly distinguished as naturalistic and artificial strategies, we arrived at an account of a better or worse institution in terms of the extent to which it effectively serves its primary, nominal, purpose and realizes its distinct human good or set of goods. And in virtue ethical terms, this institutional conception of *ergon* is proposed as a way of addressing the determinacy problem of roles, where that problem concerns the over-determinacy of contingent institutional role obligations and the indeterminacy of abstract regulative ideals. In this final chapter we continue to defend this conception of institutional *ergon*, and the way it fits into a role-focused virtue ethics, by considering and responding to some objections.

7:2 Functioning Well but Being Bad

We begin with a challenge to the basic idea that the *ergon* of a social institution – its characteristic activity – must be to do with some human good or goods.

Objection 1

This formulation of institutional *ergon* has accounted for 'what a good institution of its kind should be doing' in terms of its carrying out its primary, nominal purpose in conjunction with serving a distinct human good or set of goods. But what about apparently very effectively functioning institutions that are in some ways very bad for at least some humans and which we would therefore rightly call bad – as in morally bad, unwanted, nefarious – institutions? To be clear, we do not mean institutions which are concerned with human goods but which may nonetheless be required, for various reasons connected to their function, sometimes to harm or adversely affect the well-being of some people or carry out actions that we might ordinarily see as

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harmful or in other contexts call immoral: for example dental hospitals may administer painful treatment; legal institutions imprison people; just about any institution that employs people will at some point discipline, penalise or sack someone. Rather, we mean institutions that are *essentially* harmful or immoral: destructive, unjust, iniquitous, oppressive, murderous or rapacious. And in fact, we need not think too hard for historical examples of social and political institutions with quite specific purposes that are or have been some or all of these things, and which appear to be fulfilling those purposes quite effectively. These are institutions we would rightly want to dismantle or which we wish had never come about in the first place: most obviously and unsettlingly the institution and sub-institutions of Nazi Germany and, more parochially, those of criminal gangs or families, for example.

This is clearly a key objection that requires some careful consideration. For in the previous chapter we proposed a normative conception of institutions doing better or worse as things of their kind based on the degree to which they serve human goods. Thus, cases of institutions that function well as things of their kind but, by doing so, are also *inimical* to human goods seem to present us with counter-examples. There may indeed be a straightforward link between human goods and effective institutions in cases such as healthcare, yet the link appears not to be a necessary one. Consider that the functional effectiveness of a human artifact need not entail its goodness for humans (a function of a 'good-as-effective' machine gun is lethality, but lethality itself is hardly 'good' in the 'good for humans' sense).[1] Accordingly, whilst social institutions are constructed by people for people, it does not follow from this that they could not be extremely *bad* for a great many people. Furthermore, they can be quite purposefully bad: for bad people can make very effective bad things for bad reasons, including social institutions.

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[1] This is not to deny that the 'well functioning' of a lethal weapon could be sometimes necessary for and instrumental to other human goods – as when we might need them for defence or security in the form of deterrence. The example is just to stress, for the purposes of this objection, that properties the instantiation of which comprise a thing's functioning well are not always those that conduce to human goods.

In response, I think we can accept the possibility and reality of strongly functioning but bad, immoral, institutions that can have a distinct *ergon*. However, in exploring the human goods account further and attempting to set its limits, I will argue that this poses no threat to the human goods conception of *ergon* as employed in an institutional role-virtue ethics. On the contrary, properly understanding the *ergon* of institutions which it would want to eradicate or radically change is a necessary part of such an ethical project.

Response: Morally Bad Social Institutions as Failing Institutions

One way of dealing with we can call the bad institutions objection might be to claim that bad social institutions necessarily either fail to instantiate an *ergon* or instantiate an impoverished version of an *ergon*. A promising way of developing the response would, it seems to me, be to argue that such morally and socially iniquitous institutions cannot in fact be instantiating their *ergon* well if they are to be social institutions at all. On this account, bad institutions are always failing to do what a 'social institution' as a type, considered broadly as being *pro*-social, should do. So, in arguing that there cannot be a well-functioning but bad institution this response would, if successful, make the problem go away. We will now consider it a little further.

Behind this line of argument lies the thought that *any* properly-functioning social institution must have an *ergon* at least not inimical to social well being if it is to be a social institution *per se*. The thought here is that whilst bad institutions may be functioning to some extent as well-organized social phenomena, what may appear to be their *erga* are in fact perverse, ersatz versions of the institutional *ergon* they purport to embody. Hence on this view, for example, the properly perceived and constructed institution of the political state has an *ergon*, functioning for and being founded on the basic human goods of distributive and legal justice, security and protection, provision of basic level of material needs, and so on. But the inherently unjust, unnecessarily oppressive, racist, warmongering or otherwise failing state which squanders resources whilst its people starve is no such thing, and so is, quite

simply, a poor instance of its kind. Hence this version – or rather *per*version – of a fundamental political institution is *dys*functional by virtue of it not doing well what it is supposed to do, and failing to serve the human goods which a good exemplar of its kind would serve.

In its defence, I think that this response to the problem of functioning but bad institutions – in essence suggesting that such institutions are in fact malfunctioning ones with corrupted *erga* – could be the right way of viewing some, though not all, cases of bad institutions. Importantly, there could be and are cases where institutions are bad or evil by virtue of hardly instantiating or failing to instantiate their specific human goods. This can be seen in the example of the political state whose *ergon* has all but been twisted beyond recognition, and recognizing this, again, illustrates the normative dimension of institutional *erga* as we have characterized it.

Yet just as importantly, however, the notion of corrupted *ergon* fails to deal with an important class of morally odious institutions – ones we would rightly dismantle or radically change – that *do* in fact effect the typically narrow range of human goods they quite purposefully purport to serve, albeit in morally unacceptable ways and usually to the detriment of other goods. In this type of case, an institution's *ergon* is not a corruption of an ideal model but is itself the model. A lot of what is morally wrong with these institutions is that they *are* instantiating these narrow goods and serving their particular goals extremely efficiently. Hence the problem here is that we cannot easily account for such an institution's wrongness by saying that it fails to instantiate its *ergon* by not serving its primary function or by failing to serve distinct human goods. To return to another case of a morally bad institution mentioned above, the lucrative criminal racket may be highly organized and quite clear about what it is there to do. Like other institutions, it has its own structures, practices and procedures which endure changes in personnel. It may even have a corresponding ethos and code of conduct which its members and some admirers may even see as in some way

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estimable.[2] Now, according to the response under consideration the gang's actual *ergon* is a distortion of one that fits a genuinely pro-social institution. And this distorted *ergon* serves no human good, but at best merely a distorted perception of self-interest for those that benefit from it.

Yet as I hope to have suggested already in setting up the example, this way of dealing with the problem in the criminal gang type case is unconvincing with respect to both its primary function and its pursuit of some human goods. As to its primary function, the truth of a statement such as 'the criminal gang is *anti*-social by virtue of being built on fear, being brutal, exploitative, ruthless, unjust, callous' does not imply that the gang fails *as* a thing of its kind. On the contrary, it suggests that in this respect the gang *succeeds*. It is not plausible to suggest that the gang is a poor copy of an industrial corporation, retail business, or fundraising group, even if these kinds of institution may in some sense share with the gang the activities of procuring finance and materials, or even employment. The gang's *ergon*, as clearly understood by its members and those who come into contact, is quite straightforwardly criminal – indeed such an understanding is necessary for maintaining its internal and external standards and practices of secrecy and exclusivity, ruthlessness, intimidation, retribution, and so on. But turning now to the human goods condition, nor does the gang's criminality and immoral characteristics completely rule out its purpose and reasons for existence being linked to goods, at least for some people. For the elite *for which they were created and sustained*, the select group of this institution's members and beneficiaries are promoting at least their own material and financial goods.

Response: Expanding the Goods of Good Institutions?

Still perhaps we may, even if only partially persuaded by the pro-social argument, be tempted to urge that the *ergon* of any social or political institution should be

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[2] The folk-mythology of London's notorious Kray twins springs to mind as an actual example. During the nineteen-sixties the twins' gang carried out savage beatings, torture and eventually double murder, in pursuit of dominating London's East End's underworld and appropriating for themselves its lucrative protection rackets and the accompanying status. Arguably, they and their contemporaries saw themselves as going about their 'business' with a certain kind of honour, whilst many ordinary people admired them for the supposed safety and order they brought to their communities through their monopolization of violence and terror.

broadened, so as to stipulate that it must in some way aim to promote or at least conduce with the good not only of a few beneficiaries but also the relevant wider community or society of which it is a part. Under this modification, the conception of the human goods served by social institutions would remain particular in each case (health for hospitals, education for schools etc.), but could only properly figure in an explanation of an institution's *ergon* if they were *also* general goods of that wider community or society – where health, education and justice would fit the bill. This would obviate consideration of those morally undesirable social institutions that nonetheless serve 'narrow' human goods.

However, I think that to modify institutional *ergon* like this would be implausibly to manipulate the description of social institutions in order to secure a more normatively satisfying account, and it would do so in a way that we rejected in discussing the *eudemonic* account of *ergon* in the previous chapter. If (in the absence of a special plea for ruling out morally bad institutions from possessing an *ergon*) we were to insist on the wider benefits stipulation for institutions in general, we would need similarly to rule out all sorts of narrowly focused institutions that we have no reason, moral or otherwise, to rule out. Many small-scale institutions can and do in fact play roles more widely socially beneficial than that which falls within the obvious scope of their activity. For example it has long been argued – often within debates over the ethics of the sport itself – that youth boxing clubs in deprived areas offer the community more than merely its youngsters the chance to box: not only the intense training that, if done properly, obviates the aimlessness that so often prefigures youth crime and is incompatible with alcohol or drug abuse, but also a more general ethos of self-worth, team-work, discipline and respect for one's camp and opponents. Accordingly, many more social institutions might bring long term and knock-on social benefits that we cannot yet see or might never be able to measure accurately. But there is no reason to hold this wider benefit condition as *necessary* for the *erga* of a social institution such as a sports or special interest association.[3] Put somewhat

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[3] I am reliably informed that in the UK (and possibly elsewhere) there exists an organization that devotes itself to taking pictures of and discussing road traffic roundabouts. On the face of it at least,

tersely, as we have seen in dealing with the *eudemonic* – human flourishing – account in Chapter Six, various kinds of institutions are not just there to make everyone happy in any old ways.

So, there are cases of bad institutions that are bad by virtue of 'failing' as a thing of its kind, and proper attention to the *ergon* in question can determine when this is the case, as with the failed state. But, importantly, this cannot be so for all bad institutions, and there are cases of bad institutions that do exactly what they set out to do, for reasons connected to *some* persons' goods, i.e. some persons' benefits. As a way of solving the problem of effective but bad institutions, the strategy of straightforwardly denying that morally bad social institutions can instantiate an *ergon* fails.

The Limits and Constraints of Institutional Ergon
It is a mistake, however, to suppose that this strategy, or something like it, needs to succeed in order to cope with the possibility and reality of effective but bad institutions. For to concede that some immoral, unjust, vicious and oppressive institutions are strongly functional, are constructed for the advantage of at least some people, and can serve some human goods (and which are typically rigorously sustained by those whose good they serve), is not to suggest that such institutions are thereby justifiable or in any way worth maintaining as institutions. On the contrary, it is to recognize the crucial point that the *ergon* of an institution, or indeed anything that has a characteristic activity, does not necessarily provide all or even any decisive reasons for us to promote it; and it may in fact give us good reasons to destroy or resist it. We would rightly argue that the criminal gang and way in which it sustained itself is impermissible, and so should be dismantled, for perfectly good reasons. But the present point, it must be stressed, is to show that we cannot derive these reasons merely from the notion of dysfunction, i.e. from that of its having a corrupted *ergon*, by failing to aim at specific goods: for in this case, and indeed perverse as it may

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the distinct human good(s) that it serves seem(s) only to be the satisfaction of a somewhat eccentric desires of its membership. Yet this insularity does not, it seems to me, restrict or prevent its having a very clear *ergon* or from its being *permissible* as a good social institution.

sound, the gang is connected to criminal-elite-specific-goods. On the contrary, there will be reason to eradicate institutions such as exploitative criminal gangs *because* they are doing what they are supposed to do in successfully pursuing a very narrowly conceived range of human goods at the cost of others.

Let me explain this last point by locating it in the overall account of role-ethics and institutions we have been defending. In the previous chapter we said that primary purpose and the service of some human good are necessary, jointly sufficient conditions of a social institution's *ergon*. However, nothing in that formulation suggests that we should accept as legitimate or morally permissible *any* social institution that has an *ergon*. Rather, that formulation is put forward to solve the problem of determinacy for roles we have reason to endorse but the endorsement of which can present ethical quandaries. At this point we should remind ourselves that any serious account of role-ethics (be it one that argues for the ethical significance of roles, or one that seeks to formulate *an* ethics of a particular role such as nursing ethics) [4] acknowledges that at least some social roles are distinctly ethically demanding but does not thereby imply or suggest that all roles are ethical roles, i.e. roles which we have decisive, or even any, moral reasons to accept. In arguing that role obligations are 'central to morality and should be taken seriously',[5] for example, Hardimon explicitly rejects that suggestion. Resisting the thought that what legitimizes a role is that it is *chosen* by the role-occupier (family roles, for example, may not be), he instead favours 'reflective' acceptability or unacceptability as the grounds for endorsing or rejecting a role:

> Determining whether a given social role is reflectively acceptable involves stepping back from that role in thought and asking whether it is a role that people ought to occupy and play. Determining that a given social role is reflectively acceptable involves judging that it is (in some sense) meaningful, rational or good.[6]

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[4] For an extended defence of the virtue ethical approach to nursing see Stan Van Hooft, *Virtue Ethics* (Chesham: Acumen, 2008).
[5] 'Role Obligations' p .333
[6] Ibid., p. 348.

Reflecting much of what we have said about the quality of role-defining institutions, Hardimon goes on to say that reflective unacceptability can be gleaned by virtue of an institution 'that fails to realize its own (reflectively acceptable) abstract structure': and that '[o]f course, we are assuming that role obligations deriving from unjust institutions are void *ab initio*'.[7] (I agree with these points, but still find them wanting in terms of what, concretely, such institutional structure *should* be like in order to reflect on it. I hope to have shown institutional *ergon* to be an instructive conception in substantiating what that structure should be or when such a structure is unacceptable for reasons that include but are not exhausted by considerations of justice.)

We have also seen that Oakley and Cocking argue for a virtue ethical construal of roles attached to professions, where 'profession' here seems to me to be stipulated – quite legitimately – in its normatively loaded sense to mean a career or activity directed towards something we hold to be worthwhile and valuable.[8] And whilst I have urged that the insights and shortcomings of Oakley and Cocking's approach should be discussed in the context of a wider range of social roles, nothing in their or my accounts suggests that a pernicious or unwanted role, however well established it may be, cannot be rejected from the off. And it seems to me that just the same thing applies at the level of institutions. Hence, just as it would be perverse to suggest that any role-sensitive approach to ethics could or should accommodate a 'role-ethics' of Mafiosi or Gestapo officers simply because these roles are well-specified, it would make no sense for our account to do ethics with evil or unjust institutions just because they turn out to have a distinct characteristic activity and serve some – in these cases typically narrowly conceived and selfish – human goods.

To go further, it is not only legitimate but also crucial that in accounting for the ethical dimensions of institutional social roles, we first establish whether the institution itself *is* conducive with our general moral outlook, i.e. one we have good

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[7] Ibid., p. 350.
[8] Contrastingly for example, we can attach the term 'professional' to something we do not value, as when we talk about 'professional criminals' only to say that crime is their main occupation.

moral reasons to perpetuate or at least no moral reasons to eradicate. In this respect, i.e. in assessing whether a certain institution is inherently a more or less morally favourable one, interpreting the *ergon* of institutions properly can do some work. Insofar as the primary purpose of an institution is, e.g., embezzlement; oppression; violence and intimidation; the unjust appropriation of goods and resources; we would have good reasons to resist the institution itself and repudiate the roles they describe. Notice also that the particular human goods with which an institution is concerned can also play a part in the moral assessment and eventual rejection of some social institutions, especially when these goods are *very* particular and exclusive to others. When wading through the populist bluster or propaganda of a political party, pressure group, or newspaper in order to establish what is *really* about, for example, its deep seated racism or sexism will often be inextricable from its concern for the goods of one group of persons at the expense of another. The human goods conception of *ergon* can help distinguish institutions whose roles we would have good reasons to eradicate, and show us what those reasons are.

So, in response to the problem of bad but effective institutions, this way of employing institutional *ergon* can rule out from ethical assessment institutions that are inherently inimical to a range of human goods that we would want institutions to promote, e.g. gulags or death camps, violent protection rackets, or gangs of sex-traffickers. That is not only something with which I think we could all live, but also a strength of this approach to institutions as a basis of a role-virtue ethics.

Whilst the purpose of the *ergon* account in this thesis is to overcome the role determinacy problem in a virtue ethical framework, I also think that this approach to the moral assessment of institutions at this level is itself suited to a virtue ethical interpretation. So for example, criminal gangs and racist or sexist institutions not only cultivate the vices of particular individuals, but also themselves instantiate such vices in policies and practices. This claim, however, also invites a further objection, to which I will return in the final section of this chapter. Before that, in the next two

sections, we will consider two further sources of tension between functioning well and functioning morally.

7:3 Good Institutions and Bad Functions

In the previous section we accounted for *ergon* and its relation to institutions which we would have good reasons to eradicate. What though, of institutions whose *ergon* is not inherently anti-social or evil but in which the *ergon* of a good institution bids that it, and by implication its role-occupiers, does something bad?

Objection 2

Suppose that in a modern free-market economy, the board of an industrial bio-chemicals corporation decides, in pursuit of maximizing its profits, regularly to pour its toxic waste into a river, regardless of the fact that it endangers nearby wildlife and risks spoiling the environment for other people. (Suppose also that it can do so without breaking the law.) This institution, *qua* the type of thing it is, seems generally to function well as one which serves the goods of production of materials necessary for all sorts of products and services – of commerce and employment. Its particular action of polluting doesn't seem at odds with its functioning well in this way, yet it is an action of which we would have moral grounds to disapprove. Consider once again that unlike the Aristotelian appeal to *eudemonia* in the case of individual human lives, there seems unavailable any story about the 'life of the institution' requiring certain human goods and moral virtues in order to 'live in accordance with its nature as an institution'.[9] So if there are no general moral reasons to dismantle or radically change the institution (as we are assuming there are not in the case of the corporation), and if it serves its good and functions well, then the human goods account seems committed to allowing good institutions sometimes to do bad things. Thus we seem here to have

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[9] I stress again that the link between ethical virtues and living according to one's nature as a human is controversial and far from straightforward. For a response to Hursthouse's thesis that the 'virtues benefit their possessor' see Copp and Sobel, 'Morality and Virtue'. On whether morally vicious people can flourish, and do so only at the expense of oppressing others, see also Lisa Tessman 'On (Not) Living the Good Life: Reflections on Oppression, Virtue and Flourishing.' *Canadian Journal of Philosophy* 28 (2003), pp. 3-32. I only wish here to make the point that there is such a link – between goodness *as* humans and moral goodness – conceptually available by virtue of 'living well' being the very subject of ethics.

a case of a legitimate institution – one that we have reason to uphold and no general moral grounds to oppose – but which has legitimate reasons to do something we do not want it to do.

Reflecting the kind of dilemma that Hursthouse claimed arose for the individual lawyer, the problem here can be cast in terms of 'necessary evils'. As distinguished and set aside in our first objection above, there may be tasks and functions that institutions need to carry out that would, at least considered in isolation or in many other contexts, appear to be harmful or inimical to human goods. The examples might include medical institutions administering a certain degree of pain, legal institutions' meting out hard punishment, and various others disciplining or penalizing employees. Does the human goods account imply that the polluting case is one of such 'necessary [or even defensible] evil'?

I think that the human goods account does not imply any such thing. Furthermore, in these difficult cases the human goods account of institutional *ergon* can be instructive in a way that avoids the problems of the dichotomy – false on this view – between institutional purposes on one hand and 'ethics' on the other. To see this, let us look back to Sternberg's conception of business purposes and ethics discussed in Chapter Five. Sternberg urges that whilst businesses have, as a matter of historical fact, now adopted a range of wider social objectives which cannot be ignored, they are not part of the 'purpose' of business. Hence whilst she does not claim that ethics is no part of business, she stresses that ethics is considerable for a business in two senses: firstly, it is a contingent fact that many businesses have adopted a wider range of social concerns, and as a result, completely to ignore this trend would be an imprudent thing for a business to do. Secondly, a business is subject to common standards of justice and decency.

Sternberg is of course right about primary purpose and the constraints it places on what a business should and should not do: a manufacturing business should not spend its time and resources doing everything it can to help the community and make

people flourish in ways that would make it a good and effective charity but a poor business. That is why an institution's primary purpose is a necessary condition for its being a good instance of its kind. But in insisting on a division between what Sternberg sees as the primary function of business on one hand; and ethics as a more general and separate enterprise on the other, her argument fails to capture the sense in which, in examples such as the polluting corporation, social institutions of one kind or another can also fail *qua* that kind of institution. For, in contrast to Sternberg's claim that what should limit this action are concerns of prudence or general standards of decency, the polluting corporation seems to me to be a good example of a social institution not doing what it should do – not doing so in terms of the characteristic activity that is *internal* to it as a thing of its kind, as I will explain next.

On the human goods account the criteria by which we judge the business in this way are the specific social goods that justify the business's existence – those goods for which the institution is *there*. Primarily in this case, these are the specific human goods of production or services, as well as those of industry and commerce. Of course, maximizing profit is something that a profit making concern must do. But whilst essential, this is not a good that distinguishes its *ergon*. *Those* goods, of industry, production and service etc. incorporate providing services and employment for the community and it is when *these* goods, and not only the end of maximizing shareholder value, are properly taken into consideration, then some arguments against polluting that are quite specific to business *ergon* can come into view. If a key corporation-specific good is that it employs many people in a community in certain distinct roles and adds to its prosperity, and even helps to do so in this respect on a nationwide or international level, then to despoil that community would, arguably, be to fail to serve that good.

At this point we should note two things about this way of considering difficult cases such as the polluting corporation. Firstly, the 'arguably' qualification in the last sentence is there to acknowledge, once again, the usefulness and limitation of institutional *ergon* in debates about how a given institution should operate, and why.

As to its usefulness, and as we saw in the case of the University discussed in the previous chapter, what the human goods conception of institutional *ergon* offers such debates is something to argue *about*, the ethical purchase of which is rooted in the essential purposes of particular institutions. As to its limits, there is no suggestion that adopting the *ergon* conception will provide easy answers to substantial debates and questions about how institutions should operate in a given set of circumstances. Rather, the claim is that the conception provides a good way to go about arguing and answering them in terms of what goods an institution should serve, and then whether its policies and practices are serving them.

Secondly, in applying the human goods conception of *ergon* to the corporation case, we should be clear to distinguish its proper application from the 'expanding' strategy considered and rejected in the previous section. On the expanding strategy, any and all social institutions' scope is widened to include a range of goods or persons beyond the distinct and particular goods of that institution. But in contrast with making institutions consider general goods, the point here is about conceiving particular institutional goods adequately. It is not to argue for example that the business should broaden its purposes so as to be green because environmental concern is a good thing for everyone. Rather it is to claim that its properly considered purposes and goods may already – in some respects at least – be shaded green.

This is of course not to suggest that institutions could or should derive all of their ethical guidance 'internally' from their *erga*. Sternberg-type public standards and prudential considerations do not disappear from the sphere of institutional ethics by virtue of our giving proper attention to the institutional *ergon*. The claim is that the functions of social institutions we have reasons to uphold, as such, can do normative work not done by more general ethical considerations from elsewhere, or by prudential responses such as businesses appearing more attractive to potential shareholders by keeping up with others' ethical standards. Hence on the human goods account, the decisive reason not to pollute may not be a general moral or prudential reason that overrides the corporation's profit-based reason to pollute. Polluting, it can

be argued, would be to fail to carry out the characteristic activity of a social institution concerned with the goods of business, and *this* is itself a reason not to do it.

7:4 'Ring-Fenced' Ethics and Dirty Hands

Our third objection continues with the theme of what, for brevity's sake we called 'necessary evils' but returns to the sphere of individual actions in roles as defined by institutions. It concerns the way in which this conception of institutional *ergon* is supposed to help determine the demands of our manifold social roles, and stems from the possibility of many social roles' having strongly determined demands giving rise to the possibility of equally many separate, 'ring-fenced' role-specific ethics.

Objection 3

We have seen that the institutional *ergon* conception is at least useful and necessary in establishing both how an institution should operate and be organized and, accordingly, the normative demands of the relevant roles. But consider a key empirical condition of modernity which got this institutional project going in the first place, namely that moral agents tend to occupy many different roles. So now we might meet a problem of institutional determinacy being *too* strong for the virtuous person. That is, if the demands of various roles are or can be specified so particularly and distinctly, then a person who occupies many roles will be presented with a range of separate, role-relative criteria for deciding upon and acting rightly or wrongly, so that some action *a* may be the right or best one in one role but not in another. Now, the idea of an action's rightness or wrongness being *relative* to some or other sphere of action or role is problematic enough in itself, but for an ethics founded on acting from virtue and virtuous *persons* as agents with good character – and we would hope some degree of integrity – it seems positively damaging.

I think that this objection can be best seen as a worry about 'dirty hands': more specifically that of a virtue ethics of well-defined roles giving rise to many – *too* many – cases of dirty hands, as I will now explain.

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We are said to get 'dirty hands'[10] from committing or complying with actions arising from a specific kind of moral conflict, in which an agent is moved by moral considerations yet constrained, typically by the 'immoral projects of others'[11] – but in any case through no fault of one's own – to commit the lesser or least of more than one evil action. To be forced, in other words, to do wrong in order to do what is – all things considered, overall – right or justified. Michael Walzer's[12] now classic modern example of such a conflict is of a politician faced with a terrorist who knows the whereabouts of a device that will, if detonated, kill many innocent people. In this crisis, the only course of action available to the politician that will prevent the great evil of the massacre is for him to extract the information by torture. To order the torture is to be forced to choose the lesser evil for good reasons, but it is, nonetheless, to choose and commit an act of evil. Here the politician, morally motivated but also co-opted by the terrorists' plan to violate a moral principle against torture, is said to gets his hands dirty, committing an act that was 'justified, even obligatory but nonetheless wrong and shameful'.[13]

Following Walzer who in this respect follows Machiavelli, philosophers who accept dirty hands as a genuine moral phenomenon tend to agree that the realm of political action lends itself to dirty hands scenarios.[14] And some claim, like Machiavelli, that expedience in the sphere of politics or 'statecraft' will require that those exercising

[10] We should be careful to distinguish the conflict of 'dirty hands' from a broader sense meaning merely one's involvement in bad, unpleasant or immoral activities regardless of moral conflict. A thoroughly malevolent and unrepentant murderer could be said to get 'dirty hands' in this latter, broader sense, but not in the narrower sense under discussion here. See Stephen deWijze 'Dirty Hands - Doing wrong to do Right', *South African Journal of Philosophy* 13 (1994), pp. 27-33.;and C.A.J. Coady, *Messy Morality: the Challenge of Politics* (Oxford: Oxford University Press, 2008).
[11] Some have taken the condition of the involvement of 'the evil projects of others' in such a moral conflict to be a necessary characteristic of 'dirty hands' conflicts, in which an agent is constrained by these human evils to do choose an action that is the lesser wrong, but nevertheless still a wrong. See Michael Stocker, *Plural and Conflicting Values* (Oxford: Oxford University Press, 2001) and de Wijze 'Dirty Hands - Doing wrong to do Right'. I confess to be at a loss as to why the source of such a conflict must be human evils, rather than 'natural evils' in order for it to be one of dirty hands. That particular discussion, however, is for another time.
[12] Michael Walzer, 'Political Action and the Problem of Dirty Hands', *Philosophy and Public Affairs* 2 (1973), pp. 160-180.
[13] Stocker, *Plural and Conflicting Values*, p. 9.
[14] And as far as I know, none of them has reason to disagree with this.

political authority must at some point, inevitably, get their hands dirty. Machiavelli and his critics have also taken this requirement to rest on a separation of duties and requirements in one's public and private life, though accepting this claim does not entail the stronger claim that the dirty hands conflict is an *exclusively* political phenomenon, unique to the public, political sphere of action.[15]

However, the point for the purposes of this objection is that the kind of conflict characterized in Machiavelli's *Prince* can be read as a specifically role-generated conflict: only by virtue of playing his role is Machiavelli's 'statesman' *required* to do things that might in other walks of life be judged to be plainly wrong. Now, whether or not we can anyway easily demarcate public from private roles, our worry is that if many of our different roles each bring different, 'ring-fenced' requirements for action, then the multiple possibilities of this kind of dirty hands moral conflict seem to loom large. The problem of dirty hands, as described here, is that by paying the necessary attention to roles which we voluntarily take on or endorse *and* whose demands are adequately described by the relevant institutional *ergon* we are, on at least some occasions, apparently required to act less than virtuously in those roles. So here it is not merely the case that an agent endorses a role and that, regrettably, the institution happens to specify some tasks that we might find morally problematic through its stated obligations. (That situation, to which we will return shortly, was the one that Hursthouse sought to describe with the lawyer's dilemma.) It is that we seem to have cases of institutionally defined roles that can, on this account of *ergon*, *properly* demand such tasks. Let us now consider an example

Continuing with Walzer's theme of hard cases involving potential deaths of innocents or non-combatants, but descending from the level of State to the warzone, consider a scenario in which a military commander must decide whether to launch an attack on a target which may be crucial to defeating an aggressive, invading enemy and swiftly (and let us assume justly) ending the conflict, but where a group of civilians are held

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[15] See C.A.J., Coady, 'Politics and the Problem of Dirty Hands', in Peter Singer, ed., *A Companion to Ethics* (Oxford: Basil Blackwell, 1991) pp. 373-383.

captive and may be killed if he does so.[16] Here the question of whether he *as commander* should attack cannot be adequately answered outside the perspective of his role even if the answer he arrives at is that he must reject that role altogether – desert – in order to avoid the moral conflict.

Yet if we accept dirty hands as a problem or at least a phenomenon of our moral lives, the possibilities of such dirty hands cases need not be especially problematic for a virtue ethics of roles and institutions as we have characterized it. On the contrary, a virtue ethical approach to individuals' roles and the institutions that define these roles can get to grips with dirty hands actions in a particularly useful, practical, sense. By this I mean that it can in some cases help distinguish dirty hands actions from wrong actions, thereby employing dirty hands conflicts, or their possibility, in action guidance. If this is correct, then it can, again, provide an advantage over some of the individually focused virtue ethics' approaches to roles and their obligations. I will now illustrate this by continuing with the previous example.

Assuming that his platoon is engaged in a just campaign and is under serious threat, the military commander's role obligations are here captured by the *ergon* of the army of which that platoon is part – national security and defence against lethal threats and territorial takeover. It seems, then, that this would be a case of having to get one's hands dirty in that role: of having to do something that is on the face of it morally dubious, or that in other roles would be plainly wrong but in this role is the correct course of action. So regrettably, the task must be to attack. But on our conception of institutional and role-based virtue ethics, the normative *reason* why this action is a regrettable case of dirty hands for the commander is because we have an *ergon* account of why the army should be engaged in war in these circumstances and so,

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[16] I realise that in this example, I am helping myself not only to the notion of a just war but also to the assumption that there *can* at least be cases in which armed forces are necessary and which ultimately serve human goods. Someone could question whether armies, and indeed businesses in market economies or adversarial legal institutions ever do so or should ever be conceived as just or good. But we can accept the possibility of substantial debate about whether certain kinds of institution – ones which I think provide the best examples of role-specific dirty hands – meet our criteria of 'good social institution' whilst still acknowledging the phenomenon of role-demands and dirty hands. I hope to clarify this shortly with a less controversial example of a parent and offspring.

then, of why the agent in the role of commander must attack. This stands in contrast to the case of the business person who has the option to pollute the environment in order to maximize profit. On this account, the business person's polluting is not a dirty hands kind of scenario but a wrong action, once the *ergon* of business is properly considered.

As a further example of how institutional *ergon* can distinguish wrong actions from dirty hands actions, let us return to Hursthouse's lawyer's dilemma. We saw in Chapter Four that Hursthouse seems to take the lawyer's role-demand to suppress vital evidence as forming something like a regrettable dirty hands action: as 'one side of a serious dilemma'. But we saw that this acceptance of lawyers' role-obligations as 'given' was unsatisfactory as a virtue ethical way of construing such role demands, hence the crucial need for a normative account of how such an institution should be operating and determining those demands. And it is then, when the scope of the virtue ethical approach is widened to include those institutions' *erga,* that virtue ethics can grasp genuine normative criteria by which to assess action in roles. In looking to whether the institution is operating as it should, we can then better assess whether a certain role-action would be plainly wrong or, in contrast, one of dirty hands. This is something which Hursthouse's account of the lawyer misses in its apparent acquiescence to the demands of roles as they are, whilst Stenberg mistakes business *ergon* – the characteristic activity – of a social institution for its ultimate end of profit. In both those accounts, the conditions under which role-occupiers could be said genuinely to be institutionally forced into dirty hands scenarios are, it seems, unsatisfactorily lax for a virtue ethics.

By contrast, and to reiterate, this is where the human goods conception of the institutional *ergon* can deal with dirty hands as an action guiding conception. When we make reference to the *erga* of the relevant institutions, the commander should attack and regrettably risk killing non-combatants, thereby dirtying his hands. But on the same *ergon* conception, it is far from similarly clear that the business person should act to pollute the environment. As to whether Hursthouse's lawyer should or

should not act mendaciously, that question might yield different answers in different particular circumstances, according to whether the action would be one of genuine dirty hands or otherwise. The problem with Hursthouse's virtue ethical account, highlighted here once again, is that it seems to assume that following the specified obligations of one's profession, where doing so is morally problematic and the role is overall a worthwhile one to fulfil, *is* simply to get dirty hands. I hope to have shown good reasons for the virtue ethicist, and others, to reject this assumption.

Furthermore, there seems to me to be a variety of possible cases in which the demands of a role are not strongly codified or even explicitly stated – as they may be in the commander's case – but in which recognizing this distinction between role-specific dirty hands and wrong action can be similarly important in action guidance. The question 'whether to interfere paternalistically in another autonomous person's life' takes on a distinctly role-related meaning if that person is an adult to whom you are the parent, for example. And it may be that when one's parental role is properly considered, intervening is what should be done, though acting in a similar way outside that role or relationship would have been wrong and should not be done. Now, as we saw at the end of Chapter Three's discussion of role ethics, the virtue ethical approach to action in such scenarios involving non-codified role demands – i.e. 'what would the good parent, or good teacher, or citizen etc. do here?' – seems to have both an affinity with role-ethics and be at an advantage over approaches cast in terms only of weighing duties or obligations. But from this arises a further consideration regarding the possibility of conflict between an agent's roles, which we will now discuss.

The slightly different 'ring-fencing' part of the present objection concerns integrity, where this term denotes something like the 'wholeness' of a person. If at least a significant subset of the ethical demands facing a single agent can be parsed out into those of their different roles, then how is a 'virtuous person' to decide and act rightly in cases where certain demands of different roles conflict with each other?

Similar to the way in which many role-specific action quandaries are best addressed via the virtue ethical approach as just outlined, such an approach, the Aristotelian notion of practical wisdom and judgment may best accommodate the way in which some roles in a person's life counter-balance the pressures of others .[17] A head-teacher may also be a citizen, a family member, or a local government employee in a certain relation with her community, for example. As such, it is at these times that the multiplicity of her roles provides criteria for virtuous and right action.[18] That is just to say that at the level of individual action what counts as right or wrong, or overall right though regrettable, in a particular role is in many cases assessable only with reference to a number of roles. So, even though it may, ultimately, be best for a parent to act paternalistically toward her adult offspring, this does not means that *only* the parent-role and the idea of good parent should be considered in that assessment.

Now, how *best* to consider each of those roles and their demands, and act in situations where these conflict or overlap, is the question that institutional *ergon* has sought to address. Weighing up those institutions and their demands is then a question for the virtuous agent, who is not provided with an algorithm of how to rank her institutional role obligations but who is, I think, nonetheless better informed in this respect than the thinly conceived 'virtuous person'. As difficult and, a critic might insist, as *vague* as the Aristotelian conception of action appears, the notion of

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[17] See Alasdair MacIntyre, 'Social Structures and their Threats to Moral Agency'. MacIntyre's concern here is to raise the suspicion that the 'compartmentalization' of role demands and particular appropriate behaviours in modern life can provide such a threat. But in doing so he also raises the need for an important set of virtues that could transcend the particular demands for action given by institutional roles, suggesting that they could serve as a bulwark against some of their excessive demands. I think that this possibility – even if MacIntyre sees modernity as an actual restraint on its realization – could be compatible with our conception of role-virtue ethics. For this model, as we have seen, seeks to question role-demands *themselves* at their institutional source, rather than accept them and then assimilate their supposed reality into a pluralistic notion of moral multiple personhood.

[18] See e.g. Robert C. Solomon, 'Corporate Roles, Personal Virtues: An Aristotelian Approach to Business Ethics', in Statman ed., *Virtue Ethics: A Critical Reader*, p. 215. Solomon argues for virtue ethics as an approach to business ethics, such that it would 'presume [...] concrete situations and particular people and their place in organizations'. Solomon's concern is with the many particular roles within a sphere of what might now be considered a 'community' of modern life, namely a modern business. His argument is against the separation of a work role from others in an individual's life, and in favour of 'the idea that, while business life has its specific goals and distinctive practices and people in business have their particular concerns, loyalties, role and responsibilities, there is no 'business world' apart from the people who work in business and the integrity of those people determines the integrity of the organization as well as vice-versa'. (Ibid.,p. 224).

the agent occupying a role or several roles and facing questions of how best to act is, I think, best approached from a virtue ethical standpoint that incorporates proper consideration of those social roles and their institutions.

7:5 Institutions, Character, Excellences and Virtues

I will finish with an objection concerning whether we have in fact formulated an approach that can do its distinctively virtue ethical job.

Objection 4

The institutional ergon is supposed to be the basis of a political version of virtue ethics. But whilst the *ergon* conception might well be an effective way of assessing better or worse features of institutions, it avoids explaining institutional ethics in terms of virtues of *character* and traits. But the explanation of action in these character terms was exactly the crux of the political problem for virtue ethics, and a move to *ergon* at the institutional level just avoids that problem by developing a different kind of theory. At the level of institutions we now just have an account to which various ethical approaches could make use of or apply, therefore it fails to be distinctly virtue ethical.

The first and quick answer to this objection is to concede, once again, that the virtues of institutions as we have cast them are indeed more akin to 'excellences' of artifacts than to traits of persons. The lineage of this idea, as we have said, goes back to Aristotle and we have of course plundered the *ergon* argument from Aristotelian ethics, so whilst the idea might be accessible to Kantians or rule utilitarians and others, it is nevertheless rooted in virtue ethics, or at least feeds from the same soil. As such it is especially compatible with virtue ethics as a way of addressing the questions of roles and virtuous action. Furthermore, the institutional conception of *ergon* has been formulated in response to the determinacy problem of roles for virtue ethics. And here the specific question has been about what it means to act as the virtuous agent *qua* those roles, where that question cannot merely be answered in virtue ethical terms by recourse to consequences or adherence to duties.

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That said, there is a deeper point lurking in the objection that is not addressed either by pointing out the historical or conceptual affinity of institutional *ergon* and role-based individual virtue ethics, or its part in addressing the role determinacy problem. For we have said that a distinguishing feature of virtue ethics, especially as developed in contemporary virtue ethics, is its account of right action in terms of acting *from* virtue. And the problem here is that we have not accounted for what it means for an institution to act *at all*. (Notice that we have deliberately referred throughout the preceding chapters to institutions 'operating' rather than acting.) This would not, for example, present a problem for a consequentialist ethics of institutions or one based on the provision and security of rights. But by contrast, virtue ethics' conception of action is person specific, so a non-personified institutional virtue ethics looks to be found wanting as such.

In the remainder of this section, I argue firstly that although such a 'personified' conception of institutions is available to a political virtue ethics, it is fatally problematic, and this in fact favours the *ergon* account we have defended. However, secondly, I also show a weaker sense in which the *ergon* conception does incorporate certain features of collective personhood and character, thus further meeting the objection that it fails as a virtue ethical account.

Problems of Collectives and Virtues
We might think that an institutional virtue ethics would require, or at least lend itself irresistibly to, a virtue ethics *of* institutions which is analogous to its individual counterpart, on which institutions, as agents or quasi agents sufficiently like individuals, possess and in some sense act from and cultivate virtues and vices. As suggested, I want to avoid the personified institutions route, but this in this way is not to claim that perceiving such collectives, and in our case those described by institutional collectives, as moral agents in some sense is *always* interminably problematic. Nor is it to make a general stance one way or the other on the social ontology, so as to commit to holism (roughly, that the social sum is greater or at least

something other than its parts) or individualism (roughly, the denial of holism) on these matters.[19] But I will claim that the institutional *ergon* strategy we have presented does not get bogged down in the difficulties of what have variously been referred to as 'corporate persons' or 'collective agents', and still less those of group *moral* agents.[20]

It is the notion of collective moral agents possessing virtues that poses a special problem for *virtue ethics* and which I think recommends the alternative as we have presented it. That problem, boldly stated, is that in whatever other ways a certain collective might act, make decisions or bear collective responsibility, virtue as employed in virtue ethics as we have characterized it, is a psychologically and emotionally rich phenomenon, inextricable from motivational states and related to

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[19] See Larry May, *The Morality of Groups* (Notre Dame: Indiana: University of Notre Dame Press 1987); and *Sharing Responsibility* (Chicago: Chicago University Press, 1992), p. 74. Cf. Leon Goldstein, 'The Inadequacy of the Principle of Methodological Individualism' in *The Journal of Philosophy* 53 (1956), pp. 801-813. See also Keith Graham, *Practical Reasoning in a Social World* (Cambridge: Cambridge University Press 2002), p. 71ff. and Peter A. French, 'The Corporation as a Moral Person', *American Philosophical Quarterly* 16 (1979) pp. 207-15. See also Eric Olin-Wright, Andrew Levine, and Eliot Sober, 'Marxism and Methodological Individualism' in Jon Pike and Derek Matravers, eds., *Debates in Contemporary Political Philosophy* (London: Routledge, 2004). See also Quentin Skinner, 'Hobbes and the Purely Artificial Person of the State' *Journal of Political Philosophy*, 7 (1999), pp. 1-29.

[20] We should note that the terms 'whole' and 'holism' as applied to social groups are not necessarily co-extensive with a normative doctrine of collectivism in which we might say that the whole (e.g. the society, community or state) is greater than or prior to the sum of its parts (individual persons or citizens). Some may take John Rawls's view that to conceive of a social group holistically may be 'to suppose that society is an organic whole with a life of its own distinct from and *superior* to that of all its members in their relations with one another' (*A Theory of Justice*, p. 264 [my emphasis]). However, it is not clear that a holist conception of social entities necessitates such prioritization of collectives. Cf. Keith Graham, 'it would be perfectly plausible to hold that a society was distinct from individuals while holding that it was not superior, or that its superiority was at best problematic, or that it was superior in certain ways which needed to be specified but inferior in other ways which also needed to be specified' *Practical Reasoning in a Social World*, p. 3. Charles Taylor has argued that a holist view of political society does not entail a *collectivist* view: That is, he holds that a holist social ontology – on which we view society as necessarily irreducible to individuals free of their relations to each other and society – does not commit us to normative anti-individualism. Correspondingly, Taylor holds that individualist liberals should not be atomist. According to Taylor, certain public shared liberal values, attitudes, reactions and feelings demonstrably present in the populace of modern liberal democracies are not explicable in atomist terms, e.g. in terms of individuals' self interest, nor from an aggregation of individual commitments to the principles of liberal democracy. Rather they are explicable only in terms of 'sharing a *common* identity and history' Thus Taylor argues that ontological atomism is an implausible analysis for liberals to use as a defence of normative individualism. 'Cross Purposes: The Liberal- Communitarian Debate' in Jon Pike and Derek Matravers, eds., *Debates in Contemporary Political Philosophy*, p. 204 (my emphasis).

and expressive of character. I will now look briefly at an account of group virtues that highlights this problem.

In 'The Idea of Group Moral Virtue'[21] Donald Beggs claims that 'Modern virtue ethics can escape its thralldom to the soul – in the figure of the person – by seeing that not only can groups be moral agents (as others have variously argued), but some groups can have virtues in a primary moral sense'.[22] For Beggs, the crucial and defining aspect of distinctly *group* moral agency and virtues, as opposed to the agency, actions and virtues of a series of individuals, is that the moral agency of a social group need not reduce to or supervene on individual intentions, actions and dispositions. This entails the claim that whilst a social group must have decision procedures and practices, the moral virtues of such a group needn't be linked to purposes, goals or functions established by those individuals. His example is of an informal 'quilting group' that regularly does charity work but is not a charitable organization, could develop the collective virtue of 'radical tolerance', by which the group decides to raise funds for inner city AIDS sufferers.

> The group may regularly help the community's needy without having decided that that will be part of its purpose in existing. It could have decided to try to help people much more like the group's members, say, at the expensive hospice just outside of town. But it didn't [...] Now, say that this complex of supportive actions was successful and came to be repeated. Say it became a normal part of the group's functioning without ever becoming politicized, that is, without explicitly orienting its actions and attitudes toward ongoing policy issues [...] it can remain true that none of the members has acquired the sentiments that would sufficiently incline her to such actions; no member of the group has that virtue.[23]

Beggs's account is sociologically interesting because it undoubtedly highlights features of social collectives that cannot easily be easily explained in terms of

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[21] Donald Beggs, 'The Idea of Group Moral Virtue' in *Journal of Social Philosophy* 34 (2003), pp. 457-474.
[22] Ibid, p. 458.
[23] Ibid, p. 468.

individual actions and collaborations between those individuals. Perhaps, furthermore, the radical tolerance which the quilting group ends up instantiating, unbeknown to any of its members, is in some sense morally desirable. We might rightly prefer that social collectives had habits – however they develop – that we would see as virtues in individuals. Yet whether or not we could in some sense call these accidental features virtues, their presence and our approval is far from even the beginnings of a virtue *ethics* for collectives that can account for right or wrong action in virtue ethical terms. The problem for Beggs, as I will explain, is that in seeking an account of virtues that is thoroughly *collective* and not made up of an aggregation of individuals' virtues and actions, together with not positing metaphysically implausible 'collective' minds, characters or emotions, he ends up describing collective properties that are not psychological or character-related *at all*.

Firstly, a virtue is not merely a disposition to perform certain actions, but a disposition to perform them in certain ways, according to the moral demands of the situation.[24] This in turn requires moral wisdom, a sensitivity such that to act *from* a virtue, as opposed to acting merely in accordance with it, is to know already that this is what one is doing: 'it is not just the disposition according to the correct prescription, but the disposition *accompanied* by the correct prescription, that constitutes virtue'.[25] Secondly and related to the demands of practical wisdom – Aristotle's *phronesis* – this requires a certain relation of an agent to the virtue in terms of how they are valued by the agent. Hence 'it also seems that taking pleasure in the things one should, and hating the things one should, are most important in relation to excellences of character'[26] (moral virtues).

These aspects of virtue as employed in virtue ethics missing from Beggs's account are features of moral knowledge. Moral knowledge in this sense is of one's own moral dispositions, and of standing in a certain relation to these dispositions: bound up with an agent's disposition to act from a virtue is the requirement that they see its

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[24] *Nicomachean Ethics*, 1107a6.
[25] Ibid., 1144b25-1144b29.
[26] Ibid., 1172a22-1172a24.

possession as worthwhile and valuable.[27] Crucially, knowledge of how to act from virtue, and not merely 'in accordance with' it, also implies an awareness of when it is and is not appropriate to act in a certain way, and how a certain virtue should appropriately be manifested in action. This condition concerns the moderation of a trait (between excess and deficiency), and, importantly, its 'correct prescription'. What counts as appropriate expression of a trait depends on its appropriate prescription, which in turn depends on a given situation, as we saw in our characterization of virtue ethics in our opening chapter.[28]

Now, in terms of action from and cultivation of virtues, in light of Beggs' insistence that groups can develop virtues without knowledge, how would the maxim 'act as the virtuous person would act' apply to a subject (a group) that held no conception of virtuous action? From the point of view of inculcating virtues as dispositions as long term propensities to right action (even if we could drop the requirement of knowledge), the problem seems worse. For Beggs's conception of accidental or epiphenomenal qualities of groups being moral virtues seems to warrant precisely these things – morally accidental and unstable features of collectives that may come and go as effects of non-moral intentions or causes.[29] Thus there seems in Beggs'

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[27] Note that this is surely true also of non-moral habits such as skills and crafts. As someone becomes more and more proficient at cooking, for example, it becomes less and less a matter of remembering *that* one is operating certain techniques and adhering to instructions or prescriptive rules: measuring ingredients by the teaspoonful, cutting vegetables into 1 ½ inch strips, applying a certain heat for a certain length of time, and so on. The skilled and experienced cook's actions, by contrast, stem from 'knowledge how', rather than the kind of conscious reflection that the beginner typically does. Yet the skilled cook will nonetheless be aware that he *has* this skill and that this skill is what enables him to cook proficiently. Furthermore if he values the fact that he can produce good food with intuitive ease and flair, rather than with painstakingly intense labour, he will *also* do well to look at this skill as worthwhile and valuable.

The necessity of habituation can be linked to another important aspect of the Aristotelian account, namely moral education and training. See *Nicomachean Ethics*, 1179b25 ff.; also1103a15-1103b25. Whilst Aristotle sees the intellectual virtues as apt for formal education, and the moral virtues as inculcated by habituation (practice), the young also require tuition in what the moral virtues are, and especially in why they are valuable: 'it is hard for someone to get the correct guidance, from childhood on, if he has not been brought up under laws that aim at that effect.' 1179b31-33.

[28] In Aristotle, this aspect is best illustrated by the doctrine of the mean (see *Nicomachean Ethics* 1106a25-35; 1106b36-1107a2. For the mean as applied especially to the virtue of justice, see 1131a10ff), and the all important prescriptive condition of practical wisdom- *phronesis* (see 1107a1-4; 1105b1-5; 1142a25; 1140b5.

29 For a different goal-based account of group virtues in which 'some organizations not only do what they ought to do but [some] have enduring moral characteristics that make them deserving of a special

account a disparity with the conception of virtues and action that is central to contemporary virtue ethics.

'Weak' Collective and Institutional Personification

Yet whilst the strongly personified conception of an institution (or any collective in my view) cannot ground a collective virtue ethics, this does not mean that the non-personified *ergon* conception does not support, and rely on, some account of agents acting in some sense together, institutionally. Indeed the burden of the thesis has been to show that many if not most of our actions are under the description *qua* role-bearer of one kind or another, and that this is often only intelligible via an understanding of what it means to act *as a part of* the relevant institution. And the collective activities of institutions, including their structures, policies and practices, are realized by persons acting. In this sense, certain actions and intentions can be seen as institutional.

Yet in *what* sense, exactly? What does it mean to say that some virtuous actions by agents can be 'institutional' without committing to the institution acting 'as' an agent-thereby falling foul of Beggs type problems of collective moral agency? For a good general explanation of this kind, we end by turning briefly to a different account of the actions and intentions of 'plural subjects'.

Building on her extensive account of 'plural subjects',[30] Margaret Gilbert asks us to consider a group discussion of a poem, and asks under what conditions a member stating 'our discussion group thinks this a powerful poem' would be true. Gilbert denies that its truth would require all, most or a significant number of the groups' individuals personally believing the poem to be powerful, and at work here is the persuasive thought that in collective acts and discourse, 'public expression as

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kind of moral admiration', the example being a hospital which has built in to it a 'primary moral purpose', see Michael D.Smith, 'The Virtuous Organization', in *Journal of Medicine and Philosophy* 7 (1982), pp. 31-42.
[30] Margaret Gilbert, 'Collective Epistemology', *Episteme* 1 (2004), pp. 95-107.

opposed to private thoughts are what counts'.[31] Suppose, says Gilbert, that as an individual you were somewhat personally underwhelmed by the poem. Nevertheless, you nod approvingly along with the statement when it is made. In this case:

> Your primary intention may be best described along the following lines. You intend to express your readiness to see the belief that the poem is a powerful one established as the belief of the group. Your having an intention of this kind will be entirely reasonable insofar as the aim of the group as a whole is primarily a matter of developing a collective perspective on the poem.[32]

What is instructive in Gilbert's account for our purposes is that, in such a situation, it is possible for the individual who makes the suggestion not personally to endorse it *qua* individual, but to offer it *qua* group member, and then for the rest of the group to 'let it stand unopposed'.[33] In this case, there is a collective belief/intention that is not held in the same personal capacity by *any* individual within the collective. Nevertheless this belief and intention *is* the group's and is understood as such by the group. What Gilbert rightly shows is that the collective beliefs and intentions of the poetry group can be explained in terms of individual members' intentions, beliefs and actions *as* group members – thus avoiding spooky metaphysics of collective minds and persons – but also that these beliefs and intentions are, in this case, the groups, oriented group-wards towards a 'collective perspective'.

Gilbert argues, successfully in my view, that such examples counter a 'summative' account of group beliefs and actions, on which these features of a group are explicable in terms of putting together – one by one, as it were – the individual beliefs and actions of a group's members. But her account of group beliefs and

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[31] Ibid., p.97.
[32] Ibid, p.98. For other such counter examples to simple summativism, see Gilbert, *On Social Facts* (Princeton: Princeton University Press, 1992) pp. 257-8.
[33] Gilbert's example of this (Ibid., n.33) is of a group member proposing on behalf of her absent sidekick something that she predicts that her absent sidekick will believe, but that she herself does not. If everyone in the group does not oppose the suggestion, it would stand as a group's belief that none of its individuals held personally. Another example would be a nefarious *agent provocateur*, who wishes to instil in a group a collective belief that they predict will damage it.

intentions can be employed to show that the beliefs and intentions, and so the actions, of individuals in roles are not merely informed but also *formed* by institutions. That is to say, in the institutional case collective beliefs and their expressions in action depend on features of the institution for their formation. In this respect, a team or a University can, like the poetry group, hold collective beliefs and intentions by virtue of its members jointly committing to beliefs about what it is they are members *of*. Thus in terms of action by individuals *as* members of collectives including institutions, I take Gilbert's model of collective beliefs and joint commitments to offer support for our *ergon* based conception of institutions and the demands of their roles.[34]

In this final section I hope to have shown, in conclusion, that it is not simply the case that we have constructed a person centred virtue ethics of individual action in roles and a completely different ethical account of institutions that runs alongside. Whilst we have rejected the idea that institutions or collectives can possess psychological virtues and act from them as distinct moral agents over and above the constitutive agents and their actions, we have not separated agents and their actions from institutions, and can allow that many of our actions, including virtuous ones, are *institutional*, in the way that Gilbert's group beliefs and intentions are collective.

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[34] I see no reason why Gilbert herself would disagree, though she might want to argue for a more strongly personified conception of collective virtues. For discussion of whether or not Gilbert's conception of plural subject theory can support a theory of collective virtues, more specifically epistemic virtues, see Reza Lahroodi, 'Collective Epistemic Virtues', *Social Epistemology* 21 (2007), pp. 281-297 and Miranda Fricker, 'Can There Be Institutional Virtues?', in J. Hawthorne and T. Szabo, eds., *Oxford Studies in Epistemology: Social Epistemology* (Oxford: Oxford University Press, 2010).

Conclusion

I started off by showing how virtue ethics has made its way in contemporary normative ethics. Whilst Kantians and consequentialists can and do have a place for virtues and vices in their theories, a virtue ethics takes a certain conception of virtues and vices – as traits being valuable in themselves – from which it derives its account of right and wrong action. The direction of this procedure, from evaluating individual persons to action, is the main stumbling block for a virtue-ethical politics – a politics that would benefit from virtue ethics – or so I argued in the opening chapters. In order to avoid the apparently limited avenues of interpreting traditional Aristotelianism with its attendant problems, or of some form of liberalism which is not distinctly virtue ethical, we started not at the level of State or political principles, but instead by, as it were, politicizing the virtuous person, looking to their various social roles and how their demands are to be construed in a virtue ethical account. By assessing some accounts of virtue ethics and professional roles, we set up the problem of role-determinacy, the solution to which we identified as a necessary step to formulating a politically richer virtue ethics. In response, we formulated a virtue ethical approach that applies at the level of social and political institutions, thus helping to determine what these roles demand of the hitherto thinly conceived 'virtuous agent'. In doing so we appealed to Aristotle's conception of *ergon* and developing an institutional version connected to an institution's primary purposes in connection with a specific and distinct human good or set of goods.

To what extent, then, has this thesis come up with a virtue ethical approach to politics, the absence of and problems with which motivated the project in the first place? To give a promissory answer and, I hope, express the virtue of humility, I would like to think that it has done just that, i.e. only set forth a more politically adequate *approach* to virtue ethics and a virtue ethical approach to political questions. That is, by proposing an account of intentional *ergon* as a way of addressing the role-determinacy problem, I hope to have taken some of the insights of contemporary virtue ethics and pointed out a way in which virtue ethics can better

develop: firstly as itself a more adequate normative ethics and secondly as a way of addressing political questions. As to the first, I would like to have persuaded the reader that in considering the question of 'what the virtuous person would characteristically do' in a certain set of circumstances in which the virtuous person occupies one or more relevant social roles, a satisfactory answer requires reference to the institution that determines that role or those roles. And from the political point of view, insofar as that viewpoint is distinct from the individual's, my aim has been to put forward a way of thinking about particular and different institutions, in virtue ethical terms, that can illuminate their strengths and weakness and show us how they might fare better or worse as instances of their kind.

On this last point, it remains to be seen how successfully this strategy can apply, not least as a practical matter about the extent to which a particular institution can exercise its *ergon* in a world in which others are thwarting it, often by failing to exercise their own. At the time of writing, for example, there are reports from earthquake stricken Haiti that Western relief and aid agencies are diverting vital time and resources to mounting self-publicity campaigns and even paying dedicated press agents. This is because it has become crucial to gain a 'high profile' in the media and an advantage over other agencies, and so attract public funding for the work they do. It is hard to imagine that using a disaster area as a marketing opportunity would be part of a charitable emergency organization's *ergon*, though this, sadly, is necessary for their sustenance as an institution.

To finish positively and reiterate an earlier point we made using the example of the University, however: on the view defended in this thesis it is the *ergon* of such an institution – the what it is there for and good for – that can at least be usefully employed in establishing why and how an institution should operate in certain ways, and, ultimately, how we as virtuous individuals should then be acting as constitutive parts of those institutions.

Bibliography

Aristotle, *Nicomachean Ethics,* trans. & ed., Sarah Broadie and Christopher Rowe (Oxford: Oxford University Press, 2002).

Aristotle, *Politics*, ed., Stephen Everson (Cambridge: Cambridge University Press, 1990).

Audi, Robert, 'Acting From Virtue', in *Mind* 104 (1995), pp. 449-471.

Anscombe, G.E.M., 'Twenty Opinions Common among Anglo-American Philosophers', in Mary Geach and Luke Gormally, eds., *Faith in a Hard Ground: Essays in Religion, Ethics and Philosophy* (Exeter: Imprint Academic, 2008).

Anscombe, G.E.M., 'Modern Moral Philosophy' repr. In Crisp and Slote, eds., *Virtue Ethics* (Oxford: Oxford University Press, 1996).

Barry, Brian, *Justice as Impartiality* (Oxford: Oxford University Press, 1995).

Beggs, Donald, 'The Idea of Group Moral Virtue', *Journal of Social Philosophy* 34 (2003), pp. 457- 474.

Beiner, Ronald, 'The Moral Vocabulary of Liberalism', in *Nomos XXXIV: Virtue* (Cambridge Mass.: Harvard University Press, 1992).

Benson, John, *Environments, Ethics and Human Concern* (Oxford: Open University Press, 1999).

Bradley, F.H., 'My Station and its Duties' in *Ethical Studies* (Oxford: Oxford University Press, 1927).

Coady, C.A.J., 'Politics and the Problem of Dirty Hands', in Peter Singer, ed., *A Companion to Ethics* (Oxford: Blackwell, 1991).

Coady, C.A.J., *Messy Morality: the Challenge of Politics* (Oxford: Oxford University Press, 2009).

Cohen, G.A., *Self Ownership, Freedom and Equality* (Cambridge: Cambridge University Press, 1995).

Copp, David, and Sobel, David, 'Morality and Virtue: An Assessment of Some Recent Work in Virtue Ethics', *Ethics* 114 (2004), pp. 514-554.

Crisp, Roger, ed., *How Should One Live? Essays on the Virtues* (Oxford: Oxford University Press, 1996).

Crisp, Roger, & Slote Michael, eds., *Virtue Ethics* (Oxford: Oxford University Press, 1997).

Dahrendorf, Ralf, 'Homo Socioloigicus: On the History, Significance and Limits of the Category of Social Role', in *Essays in the Theory of Society* (London: Routledge & Kegan Paul, 197.

Devlin, Patrick, *The Enforcement of Morals* (New York: Oxford University Press, 1985).

deWijze, Stephen, 'Dirty Hands - Doing wrong to do Right', *South African Journal of Philosophy* 131(1994), pp. 27-33.

Driver, Julia, *Uneasy Virtue* (Oxford: Oxford University Press, 2001).

Doris, John M., *Lack of Character: Personality and Moral Behavior*, (Cambridge: Cambridge University Press, 2002).

Doris, John M., 'Persons, Situations and Virtue Ethics', *Nous* 32 (1998), pp. 504-30.

Doris, John M & Stich, Stephen P., 'As a Matter of Fact: Empirical Perspectives on Ethics' in Frank Jackson and Michael Smith, eds., *The Oxford Handbook of Contemporary Analytic Philosophy*, (Oxford: Oxford University Press, 2005).

Dworkin Gerald, 'Non-Neutral Principles', in Norman Daniels, ed., *Reading Rawls*, (New York: Basic Books, 1975).

Dworkin, Ronald, 'Liberalism' in Stuart Hampshire, ed., *Public and Private Morality* (Cambridge: Cambridge University Press, 1978).

Dworkin, Ronald, *Law's Empire* (Cambridge, Mass.: Harvard University Press, 1986).

Elliot, David, 'The Nature of Virtue and the Question of its Primacy', *Journal of Value Inquiry* 27 (1993), pp. 317-30.

Everson, Stephen, 'Aristotle on Nature and Value', in *Companions to Ancient Thought 4, Ethics* (Cambridge: Cambridge University Press, 1998).

Finnis, John, *Natural Law and National Rights* (Oxford: Clarendon Press, 1980).

Fleming, Diana, 'The Character of Virtue; Answering the Situationist Challenge to Virtue Ethics', *Ratio* 19 (2006) pp. 24-42.

Foot, Phillipa, *Virtues and Vices, and Other Essays in Moral Philosophy* (Oxford: Blackwell, 1978).

Foot, Phillipa, *Natural Goodness* (Oxford: Oxford University Press, 2001).

Freedman, Benjamin, 'A Meta Ethics for Professional Morality', *Ethics* 89 (1978), pp. 1-19.

French, Peter A., 'The Corporation as a Moral Person', *American Philosophical Quarterly* 16 (1979), pp. 207-15.

Fricker, Miranda, 'Can There Be Institutional Virtues?', in John Hawthorne and Tamar Gendler-Szabo, eds., *Oxford Studies in Epistemology, Social Epistemology* (Oxford: Oxford University Press, 2010).

Galston, William, *Liberal Purposes* (Cambridge: Cambridge University Press, 1991).

Geach, Peter, *The Virtues* (Cambridge: Cambridge University Press, 1997).

George, Robert P., *Making Men Moral* (Oxford: Oxford Clarendon Press, 1993).

Gilbert, Margaret, *On Social Facts* (Princeton New Jersey: Princeton University Press, 1999).

Gilbert, Margaret, *Sociality and Responsibility* (Maryland: Rowman and Littlefield, 2000).

Gilbert, Margaret, 'Collective Epistemology', *Episteme* 1 (2004), pp 95-107.

Graham, Keith. *Practical Reasoning in a Social World* (Cambridge: Cambridge University Press, 2002).

Goldstein, Leon. 'The Inadequacy of the Principle of Methodological Individualism' (*Journal of Philosophy* 53, 1956, pp. 801-813).

Hardimon, Michael O., 'Role Obligations', *Journal of Philosophy* 9 (1994), pp. 333-363.

Hegel, Georg Wilhelm Friedrich, *Elements of the Philosophy of Right*, H.B. Nisbet trans., Allen W. Wood, ed. (Cambridge: Cambridge University Press, 2004).

Herman, Barbara, *The Practice of Moral Judgment* (Cambridge, Mass.: Harvard
   University Press, 1993).

Hill, Thomas E. Jr., 'Ideals of Human Excellence and Preserving Natural
   Environments', *Environmental Ethics* 5 1(983) pp.211-24.

Hodgson, Geoffrey M., 'Institutions and Individuals: Interaction and Evolution',
   Organization Studies 28 (2007), pp.97-116.

Horton, John, and Mendus, Susan, eds., *After MacIntyre: Critical Perspectives on
   the Work of Alasdair MacIntyre* (Cambridge: Polity Press, 1994).

Huemer, Michael, 'The State' in John Shand (ed.), *Central Issues of Philosophy*,
   (Oxford: Wiley-Blackwell, 2009).

Hughes, Gerard J. *Aristotle on Ethics* (London: Routledge, 2001).

Hurka, Thomas. *Virtue, Vice and Value* (New York: Oxford University Press, 2001).

Hursthouse, Rosalind, Virtue Theory and Abortion', *Philosophy and Public Affairs,*
   20 (1991), 223-246.

Hursthouse, Rosalind, 'After Hume's Justice', *Proceedings of the Aristotelian
   Society* 91 (1991), 229-246.

Hursthouse, Rosalind, With Gavin Lawrence and Warren Quinn (eds.), *Virtues and
   Reasons* (Oxford: Oxford University Press, 1995).

Hursthouse, Rosalind, 'Normative Virtue Ethics', in Roger Crisp, ed., *How Should
   One Live? Essays on the Virtues* (Oxford: Oxford University Press, 1996).

Hursthouse, Rosalind, *On Virtue Ethics* (Oxford: Oxford University Press, 1999).

Hursthouse, Rosalind, *Applying Virtue Ethics* (Milton Keynes: Open University
   Press, 2000).

Hursthouse, Rosalind, 'Two Ways of Doing the Right Thing', in Colin Farrelly and
   Lawrence B. Solum, eds., *Virtue Jurisprudence* (Hampshire, UK: Palgrave
   MacMillan, 2007).

Kant, Immanuel, *Critique of Pure Reason*, trans., Norman Kemp Smith (London:
   Macmillan, 1963).

Kenny, Anthony, 'Happiness', *Proceedings of the Aristotelian Society* 66 (1965-6),
   pp.93-102.

Knight, Kelvin, Aristotelian Philosophy: Politics and ethics From Aristotle to
    MacIntyre (Cambridge: Cambridge Polity Press, 2007).

Kymlicka, Will, 'Liberal Individualiam and Liberal Neutrality', *Ethics* 99 (1989),
    pp. 883-905.

Richard Kraut, *Aristotle* (Oxford: Oxford University Press, 2000).

Lahroodi, Reza, 'Collective Epistemic Virtues', *Social Epistemology* 21 (2007), pp.
    281-297.

Larmore, Charles, 'The Limits of Aristotelian Ethics', in *Nomos XXXIV: Virtue*,
    (Cambridge, Mass.: Harvard University Press, 1992).

Larmore, Charles, 'The Foundations of Modern Democracy', *European Journal of
    Philosophy*, 6 (1995), pp. 55-68.

Levine, Andrew, *Engaging Political Philosophy* (Oxford: Blackwell, 2002).

Locke, John, *Second Treatise of Government*, C.B. Macpherson, ed. (London:
    Hackett 1980).

Louden, Robert B., 'On Some Vices of Virtue Ethics', in Daniel Statman (ed.),
    Virtue Ethics: A Critical Reader (Edinburgh: Edinburgh University Press,
    1997).

Lukes, Steven, *Individualism* (Oxford: Oxford University Press, 1973).

Macedo, Stephen, *Liberal Virtues* (Oxford: Oxford University Press, 1991).

MacIntyre, Alasdair, *After Virtue* (London: Duckworth, 2004).

MacIntyre, Alasdair, 'Social Structures and Their Threat to Moral Agency', in
    Ethics and Politics (Cambridge: Cambridge University Press, 2006).

MacPherson, C.B., *The Political Theory of Possessive Individualism* (Oxford:
    Oxford University Press, 1962).

MacPherson, Lord William of Cluny, 'The Stephen Laurence Inquiry',
    http:/www.archive.official-documents.co.uk/document/cm42/4262/4262.htm

Matravers, Derek, and Pike, Jon, eds., *Debates in Contemporary Political
    Philosophy* (London: Routledge, 2003).

May, Larry, *The Morality of Groups: Collective Responsibility, Group Based Harm,
    and corporate Rights* (Indiana: University of Notre Dame Press, 1987).

May, Larry, *Sharing Responsibility* (Chicago: Chicago University Press, 1992).

McDowell, John, 'Two Sorts of Naturalism', in *Mind, Value, and Reality* (Cambridge, Mass.: Harvard University Press, 1998).

McDowell, John, 'Virtue and Reason', in Roger Crisp & Michael Slote (eds.), *Virtue Ethics* (New York: Oxford University Press, 2003).

Mill, John Stuart, *On Liberty* (London: Penguin Classics, 1985).

Nozick, Robert, *Anarchy, State, and Utopia* (Oxford: Blackwell Books, 1992).

Nussbaum, Martha C., 'Compassion: The Basic Social Emotion', in Ellen Frankel Paul, Fred D. Miller, Jr., and Jeffrey Paul, eds., *The Communitarian Challenge to Liberalism* (Cambridge, Mass.: Cambridge University Press, 1996).

Nussbaum, Martha C., 'Virtue Ethics: A Misleading Category', *Journal of Ethics* 3 (1999), pp. 163-201.

Oakley, Justin, 'Varieties of Virtue Ethics', *Ratio* 9 (1996), pp. 128-52.

Oakley, Justin, and Cocking, Dean, *Virtue Ethics and Professional Roles* (New York: Cambridge University Press, 2001).

Olin-Wright, Eric, Levine, Andrew, and Sober, Eliot, 'Marxism and Methodological Individualism' in Derek Matravers and Jon Pike, eds., *Debates in Contemporary Political Philosophy* (London: Routledge, 2004).

O'Neill, Onora, 'Kant After Virtue', *Inquiry* 26 (1986), pp. 387-405.

Popper, Karl Raimund, *The Open Society and its Enemies: Volume I* (London: Routledge & Kegan Paul, 1977).

Rasmussen, Douglas B., 'Liberalism and Natural End Ethics', *American Philosophical Quarterly* 27 (1990), pp. 153-161

Rawls, John, *A Theory of Justice* (Oxford: Clarendon Press, 1972).

Rawls, John, *Political Liberalism* (Cambridge, Mass.: Harvard University Press, 1993).

Raz, Joseph, *The Morality of Freedom* (Oxford: Oxford University Press, 1986).

Reed, Evelyn, 'Introduction' in Frederick Engels, *The Origin of the Family, Private Property, and the State* (New York: Pathfinder Press, 1972).

Ross, W.D., *The Right and the Good* (Oxford: Oxford University Press, 1930).

Sandler, Ronald L., *Character and the Environment: a Virtue-Oriented Approach to*

Environmental Ethics (New York: Columbia University Press, 2007).

Sandler, Ronald, and Cafaro, Philip. eds., *Environmental Virtue Ethics* (New York: Rowman & Littlefield, 2005).

Scheffler, Samuel, 'Relationships and Responsibilities', *Philosophy and Public Affairs* 26 (1997), pp. 189-209.

Sternberg, Elaine 'The Business Purpose Specifies Business Values', in Open University A432 Applying Virtue Ethics, *Offprints* (Milton Keynes: Open University Press 1999, pp. 61-69).

Schneewind, J.B., 'The Misfortunes of Virtue', *Ethics* 101 (1990), pp. 42-63.

Sciaffara, Stefan, 'Identification, Meaning, and the Normativity of Social Roles', *European Journal of Philosophy*, forthcoming.

Sherman, Nancy, *Making a Necessity of Virtue:Aristotle and Kant on Virtue*, (Cambridge: Cambridge University Press, 1997).

Skinner, Quentin, 'Hobbes and the Purely Artificial Person of the State', *Journal of Political Philosophy* 7 (1999), pp 1-29.

Slote, Michael, *Goods and Virtues* (Oxford: Clarendon Press, 1983).

Slote, Michael, 'Virtue', in Phillip Petitt and Robert E. Goodin, eds., *A Companion to Contemporary Political Philosophy* (Oxford: Blackwell, 1997).

Slote, Michael. *Morals From Motives* (Oxford: Oxford University Press, 2001).

Simmons, Andrew John, 'External Justifications and Institutional Roles', in *Justification and Legitimacy* (New York: Cambridge University Press, 1996).

Smith, Michael D., 'The Virtuous Organization', *Journal of Medicine and Philosophy* 7 (1982), pp. 31-42.

Solomon, Robert C., 'Corporate Roles, Personal Virtues: An Aristotelian Approach to Business Ethics', in Daniel Statman (ed), *Virtue Ethics: A Critical Reader* (Edinburgh: Edinburgh University Press, 1997).

Solum, Lawrence B. 'Virtue Jurisprudence', *Metaphilosophy* 34 (2003), pp. 178-213

Statman, Daniel (ed.), *Virtue Ethics: A Critical Reader* (Edinburgh: Edinburgh University Press, 1997).

Stocker, Michael, *Plural and Conflicting Values* (Oxford: Oxford University Press,

2001).

Strauss, David A., 'The Liberal Virtues', in *Nomos XXXIV: Virtue* (Cambridge, Mass.: Harvard University Press, 1992).

Stohr, Karen, 'Contemporary Virtue Ethics', *Philosophy Compass* 1 (2006), pp. 22-27.

Swanton, Christine, 'A Virtue Ethical Account of Right Action', *Ethics* 112 (2001), pp. 32-52.

Swanton, Christine, *Virtue Ethics: A Pluralistic View* (Oxford: Oxford University Press, 2002).

Swanton, Christine, 'Virtue Ethics, Role Ethics, and Business Ethics', in Rebecca L. Walker and Philip J. Ivanhoe, eds., *Working Virtue* (Oxford: Oxford University Press, 2007).

Taylor, Charles, 'Cross Purposes: The Liberal – Communitarian Debate', in Derek Matravers and Jon Pike, eds., *Debates in Contemporary Political Philosophy* (London: Routledge, 2003).

Tessman, Lisa, 'On (Not) Living the Good Life: Reflections on Oppression, Virtue and Flourishing', Canadian Journal of Philosophy 28 (2003), pp. 3-32.

Thomas, Alan, 'Liberal Republicanism and the Role of Civil Society', *Democratisation* 3 (1996), pp. 26- 44.

Van Hooft, Stan, *Understanding Virtue Ethics* (Chesham: Acumen Press, 2006).

Velazco y Trianosky, Gregory, 'What is Virtue Ethics All About?' in Statman, ed., *Virtue Ethics: A Critical Reader* (Edinburgh: Edinburgh University Press, 1997).

Walzer, Michael, 'Political Action and the Problem of Dirty Hands', *Philosophy and Public Affairs,* 2 (1973), pp. 160–180.

Warnock, Mary, 'The Politics of Religion', in *New Statesman* (10th April 2008).

Watson, Gary, 'On the Primacy of Character' in Statman, ed., *Virtue Ethics: A Critical Reader* (Edinburgh: Edinburgh University Press, 1997).

Webber, Jonathan, 'Virtue, Character and Situation', *Journal of Moral Philosophy* 3 (2006), pp. 193-213.

Williams, Bernard, *Ethics and the Limits of Philosophy* (Cambridge, Mass.: Harvard

University Press,1985).

Williams, Bernard, Morality (Cambridge: Cambridge University Press, 1993)

Wolff, Jonathan, *An Introduction to Political Philosophy* (Oxford: Oxford University Press, 1996).

Zagzebski, Linda, *Virtues of the Mind: An Inquiry into the Nature of Virtue and the Ethical Foundation of Knowledge* (Cambridge: Cambridge University Press, 2008).