Suppose that *A* is a principle which it would be rational for a self-interested chooser with an equal chance of being in anyone's position to select. Does it follow that no one could reasonably reject *A*? It seems evident that this does not follow. Suppose that the situation of those who would fare worst under *A*, call them the Losers, is extremely bad, and that there is an alternative to *A*, call it *E*, under which no one's situation would be nearly as bad as this. Prima facie, the losers would seem to have a reasonable ground for complaint against *A*. Their objection may be rebutted, by appeal to the sacrifices that would be imposed on some other individual by the selection of *E* rather than *A*. But the mere fact that *A* yields higher average utility, which might be due to the fact that many people do very slightly better under *A* than under *E* while a very few do much worse, does not settle the matter.

Under contractualism, when we consider a principle our attention is naturally directed first to those who would do worst under it. This is because if anyone has reasonable grounds for objecting to the principle it is *likely* to be them. It does not follow, however, that contractualism always requires us to select the principle under which the expectations of the worse off are highest. The reasonableness of the Losers' objection to *A* is not established simply by the fact that they are worse off under *A* and no-one would be this badly off under *E*. The force of their complaint depends also on the fact that their position under *A* is, in absolute terms, very bad, and would be significantly better under *E*. This complaint must be weighed against those of individuals who would do worse under *E*. The question to be asked is, is it unreasonable for someone to refuse to put up with the Losers' situation under *A* in order that someone else should be able to enjoy the benefits which he would have to give up under *E*? As the supposed situation of the Loser under *A* becomes better, or his gain under *E* smaller in relation to the sacrifices required to produce it, his case is weakened.

One noteworthy feature of contractualist argument as I have presented it is that it is non-aggregative: what are compared are individual gains, losses, and levels of welfare. . . .

I have described this version of contractualism only in outline. . . . I hope that I have said enough to indicate its appeal as a philosophical theory of morality and as an account of moral motivation.

TEST YOUR UNDERSTANDING

1. What is philosophical utilitarianism? How does it differ from utilitarianism, understood as a "first-order moral theory"?
2. How does contractualism differ from philosophical utilitarianism? (*Hint:* Does it suggest that facts about individual well-being are not fundamental moral facts, or does it suggest that there may be other fundamental moral facts than facts about individual well-being?)
3. How does Scanlon think the utilitarian would represent the relevant motivation for helping children suffering in a famine? How does he think the contractualist would represent the relevant motivation?

NOTES AND QUESTIONS

1. ***Aggregation, utilitarianism, and contractualism:*** Scanlon characterizes utilitarianism as a theory oriented around maximum aggregate benefit. What does this mean? Why does Scanlon believe that a contractualist account of what makes an action wrong is unlikely to produce a set of rules that aggregate in the way utilitarianism does?

   Exercise: Generate two examples of actions that utilitarianism might favor but would be disallowed by a system of rules produced by the contractualist framework. Do these examples lend support to the utilitarian view or the contractualist view?

2. ***What counts as justifying one's action to others?*** Scanlon describes the underlying motivation behind contractualism as the desire to justify one's actions to others. How does ensuring that one acts according to principles no one could reasonably reject satisfy that desire?

   Exercise: Consider the following objection:

   > Whether your action is justified or not depends just on whether it produces maximum aggregate utility among the entire population. If it does, then it is justified. If it does not, then either your action treats some people as though they matter more than others, fails to reflect the significance of different degrees of utility, or reflects the incorrect judgment that some things matter morally other than their effect on human well-being.

   How might Scanlon respond?

Rosalind Hursthouse (born 1943)

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VIRTUE ETHICS

In Book 6 of the *Nicomachean Ethics*, Aristotle introduced a difficult concept into moral philosophy. Taking one of the many Greek terms for knowledge, *phronesis*, he gave it his own special sense. *Phronesis* is the knowledge that enables its possessor to make correct moral decisions about what to do — to reason correctly about what

is right; we translate it as (moral or practical) wisdom. He writes as though some people, albeit not many, actually have it, and as if you either have it or you do not. Nowadays we tend to take it as the concept of an ideal to which we can aspire and possess to a greater or lesser degree.

Modern moral philosophy lost sight of the concept until it was enthusiastically revived by virtue ethics, in which the question "How should we reason about what is right?" becomes inseparable from the question "What is *phronesis*?" What *does* a person who possesses it know that enables her to do this reasoning so well? And since that amounts to the question "What is wisdom?" it is very hard to answer. I am just going to discuss two aspects of it and the knowledge each involves, each derived from something Aristotle says about it.

The first is that you can't have *phronesis* without being truly virtuous, that is, a morally good person. This is what makes "moral wisdom" a good translation — we do not think that the Hitlers of this world have moral wisdom, only people we think are morally good. What follows? Well, it follows that the correct decisions about what it is right to do which the person with *phronesis* reaches are the decisions of a truly virtuous person. We all know that we still have a fair way to go before we become as good as that, so we cannot reason in exactly the way this ideal person does. How can we best approximate that reasoning?

According to modern virtue ethics, we should not reason about what to do in terms of what will maximise the best consequences, and not in terms of what will be in accordance with correct moral principles such as "Do not lie" or "Keep promises," but in terms of *what a virtuous agent would do in the circumstances.* This is in some ways very straightforward, in other ways very difficult. The difficulty is inevitable whatever account we give of how to reason about what to do. We all know that life presents us with situations in which it is agonisingly difficult, if not impossible, to know what it is right to do. But we will start with what is straightforward.

Of course, thinking in terms of "what a virtuous agent would do" does not look immediately straightforward because the word "virtue" is hardly common usage nowadays. But, oddly enough, everyone still has the concept. Google "virtues" and you find 1.6 million pages, many of them with lists of the virtues and vices. Although we might disagree (I certainly do) with some of the examples, and a few of them will sound old-fashioned to most people, they are comprehensible. We can see that the virtues listed are all supposed to be character traits that we praise and admire people for having because they constitute being a morally good person. (Web material is often a bit careless: I have seen beauty and health listed as virtues, but they cannot be because they are not character traits and hence not virtues.) Note that, although "vice" still does have a common usage, it connotes something more evil than "moral fault" or "defect," but when we speak of "the virtues and vices" in this context, "vice" is shorthand for "vice *or* moral defect.")

So we are to think of "the virtuous agent" as someone who has the virtues, that is, as someone who *is*, through and through, all the way down, benevolent (or "charitable" in the original sense), courageous, generous, honest, just, kind, loyal, responsible, and trustworthy, for example. And, having the virtues, the virtuous agent

acts accordingly, characteristically or typically doing what *is* benevolent, courageous, generous, honest, just, kind, loyal, responsible, and trustworthy, and not what is malevolent, cowardly, mean, dishonest, unjust, unkind, disloyal, irresponsible, or untrustworthy.

Terms for the virtues and vices generate adjectives that describe both people *and* actions. Consequently, virtue ethics offers an enormous number of moral rules for action guidance. *Every* virtue generates a prescription — do what is benevolent, etc., and *every* vice a prohibition — do not do what is malevolent, etc. Let's call these the "v-rules" (for "virtue- and vice-rules"). So the straightforward way to think about what to do in terms of what the virtuous agent would do is, initially, to think in terms of the v-rules. And that, often, is indeed very straightforward. Is it right not to go to my friend's birthday party when I have promised to because something more enjoyable has turned up? No, because it would be untrustworthy, disloyal, inconsiderate, selfish, and (on some construals of justice) unjust. Is it right to take her a birthday present — yes, it would be mean (in the sense of "stingy" or "ungenerous") not to. Is it right to take my dog for a walk every day? Yes, it is benevolent, kind, and responsible to do so, and callous, unkind, and irresponsible not to.

Now one might say "But these examples are so obvious that no-one needs to reason about them!" True — though it is in relation to such obvious examples that we first acquire the virtue and vice vocabulary and thereby learn to identify morally relevant features of actions which ethical theories other than virtue ethics ignore at their peril. For instance, some moral philosophers say we should reason about what is right in such a way that there turns out to be nothing wrong with breaking my promise to my friend (if I can deceive him successfully later about why I didn't turn up). Other philosophers say we should reason about what is right in such a way that it turns out not to be true that I ought to give my dog regular exercise (because I do not have any moral duties to animals). And some insist that our reasoning in these examples should be impartial and make no reference to *my* friend or *my* dog.

Here is an interesting thing about the v-rules. They are not invented or discovered by moral philosophers or peculiar to religious doctrine. They are simply created by the words — the available virtue and vice words — in ordinary language, and the ordinary use of these words is extraordinarily subtle and nuanced, heavily dependent on features of the conversation in which they occur. Hence the importance of thinking about what it is right to do in terms of what the virtuous agent would do *in the circumstances.* Suppose we tweak one of the obvious examples above a bit.

Is it right to break my promise to turn up to the school play my daughter is in, because, on my way to it, I see an old woman being threatened by a mugger? Of course — it would be cowardly, irresponsible, and callous not to stop to help, and, in *these* circumstances, not disloyal or inconsiderate or selfish to break the promise.

Would it be untrustworthy? Well, if so, the example illustrates something that it is easy to forget when we are thinking about that unfamiliar concept "the virtuous agent." It is natural to assume that the virtuous person would never do what is dishonest, such as lying, or untrustworthy, such as breaking a promise, or disloyal, such as letting a friend down; that the compassionate would never intentionally cause

anyone great suffering. But as soon as we think of certain examples, we realise that that's a mistake. In *some* circumstances, they *do* do such things. They do not do them typically or willingly or cheerily (as people who are dishonest, untrustworthy, disloyal, etc. do); they regret that circumstances have made it necessary; and afterwards they look around for ways to make up for what circumstances have compelled them to do, but they do *do* them — and it is no poor reflection on their virtue.

Consult your own understanding of what it means to be a trustworthy and loyal person. You have a friend you think is both, so when he fails to keep his promise to come to your birthday party you are surprised. If you really believe he is trustworthy and loyal, will you not expect that he must have had a good reason for breaking it? And when he rings up the next day to apologise and explain about the mugger, will you not find your expectation confirmed?

We understand that even the trustworthy and loyal may do such things as break promises because we understand the virtue and vice words — we grasp what is involved in having the individual virtues and thereby the sorts of reasons for which, in particular circumstances, people with those character traits do the things they do. Even quite small children can come to understand that trustworthy people do not always keep their promises. Although they begin by saying, in tearful outrage, "But you *promised!*" they learn that their parents, and others, can be good, trustworthy people despite their occasional defaulting (assuming that they are being brought up by fairly decent parents who do not default improperly and who take time to explain the defaults). So in the straightforward cases, even quite a young child can see that the circumstances in which a promise is broken can give a good person compelling reason to break it.

Similarly, small children often do not understand why their parents hush their tactless remarks. "But it's the *truth*!" they say. "He *is* fat." But, as they begin to acquire good manners, tact, considerateness, kindness, they learn that, just as trustworthy people sometimes break their word, honest people do not always volunteer the truth. Think of the sort of person who says "I speak as I find" and "I believe in calling a spade a spade" and whose word you dread when they say (as they typically do) "I hope you won't mind my saying this BUT . . . ." I would not describe such a person as having the virtue of honesty, but, instead, as being brutally frank or candid. Candour is not a true virtue, because being an honest person is not incompatible with being a discreet, tactful, considerate, kind person.

Is honesty compatible with being a con man? No. Is it compatible with being a magician? Yes, even though deception is a magician's trade. Is it compatible with being "economical with the truth"? In some circumstances yes, in others no — when, for example, parsimony with the truth involves being phoney, sneaky, manipulative, or hypocritical.

How do we know all of this? Because a great deal of our moral knowledge — our understanding of which *particular* actions, done in the very circumstances in which they are done, are what a virtuous person would do or would not do — is, unconsciously, stored in our ordinary virtue and vice words. We started to acquire the knowledge as we learnt to use the words, and, as we get older and more experienced, we learn to use them with greater nuance and subtlety. And this is the beginning of practical wisdom — an understanding, applicable in particular circumstances, of what is involved in being an honest, trustworthy, considerate, . . . virtuous person. So here is a large part of what the person with *phronesis* knows — he really knows, as we begin to know as we grow up, what is involved in having the virtues, and this knowledge is part of what enables him to reason correctly about what it is right to do.

Consider another example. When I was very small, I thought my mother was being mean and unkind when she made me go to bed early (I was a sickly child, and often convalescent); but as I grew older, I realised this was not so. If I had known the words, I would have said she was being responsible and loving, and "doing me a kindness" by sending me to bed. And later I learnt the point of the expression "being cruel to be kind."

With this expression, we begin to enter the territory of difficult cases. As we saw, following the prescriptions "Do what is honest" and "Do not do what is dishonest" does not demand one tells the rude, inconsiderate, or unkind truth. In many circumstances you can look for a nicer truth to tell, or remain discreetly silent. But there are other circumstances in which virtuous agents have to tell the truth. Honest and responsible judges on talent shows faced with aspirants who lack talent, people breaking off relationships that are going nowhere, doctors with patients whose tests show they are in urgent need of a somewhat risky operation, professors with mature students who dream of becoming philosophers but are not capable of postgraduate study, tell the truth and cause those on the receiving end bitter grief. Have they done what is honest but unkind or cruel or callous?

I deny that characterisation. In all these cases (in most of the circumstances in which they occur), I would say one does the recipients no kindness in concealing the truth from them. It is a shattering truth they need to know, and, in those circumstances, the only way to do what is kind is to convey it in a considerate and sensitive way. Judges of talent shows who make the audience laugh at the talentless are being cruel, and doctors and professors who just state the truth baldly without easing the recipient into a dawning realisation of what it is going to be are being insensitive and inconsiderate. (Breaking off relationships is *really* tricky. I read of someone who did it cruelly with the intention of making her partner hate her, because she thought that would make it easier for him, and I can imagine circumstances in which that would be the kindest way to do it.)

You may notice that the reasoning in the paragraph above involves a judgement about "the sort of truth that one does people no kindness in concealing, because they need to know it." What sort of truth is that? Truths that are about something important, the sort of thing that really matters in life? But then, what is "important," and what "really matters" in that way? If you have no idea, and could not understand the above paragraph, then I cannot help you. I have to rely on your knowledgeable uptake. In so doing, I am relying on your having some moral wisdom.

Now we can see why Aristotle, making the first point about *phronesis* I mentioned above, says that it is impossible without virtue. Someone who isn't at all concerned about doing what is right but only in having a good time or exercising power or making a lot of money is not going to be at all interested in acquiring the virtues, and hence will not develop an understanding of them, and his ideas of what is important

or really matters in life (lots of pleasure or power or money) are going to be quite different from those of someone who is (at least fairly) virtuous. Someone who is concerned but has been corrupted by a bad upbringing or an immoral culture will have a distorted idea of the virtues and some terrible ideas about what is important and thereby reason incorrectly again and again. (Think of how corrupting racism has been and still is. Racists who are conscientious about not breaking promises, or lying, to members of their own race will cheerfully do it to those against whom they are bigoted and not think that they, or their fellow members, show themselves to be dishonest or untrustworthy in doing so. They think what race someone is is a really important thing about them, and that "keeping those people in their place" really matters in life.)

So here is another large part of what people with *phronesis* know (which is inseparable from their knowledge of what is involved in the virtues); such people know what is truly important in life, what matters, what is worthwhile. That knowledge too is part of what enables the person with *phronesis* to reason correctly about what it is right to do.

The second thing Aristotle says about *phronesis* is that it comes only with age and experience. This is what makes "practical wisdom" a good translation – we do not think of the young and inexperienced as having practical wisdom, however good they are, only those who can draw on a rich experience of life. So what difference does experience make to reasoning correctly about what to do?

When we are reasoning about what to do, aiming for a correct moral decision which we will then act upon, we are always trying to find what it would be right to do *in these circumstances*, in *this* situation. But if we are to succeed, we need to get "the situation" right; if we make a mistake about it, taking it to be thus and so when it isn't, we will reach a correct decision only by happy accident. Only through age and experience, learning from our own and others' mistakes, do we become good at knowing what "the situation" is.

The inexperienced frequently make mistakes about, for example, what other people are feeling. Taking the smiling front at face value, they do not see that the other person is hurt, or uncertain, angry, frightened, or worried; or they see shiftiness or arrogance where the more experienced see embarrassment. Often "the situation" is not something right in front of you, but you have to ask around to find out what is going on; the inexperienced are not expert at assessing the reliability of what other people say. Sometimes they are too gullible in accepting someone else's account, instead of thinking "But he *couldn't* know all that" or "That's the sort of thing people often make mistakes, or conceal the truth, about"; sometimes they are too incredulous, unable to recognise someone else's expertise or sincerity. And so they misjudge the situation. Sometimes they don't even recognise the situation for what it is. (This frequently happens when we encounter other cultures, which is why one should be circumspect as a tourist and try to gain some secondhand experience from books of what might be offensive before one travels.) When we do not get the situation right, we cannot reason correctly about what it is right to do in *it*. But the person with *phronesis* does reason correctly. So she has the sort of knowledge, born of experience, which enables her not to make these sorts of mistakes; this knowledge we call, in general terms, knowledge of people or human nature.

Getting the situation right, and reaching a correct decision about what to do in a general way, still isn't enough for the virtuous agent. Suppose I am right that a person urgently needs to understand he is in a life-threatening situation, or that this other person needs help, or that this one has been insulted, or that we are all in danger. Suppose I correctly decide that I must tell the truth, must help, must right the wrong of the insult, must risk myself getting us out of the danger. But *how?* The devil is in the details, and if I lack experience I may well make the wrong decision about *how* to do what is right, and hence wind up not doing it at all. Again, the person with *phronesis* does reason correctly. So again, she has the sort of knowledge, born of experience, which enables her not to make these sorts of mistakes. She possesses a sort of general know-how about what works and what doesn't in life.

This practical knowledge — both of people and of what works and doesn't — is in *part* worldly knowledge which successfully cunning and wicked people have too; you can't be an effective con man or tyrant without it. But part of it is knowledge that can only be gained by the virtuous; the wicked do not, for example, know what love and trust can do for people and wouldn't know how to set about using that knowledge if they had it.

There is more to the knowledge someone with *phronesis* has than that which I have sketched above, but I will leave the topic here and conclude with the third thing Aristotle says about *phronesis*. It is that you can't have *perfect* virtue without it. And we have just seen why. Insofar as we lack *phronesis* we mess things up, notwithstanding our virtuous intentions. We intend to convey the truth but blurt it out so brutally that the other person can't take it in; we intend to help, but we harm; we intend to right a wrong but we compound it; we intend to save the day and we make things worse. We don't reason correctly about what to do. So we do not do what a perfectly virtuous agent would do.

Looking back, we see that you can't have *phronesis* without having virtue and you can't have virtue without having *phronesis*. "They" turn out to be the same thing viewed from different aspects, two sides of the same coin. "It" is what we need to develop and improve if we are to reason correctly about what is right. Moral philosophers' theories may help us on the way, but there is no shortcut to virtue, and hence none to *phronesis*.

TEST YOUR UNDERSTANDING

1. What is a virtue and what is a vice? Give an example of each. Why does Hursthouse deny that beauty and health are virtues?
2. Does Hursthouse think the virtuous person would ever break a promise? If he did, would that make him untrustworthy?
3. How do we come to learn what the virtues are and what the virtuous person would do?