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Conceptual Gerrymandering? The Alignment of Hursthouse's Naturalistic Virtue Ethics with Neo-Kantian Non-Naturalism

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The label of "naturalism" recently has become a philosophical favorite, especially in ethics; the air of opprobrium that hung about ethical naturalism at the beginning of the last century has dissipated almost entirely. Theorists who draw on evolutionary biology and cognitive science lay claim to the naturalist label but so also do virtue theorists, Humeans, and even some neo-Kantians.[1] Ethical naturalism is arguably one of the major growth areas in contemporary moral philosophy.[2] No doubt one of the attractions of naturalism lies in the idea of opening up ethical beliefs and theories to empirical, even scientific, investigation and support, with the prospect of dispelling suspicions of illusion and subjectivity that have clung to ethics in the twentieth century. However, the fact that a single term could find employment in such diverse enterprises

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raises the question of whether the same concept is at work. An important shift in usage occurs with the recent attempts by John McDowell, Philippa Foot, Rosalind Hursthouse, and others to draw upon Aristotelian virtue theory to develop a naturalistic ethics. These theorists aim at a nonreductive ethical naturalism that recognizes the normative character of moral issues while avoiding the well-known obstacles posed by the fact-value gap, G. E. Moore's naturalistic fallacy, and so on. For Soran Reader, non-reductive naturalism now "sets the terms for philosophical progress in ethics."[3] But do the virtue theorists merit distinctively *naturalistic* credentials? According to Margaret Little's analysis of the debates, they count precisely as *non*-naturalistic.[4] Insofar as the naturalist label aims to certify the advantages of objectivity, the issue is more than verbal.

In this essay we address this question by focusing on Hursthouse's *On Virtue Ethics*.[5] Hursthouse not only clearly pinpoints the key shift in usage, she also draws some provocative consequences that bear on the depth structure of neo-Aristotelian ethical naturalism. By analyzing her approach, we hope not only to contribute to the self-understanding of neo-Aristotelian ethics but also to clarify the set of challenges that confront attempts to develop a viable ethics that deserves the label of naturalism. On this latter score, we shall argue, her claim to naturalism is problematic.

How one understands the naturalistic character of virtue ethics depends on how one frames the key challenges confronting the naturalist project. Of the various current ways of framing the discussion, we consider the epistemological issues—in particular those connected with moral justification—the most interesting. After briefly motivating our focus on moral justification (section 1), we further define the spectrum of views by characterizing Jürgen Habermas's neo-Kantian moral theory as a moderate non-naturalism (section 2). We then turn to Hursthouse's explicitly naturalist interpretation of neo-Aristotelian virtue ethics (sections 3 and 4). What we find is a surprising convergence between the neo-Kantian and neo-Aristotelian approaches—one that deserves more attention from moral theorists working at the intersection of Aristotelian and Kantian ethics.

1.

As recent survey articles and encyclopedia entries testify, the framework of discussion surrounding ethical naturalism has shifted significantly since Moore's day. For him, investigation of the meaning of "good" constituted the first task of ethics, and naturalistic moral theories included any attempt to define the predicate "good" in terms of some natural property.[6] In a broader sense, ethical naturalism came to include any attempt to define "good" in terms other than itself—a move that Moore

vilified as the "naturalistic fallacy." On this view, even Kantian and supernaturalist ethics count as examples of naturalism.[7] Consequently, varieties of intuitionism came to define the sole non-naturalist alternative to ethical naturalism after Moore.[8] Contemporary theorists, by contrast, tend to oppose naturalism to supernaturalism or non-natural rationalisms. Blackburn, for instance, explains that ethical naturalism rejects "unexplained appeals to mind or spirit, and unexplained appeals to knowledge of a Platonic order of Forms or Norms; it is above all to refuse any appeal to a supernatural order."[9] Korsgaard likewise contrasts naturalism with approaches that ground morality in "non-natural facts" or the supernatural.[10] Positively construed, philosophers today tend to understand ethical naturalism rather broadly as the view that ethics, or morality—norms and prescriptions about how agents ought to act, statements about right or good, systems for evaluating character, and so on—are ultimately based, in some way, on empirically describable features of human nature and the natural world. Consequently, commentators often associate ethical naturalism with a scientific approach to reality, or even a scientistic worldview.[11]

Moore's framework has disadvantages in this new context.[12] On the one hand, his association of naturalism with the naturalistic fallacy, understood as a conceptual or analytic reduction of moral properties to natural ones, leaves reductive *ontological* naturalism untouched. As a thesis not about meaning but about the "nature of things," namely that moral properties just are natural ones, ontological naturalism represents for some commentators the more interesting view.[13] Moral realists, "explanationist" naturalists, and the like are now exploiting this and related possibilities to the full.[14] On the other hand, Moore's framework opens the door to further *epistemological* questions regarding moral education, justification, and judgment—questions his conceptual analysis is ill suited to answer. The question of justification becomes especially interesting in relation to the problem of moral disagreement and pluralism, which has drawn considerable attention in recent decades and is a prime concern for Hursthouse as well.[15]

In this essay we frame the challenges to ethical naturalism from this epistemological perspective. More precisely, the challenges that concern us arise in connection with moral justification as a *public, argumentative* process in controversial contexts. Here the key question is how one can publicly argue for, and thereby justify, prescriptive and evaluative moral claims to other people in a way that promises to ameliorate moral disagreements. In such contexts, naturalistic approaches to moral justification become especially interesting as attempts to prescribe a normative ethics—and not simply describe the causal, psychological, or genealogical basis of morality—by

appealing solely to natural facts (of one kind or another) that are open to scientific investigation and, presumably, able to ground publicly reasonable justifications. To carry out this endeavor, the naturalist must show how natural facts can provide the *normative basis* of ethics, that is, the basis for justifying specific ethical claims. The trick is to pull this off without appearing philosophically naïve—a charge that has been leveled against some science enthusiasts who move too quickly from empirical science to ethical pronouncements or, worse yet, who fail to see the difference between descriptive and prescriptive accounts. Although one can identify a number of objections relevant from the epistemological perspective, the fact-value gap continues to present the immediate obstacle one must overcome to avoid naïve naturalism.[16] At the least, plausibly bridging this gap, or showing why it presents no real problem, represents a minimal adequacy condition for a viable ethical naturalism.

The normative task described above harbors at least three challenges for ethical naturalists. An ethically viable ethical naturalism must not only (1) avoid the charge of naiveté, it must do so in a way that (2) generates evaluative and/or prescriptive standards that are sufficiently specific and (3) sufficiently open to public justification on the basis of empirically accessible natural facts, so that moral conflicts are, at least in principle, rationally resolvable.

The ambiguities noted earlier in the term "naturalism" lead to a further challenge ethical naturalism must meet to merit its credentials: it must plausibly distinguish itself from non-naturalism. In the present context, forms of neo-Kantian non-naturalism lie closer to the naturalist end of the spectrum than does intuitionism; thus they provide the tougher test case for distinguishing ethical naturalism. The question, then, is whether Hursthouse's ethical naturalism can meet the first three challenges in a manner that distinguishes it from neo-Kantian non-naturalism. This last consideration we might state as: (4) ethical naturalism should not depend on a convenient relabeling of what counts as "natural." That is, it should not amount to conceptual gerrymandering. To address this fourth condition we must first clarify the non-naturalistic character of neo-Kantian moral justification.

2.

In a framework not limited by Moore's criterion, Kant counts as a non-naturalist inasmuch as he views moral obligation as an a priori command dictated by "pure" practical reason and not by particular facts about human beings or their search for happiness. The reason is that he regards the concept of duty or obligation as central to moral philosophy, and any adequate moral theory, in his view, must account for the unconditional

character of moral obligations. To be sure, facts about human nature and human dispositions inform and constrain the determination of specific duties; Kant, after all, believes that "ought implies can." But the ultimate normative basis of morality must lie suitably beyond any source so contingent as human nature, conceptions of human happiness, or psychological dispositions: "the ground of obligation here must not be sought in the nature of human beings nor in the circumstances of the world in which humans are placed, but a priori simply in concepts of pure reason."[17] As a result, Kant situates the normative basis of moral obligation in the noumenal sphere or, as he puts it in the *Groundwork,* the "intelligible" realm. Moral obligations are unconditionally binding only because we must, as agents, view ourselves as members of such an intelligible realm that transcends the realm of appearances. The concept of obligation or duty thus requires an a priori, transcendental mode of analysis; one cannot gain access to it through the methods of empirical science.

In this section we clarify the structure of Kantian non-naturalism by examining a contemporary reinterpretation: Jürgen Habermas's "discourse ethics." Habermas takes Kantian non-naturalism a step closer to naturalism by rejecting Kant's idea of a noumenal sphere that lies behind appearances.[18] Nonetheless, discourse ethics retains a "weak transcendental" structure that qualifies as non-naturalist.[19] Our concern here is not to defend this model but to pinpoint its non-naturalism, the key to which lies in a nonmetaphysical analogue to Kant's two worlds, namely the distinction between the observer and participant perspectives. Although the natural world is accessible from the observer perspective, according to Habermas one can gain access to moral experience and its normative demands only if one takes the "performative attitude of a person taking part in [social] interaction."[20] Like Kant, Habermas charges the moral theorist with the task of accounting for the unconditional character of moral obligations. But one cannot begin to accomplish this task without access to the moral phenomena through which this unconditionality reveals itself—experiences of indignation, resentment, shame and guilt, criticism, demands for justification, attempts at excuse, and so forth. It is true that one can observe such interactions as a social scientist might. But to account for their normative force one must approach such phenomena from the standpoint of participants who take their moral practices and beliefs seriously. Because such practices are built of generally shared interpersonal expectations about how we ought to treat one another—expectations that persons address to one another as accountable agents—one has full access to the normative demands of morality only as *a member of a social world who is addressed by other members,* not as a nonparticipating observer.

The important point is this: the distinction between perspectives implies that one has access to the normative force of moral justifications only if one adopts the perspective of a morally socialized participant in social interaction. Thus, empirical facts (e.g., observable consequences and side-effects of some social practice, or empirically describable circumstances) cannot emerge as even potential reasons or justifications in moral discourse unless one adopts the participant perspective.

According to Habermas, the participant perspective commits one to a dialogical conception of moral justification or "discourse." From this follows the second point to notice in Habermas's non-naturalism: for an argument to suffice as justifying a moral norm (i.e., a moral obligation, prohibition, or permission), participants must counterfactually presuppose that the argument *could* be defended against objections in a discourse that included all those affected by the norm's observance, and that was free of any inequalities or coercive forces (including internal psychological hang-ups) among the participants that would affect their chances for speaking or their ability to assess the arguments on the merits.[21] Although the use of such counterfactual idealizations or similar hypothetical projections is commonplace in neo-Kantian ethics,[22] unlike Kant and many neo-Kantians Habermas insists on the necessity of actual discourse in the justification of norms. This is not to say that mere agreement makes a norm morally right. Rather, a group's actual consensus on some norm N can at most warrant a defeasible presumption that N could be defended under ideal discursive conditions. In discourse ethics, counterfactual idealizations do more than simply inform an individual's thought experiment. Rather, they operate as regulative ideas for *intersubjective practices* of discourse, that is, moral argumentation and dialogue.

The insistence on actual discourse should not distract us, however, from the counterfactual move that discourse ethics shares with other neo-Kantian proceduralist theories: in claiming a norm is justified, one must counterfactually assume that the justifying reasons could convince any reasonable person, given sufficient time, information, and so on, that is, under ideal discursive conditions. We might, after engaging in an extended process of moral discourse, gain considerable confidence that this supposition is correct for some norm, say the norm against slavery. But an empirical investigation of the properties of the actual discourse—say a social history of the discourse against slavery—can never confirm that our discourse actually met (or sufficiently approximated) such ideal conditions.[23] To this extent, these idealizations remain *pragmatic*, not empirical, presuppositions of our moral practice: we must presume or suppose we have approximated them to consider our practices morally upright.

We might summarize Habermas's neo-Kantian non-naturalism as follows. To justify a moral norm as objectively binding and thus correct, or to consider a norm as so justified, one must make two moves. First, one must adopt the stance, not of a scientist who observes (and explains) natural or social facts and social-psychological processes, but that of a morally engaged participant in social interaction. Second, one must counterfactually presuppose that the reasons given in support of the norm could hold up under idealized conditions of discourse, that is, conditions in which our assessment of the available information and arguments would be as reasonable as it could ever be.

3.

As a virtue ethics, Hursthouse's naturalism applies first and foremost to the evaluation of certain character traits to determine if they count as virtues; in contrast to much contemporary moral philosophy (including discourse ethics), actions and rules of action are only indirectly objects of evaluation. As a kind of naturalism, her virtue ethics attempts to base "ethics in some way on considerations of human nature, on what is involved in being good *qua* human being" (192). The leading idea in her neo-Aristotelian naturalism combines these thoughts in the premise that a "virtue is a character trait that a human being needs for *eudaimonia*, to flourish or live well." This premise ought to be understood, she suggests, as a complex of two interrelated claims: (1) The virtues benefit their possessor (they enable one to flourish). (2) The virtues make their possessor a good human being (human beings need the virtues to live well, to flourish *as* human beings) (167). How well Hursthouse deals with the fact-value gap, and avoids naïve naturalism, crucially depends on how she elaborates the naturalist aspect of this second claim. Specifically, the issue depends on the naturalist character of the kind of ethical arguments that support claim (2). Such arguments are "directed towards the discovery of truth"—they aim to justify certain evaluative claims about virtue as objectively correct (237; cf. 164). We now examine her account of ethical argumentation in view of the four requirements set forth in section 1 above.[24]

(1) Like other neo-Aristotelians, Hursthouse locates the naturalist basis of ethical evaluation in a structural similarity between the ethical evaluations of humans and non-ethical evaluations of plants and animals as good or bad specimens of their kind. If adjectives such as "good" and "defective" can be attributed to plants and animals and do not lose their meaning when applied to human beings, then ethical evaluation—often thought to lack objectivity—can be analogous to the quasi-scientific appraisal of living things (195–6).

As she spells out the analogy, individual living things count as good specimens of their species according to an evaluation of their *aspects* in relation to their *ends* (197–203). The two aspects of individual plants are their parts (leaves, roots, etc.) and their operations/reactions (growing, flowering, going to seed, dying); one evaluates these in relation to the two ends of plants, namely individual survival through the characteristic life span of such a member of such a species and the continuance of the species. Thus a "good rose bush" is one whose parts and operations fulfill the ends of survival and continuance of its species. Animals have two additional aspects (actions, inasmuch as they act and react in ways that plants do not, and emotions/desires) and two additional ends (characteristic pleasure/freedom from pain and the good functioning of the social group). Thus a good social animal is one whose four aspects are well fitted to serve the four ends in an integrated manner: it must not only survive, reproduce, enjoy pleasure and avoid pain (in its characteristic ways) but also function as a part of its social group (202–03).

Insofar as humans share these four ends with animals, the structure of ethical evaluation is similar to the objective evaluation of animals (201–08). These aspects and ends comprise a set of natural facts that enter into and constrain arguments pertaining to the ethical evaluation of character—indeed, they point toward a universal conception of human virtue (207–08, 212). However, humans do not have a single characteristic way of realizing these ends. What *is* characteristic about human flourishing is not some specific way of realizing the four basic ends but rather the "rational way" of carrying on, which is "any way that we can rightly see as good, as something we have reason to do" (222). To take adequate account of the "huge gap" between humans and animals, one must allow that rationality deeply transforms the status of those ends that humans share with animals.

The characteristically human capacity to act from reasons supplies the overarching normative standard in Hursthouse's naturalism. In light of this standard, many humans are "poor ethical specimens"—not because they fail to execute naturally given biological programs but because they fail to act from appropriate reasons (223). Rationality also links the leading idea of human flourishing with a self-transformative capacity for new possibilities—"the idea that we might be able to be and to *live* better" (221–22). Human rationality, however, does not correlate with a fifth end—at least "no plausible candidate suggests itself" (218). This open-ended standard of rationality allows Hursthouse to avoid a naïve naturalism that moves directly from biological facts about normal animal behavior to concrete values and norms. She thus sidesteps a pitfall that, according to some critics, has trapped other neo-naturalists:

ignoring the human capacity to transcend or redirect naturally given instincts and ends in an unpredictable variety of ways.[25]

(2) Having acknowledged human diversity, however, how does she preserve the naturalistic character of virtue ethics? This question leads into the second and third requirements on a viable naturalism: it should provide normative standards that have specific substance and are sufficiently objective or natural as to settle disagreements.

In response, Hursthouse contends that the transformative, open character of human rationality, as a normative standard, still operates under the broad natural constraints delineated by the four sets of ends and aspects that humans share with animals:

> But, it may be objected, if we introduce a normative notion of 'a characteristic way of going on', how have we preserved any vestige of naturalism? Well, we have preserved the structure; it is still the case that human beings are ethically good in so far as their ethically relevant aspects foster the four ends appropriate to a social animal, in the way characteristic of the species. And the structure—the appeal to just those four ends—really does constrain, substantially, what I can reasonably maintain is a virtue in human beings. (224)

To illustrate this constraining force, she shows how a "completely impersonal" form of benevolence—one that rejects preferences for human beings in general over other species and "recognizes no special bonds of family or friendship"—cannot count as a virtue. Hursthouse's argument appeals precisely to the ends of reproduction and sociality: partiality toward members of our own species, families, and friends plays "an essential role in sustaining these two ends." At least, the burden of proof lies with those who hold otherwise (224–6).

What concerns us here is not so much the plausibility of this argument as its justificatory structure. In general, naturalistic ethical evaluations justify claims that certain character traits do better than the alternatives at enabling the various aspects of human nature (the reactions, emotions and desires, social life and capacity for rational action) to serve the four ends of individual survival, species reproduction, characteristic pleasure and freedom from pain, and social functioning. These natural ends, as bound together and transformed by the capacity for reasoning, function as *normative reasons* for evaluating character traits as virtues or vices. Hursthouse claims that such an evaluation leads to a set of virtues that are normative for all human societies but that allow for individual diversity as well (207–11). One can then go on to assess specific practices and actions according to whether or not they exhibit or inhibit virtues. For example, one would ethically evaluate the practice

of vegetarianism by first justifying the claim that temperance is a virtue and then, second, arguing that eating meat is intemperate (227).

(3) The foregoing indicates how Hursthouse's ethics generates specific, substantive evaluative standards and, thus, can meet the second requirement. Moreover, these standards have a naturalistic appearance insofar as they involve an appeal to the four natural ends of social animals. But the third requirement ups the ante: we want to know if the naturalist standards provide an objective or "factual" basis for settling moral disagreements.

To answer this question, we must consider how different kinds of "facts" affect moral argumentation and conflict resolution. Hursthouse grants that some cases of moral disagreement turn on empirical claims open to assessment from a neutral scientific perspective, so that the disagreement should be rationally resolvable without presupposing a particular ethical outlook. For example, certain paternalistic ideas about gender-specific virtues have been discredited because they depended on empirical assumptions about female human nature that "were just plain wrong ... from a neutral point of view" (245).

But in many cases—indeed, the ones that most interest Hursthouse—the relevant facts appear as such only from within one's acquired ethical outlook. As we saw above, the kind of evaluations that appeal to natural facts about human aspects and ends differ from the analogous moves in a scientifically based evaluation of plants and animals. Unlike the latter, whose natures are relatively fixed, for humans there is no straight-line argument to ethical standards from predefined species ends whose realization one could assess simply in scientific terms, that is, in a manner that would be "neutral" with respect to ethical commitments. More precisely, in arguing from the four species ends for humans, one typically must advance claims about human flourishing, whether a virtue does better than alternatives at benefiting its possessors and making them good qua human beings. Such claims, Hursthouse insists, aspire to an objectively factual status, but they are not neutral empirical facts of the sort that could settle some issues of gender-specific virtues. They have, rather, an ethical character insofar as they emerge from within one's ethical outlook.

Such ethical facts differ not only from empirical facts but also from the evaluative "moral facts" one finds in moral realism. If one reads virtue ethics in moral-realist terms, then evaluative moral facts appear as conclusions of moral arguments, that is, as claims about what counts as a virtue or as the correct application of a virtue (189). But the factual claims about flourishing that justify such conclusions fall into a third category, which Hursthouse calls "ethical but non-evaluative beliefs about human nature, and how human life goes" (189).

To see the kind of fact she has in mind, consider an attempt to justify the claim that generosity toward strangers is a virtue. One might first appeal to an empirically observable fact, namely that generous people display an evident contentment and enjoyment of life. However, persons with an egoistic outlook can grant this neutral fact without accepting the associated virtue claim. Indeed, the observable fact fails to establish even the first half of the virtue claim, that generosity benefits its possessor. Egoists, for example, can always dismiss such evident enjoyment "as paltry, or pathetic, or despicable," or they can simply say that the things that give contentment to generous persons are not the kinds of things they, the egoists, happen to enjoy (188; cf. 185).

Hursthouse's "ethical non-evaluative facts" make their appearance in the second round of this debate, as attempts to rebut such dismissals by arguing for the superiority of the generous person's satisfactions, namely, claims that such satisfactions are better than the egoist's—"more readily come by, safer, longer lasting, less subject to the vagaries of luck" (188). As non-evaluative, such claims are not direct statements about what is virtuous or right; rather, they seem to be comparative descriptions about features of human life. There is, to be sure, a kind of evaluation going on here, albeit one that involves the interpretation of human flourishing. This in effect is what Hursthouse means by the "ethical" character of such claims, namely that their cogency in moral argumentation presupposes the associated ethical outlook and its way of describing (or interpreting) features of human life and what is desirable for human beings. Consequently, egoists and the like can always reject such claims as irrelevant or even incorrect from their standpoint. They can, in one way or another, always disarm the alleged ethical facts from within their own ethical outlook. If for example one argues that the generous person enjoys deeper friendships than egoists, the latter can always reply that they do not need close friends—and so on (188).

The foregoing analysis implies that Hursthouse's naturalism lacks one of the features that initially made ethical naturalism attractive, namely the promise of grounding moral normativity in empirically accessible facts that could help resolve moral disagreements in pluralistic settings. Consequently, Hursthouse's ethics provides what is at best an equivocal response to the third requirement for ethical naturalism. Such a response raises questions about whether her naturalism can meet the fourth requirement, that is, whether her use of the label "naturalism" avoids conceptual gerrymandering.

4.

To recap briefly, Hursthouse's ethical naturalism links the normative and the natural in a non-naïve manner. Humans are

given *by nature* four ends and a characteristic (rational) way of going on that, taken together, set *normative standards* that most if not all people fail to satisfy much of the time. Hursthouse avoids a naïve naturalism by making two moves: (1) she acknowledges that reason has a transformative effect on what is naturally the case, and (2) she shifts the sense of "natural" away from what is open to confirmation from a neutral point of view and makes its meaning depend on what can be confirmed by those who have *already accepted* certain "ethical facts" about human flourishing. The key non-evaluative ethical facts can be recognized as morally relevant and persuasive, not from a neutral scientific point of view but only from within an ethical outlook shaped by the virtues. Although science is relevant to ethics, the kind of facts that constitute ethical objectivity per se lie at the higher level of what John McDowell describes as a "second nature."[26] Insofar as science is taken up from within one's acquired ethical outlook, ethical justification has already bridged the fact-value gap in taking certain natural facts as morally relevant, hence at the very outset of constructing an argument.

This brings us to the question raised by the fourth condition on a viable ethical naturalism, namely whether Hursthouse's shift to a "second-nature" naturalism can still count as naturalism without falling into a problematic gerrymandering. To confirm our suspicion that it cannot, we delineate in this section the structural similarity between her position and Habermas's non-naturalism.

In fact, one similarity should already be apparent, namely that for both Hursthouse and Habermas the normative force of empirical facts appears only for those who adopt an outlook or perspective *distinct from* that of a neutral scientific observer. Although Hursthouse's virtue ethics and Habermas's neo-Kantian moral theory differ in significant ways (more on which later), both make the justification of their respective ethical-moral claims depend on one or another kind of perspectival shift that involves certain normatively laden commitments—for Hursthouse, a shift to a particular (neo-Aristotelian) ethical outlook, for Habermas a shift to the perspective of a morally socialized participant.

Thus the first move we identified in Habermas's non-naturalism has an analogue in Hursthouse's naturalism. The second move also has its analogue, for in both approaches we find that justification depends on a counterfactual presupposition. To see this in Hursthouse's position, we must examine the role of hope in her conception of ethical objectivity and argument.

To highlight the role of hope, Hursthouse has the reader consider a case of disagreement among those who believe that sexual temperance is a virtue and those who believe that the

correct virtue is self-control (245ff). The former believe that, given the constraints of human nature, sexual desires can be harmonized with reason. The latter believe that, given the constraints of human nature, sexual desires cannot be completely transformed, so the exercise of virtue may involve agonizing self-restraint and regret. Although this dispute may appear relatively minor, according to Hursthouse it threatens to tear apart the four natural ends. One could imagine, for instance, that licentiousness promotes the third end (individual enjoyment/freedom from pain) but that conflicts could arise between this end and the first end (individual survival) insofar as licentiousness exposes one to the risk of sexually transmitted diseases. More generally, one can imagine conflicts in which these two ends that pertain to the individual are at odds with the second and fourth ends (species survival and good social functioning). How can the ends be bound together? How can such disagreement be adjudicated?

To preserve the possibility of objectivity in the face of such a threat, Hursthouse invokes hope as a kind of counterfactual presupposition, specifically the hope that humans are capable of harmony. When two parties disagree about whether temperance or self-control is a virtue, the neo-Aristotelian must presuppose that the four ends can in fact be harmonized, that, as Aristotle puts it, humans are fitted by their nature to receive the virtues. The presupposition that humans can achieve harmony not only within themselves but also among others is "a sort of 'necessary condition of our practice' justification" (265). To label this presupposition as a hope is to highlight its counterfactual character. To be sure, one might be able to point to this or that individual who has apparently achieved such harmony. But Hursthouse's argument presupposes that *any* human being with an adequate upbringing should be capable of such harmony.

Given the conflicts and tensions of human life, the debate over temperance is not an isolated case. Rather, the neo-Aristotelian hope in the possibility of harmony underwrites the conception of flourishing that informs the entire program—that is, the two-fold premise that the virtues both benefit their possessors and enable them to realize, and thus to integrate, the four ends of human nature. Hursthouse contrasts this neo-Aristotelian view with a pessimistic Darwinian view that denies any overarching teleology that would ensure the internal harmony of these various instincts and traits, which are simply a *bricolage* of piecemeal adaptations. Neither story is available from a non-question-begging, neutral point of view. What matters in the present context is the quite plausible connection between hope and a neo-Aristotelian account of an integrated virtuous character. If hope is a necessary condition for the justification of an integrated, neo-Aristotelian ethics in general, then neo-Aristotelian ethics makes a move similar to the second

move Habermas makes when he links the justification of norms with idealizing presuppositions of discourse. In sum, both approaches hold that to consider a given moral or ethical claim justified on the basis of a given set of considerations (including empirical facts), one must (1) adopt a certain perspective that goes beyond what is accessible from a neutral scientific perspective and (2) counterfactually assume an ideal of harmony—for Habermas, the harmony of an ideally rational consensus; for Hursthouse, the possible harmony of an integrated human character.

This is not to deny the significant differences between the neo-Aristotelian and neo-Kantian theories. To begin with, discourse ethics has to do with the justification of action-guiding norms, whereas virtue ethics focuses on character evaluation, thus on the justification of claims about virtues and vices. Nonetheless, within the specific task each has set for itself, each position holds that normative claims cannot be justified from a neutral observer point of view and that their justification depends on an idealizing assumption that cannot be empirically observed or confirmed. At this point of structural alignment, then, both neo-Aristotelian naturalism and neo-Kantian non-naturalism are working with *a concept of the normative that is opposed to the same sense of the natural,* namely the natural as what can be empirically observed to be the case from a neutral observer standpoint. We have already seen that Hursthouse, following McDowell and others, shifts the idea of nature to "second-nature," such that "natural fact" now means "a fact whose normative force appears only from within an Aristotelian ethical outlook." This normative sense of "natural," however, coincides with the neo-Kantian's sense of the normative *as opposed to* the natural; at this point the two positions meet, their other differences notwithstanding. If this is the case, and if discourse ethics counts as a viable non-naturalism, then Hursthouse's virtue ethics does not appear to mark out a distinctively *naturalistic* position. Thus it fails to meet the fourth criterion we set for a viable and distinctive ethical naturalism, and to call it an ethical naturalism is to engage in questionable conceptual gerrymandering.

One might object that Hursthouse gives a more significant role to certain natural facts about the human species (i.e., the four ends we share with animals) than do neo-Kantians and that this difference provides a good basis for labeling her position as distinctively naturalistic. However, if we scratch the surface it is not clear whether this difference suffices to warrant a distinctively naturalist label. For Hursthouse, these natural species facts are not immediately normative, for there is no single, characteristically human way of rationally processing such facts. These facts are, in effect, defeasibly relevant considerations that must be brought into practical

deliberation. But Habermas accepts as much: that such general facts about human flourishing are relevant considerations in moral discourse. Though he would no doubt hesitate to construct a theory of moral virtue out of such facts, he need not deny their general relevance for moral argumentation.[27]

A neo-Aristotelian might attempt to turn the tables and extend the naturalist label to the neo-Kantian position. Korsgaard's description of her neo-Kantian position as naturalistic might suggest this option. However, given the scientistic worldview that some commentators associate with naturalism—a worldview, we suspect, that not all Aristotelians would accept—virtue theorists might want to reconsider the advantages of clinging to the naturalist label. A more interesting option, we suggest, is to recognize positions such as Hursthouse's and Habermas's as marking out a distinctive mid-point between more extreme views, which we might label "strong" forms of naturalism and non-naturalism. This strategy also accords with Virginia Held's recommendation of a third alternative between naturalism and supernaturalism.[28]

This middle view becomes interesting precisely in light of the difficulties that confront strong forms of ethical naturalism. A viable and distinctive ethical naturalism, as defined by the four conditions in section 1 above, must somehow acknowledge the difference between the normative and the natural—it must avoid naiveté—while at the same time appealing to natural facts that can be observed from the perspective of science, and thus without the kind of mediating ethical or moral commitments that take one beyond the observer perspective. The burden of argument on this project makes approaches such as Hursthouse's and Habermas's attractive. Moreover, precisely because their approaches acknowledge the distinctive kind of engagement or commitments that enter into moral-ethical argumentation, they may provide a more realistic analysis of such argumentation, which so often becomes intractable. Virtue theorists like Hursthouse, we suggest, might do better to think twice about the appropriateness of the label "naturalism" before joining the current philosophical bandwagon.

Notes

[1] For examples of science-based naturalism, see Michael Ruse, *Taking Darwin Seriously: A Naturalistic Approach to Philosophy* (Amherst, NY: Prometheus, 1998); Frans de Waal, *Good Natured: The Origins of Right and Wrong in Humans and Other Animals* (Cambridge, Mass.: Harvard University Press, 1996); Paul Churchland, *The Engine of Reason, the Seat of the Soul* (Cambridge, Mass.: MIT Press, 1995); Philippa Foot, *Natural Goodness* (Oxford: Clarendon, 2001) provides a virtue theory, whereas Simon Blackburn, *Ruling Passions* (Oxford: Clarendon, 1998) has a Humean orientation; Christine Korsgaard, *The Sources of Normativity* (New York: Cambridge University Press, 1996), 160–1, describes her neo-Kantian

ethics as somewhat naturalistic.

[2] Soran Reader, "New Directions in Ethics: Naturalisms, Reasons and Virtue," *Ethical Theory and Moral Practice* 3 (2000): 342.

[3] See Reader, "New Directions," 342; McDowell, *Mind, Value, and Reality* (Cambridge, Mass.: Harvard University Press, 1998); Hursthouse, *On Virtue Ethics* (Oxford: Oxford University Press, 1999); Foot, *Natural Goodness*. For the various obstacles, see John Cottingham, "Neo-Naturalism and Its Pitfalls," *Philosophy* 58 (1983): 455–70; Cottingham sees the fact-value gap as posing the crucial test for naturalists, but naturalism also confronts a number of other challenges (see Richmond Campbell, "Sociobiology and the Possibility of Ethical Naturalism," in *Morality, Reason and Truth*, ed. D. Copp and D. Zimmerman [Totowa, NJ: Rowman and Littlefield, 1984], 271–5; Virginia Held, "Moral Subjects: The Natural and the Normative," *Proceedings and Addresses of the American Philosophical Association* 76/2 [November 2002]: 7–24).

[4] See her "Moral Realism I: Naturalism," and "Moral Realism II: Non-Naturalism," *Philosophical Books* 35 (1994): 145–53 and 225–33.

[5] In what follows, all intralinear numbers refer to pages in this book; in the notes we cite the book as VE.

[6] G. E. Moore, *Principia Ethica* (Cambridge, Mass.: Cambridge University Press, 1959; 1903), 39–40.

[7] See Charles R. Pidgin, "Naturalism," in *A Companion to Ethics*, ed. P. Singer (Oxford: Blackwell, 1993) 422; see also Moore, *Principia,* chap. 2.

[8] See, for example, Kai Nielsen, "Contemporary Nonnaturalism," *Encyclopedia of Philosophy*, ed. P. Edwards (New York: Macmillan, 1967), 3: 100–04. W. D. Ross continues to be quite influential in recent attempts to rescue intuitionism, e.g., David McNaughton, "Intuitionism," *Blackwell Guide to Ethical Theory,* ed. H. LaFollette (Malden, Mass.: Blackwell, 2000), 92–110; also Robert Audi, "Intuitionism, Pluralism, and the Foundations of Ethics," in Audi, *Moral Knowledge and Ethical Character* (New York: Oxford University Press, 1997), chap. 2.

[9] Blackburn, *Ruling Passions,* 48–9.

[10] Korsgaard, *Sources*, 160.

[11] See, e.g., Nicholas L. Sturgeon, "Naturalism in Ethics," *Routledge Encyclopedia of Philosophy*, gen. ed. Edward Craig (New York: Routledge, 1998), 6: 713–17, here 714. Cf. Campbell, "Sociobiology," 270, 278; Stephen Darwall, *Philosophical Ethics* (Boulder: Westview, 1998), chap. 3.

[12] Which is not to say that his reflections cannot contribute to contemporary discussions; see Stephen W. Ball, "Linguistic Intuitions and Varieties of Ethical Naturalism," *Philosophy and Phenomenological Research* 51 (1991): 1–38.

[13] James Rachels, "Naturalism," *Blackwell Guide to Ethical Theory,* 74–91, esp. 75–6; cf. also Pidgin, "Naturalism," 423–8.

[14] The possibilities include nonreductive ontological naturalisms as well, see Little, "Moral Realism," 146–7. On explanationist naturalism, see Nicholas L. Sturgeon, "Moral Explanations," in *Morality, Reason and Truth,* chap. 2; also Audi, "Ethical Naturalism and the Explanatory Power of Moral Concepts," in *Moral Knowledge and Ethical Character,* chap. 5. On the interconnections between ontological naturalism and moral realism, see G. Sayre-McCord, ed., *Essays in*

Moral Realism (Ithaca, NY: Cornell University Press, 1988); see also *Southern Journal of Philosophy*, supplement to vol. 24 (1986).

[15] See VE 212–16, 242–7; interest in pluralist conflict is displayed, for example, in debates that developed in reaction to John Rawls's *Theory of Justice* (Cambridge, Mass.: Harvard University Press, 1971).

[16] See Campbell, "Sociobiology," for an attempt to rescue E. O. Wilson from such naiveté; according to Held, "Moral Subjects," a number of naturalisms simply fail to address moral questions as normative questions.

[17] Immanuel Kant, *Groundwork of the Metaphysics of Morals*, trans. and ed. M. Gregor (New York: Cambridge University Press, 1998), 3, trans. modified. Korsgaard, *Sources*, 91, says that "Kant, like Hume and Williams, thinks that morality is grounded in human nature," but this holds only on an expanded conception of human nature.

[18] Jürgen Habermas, "From Kant's 'Ideas' of Pure Reason to the 'Idealizing' Presuppositions of Communicative Action: Reflections on the De-Transcendentalized 'Use of Reason'," trans. B. Fultner, in *Pluralism and the Pragmatic Turn*, ed. W. Rehg and J. Bohman (Cambridge, Mass.: MIT Press, 2001), chap. 1.

[19] On the weak transcendental approach, see Habermas, "Reply to Symposium Participants," in *Habermas on Law and Democracy,* ed. M. Rosenfeld and A. Arato (Berkeley: University of California Press, 1998), 417–19; for Habermas's explicit antipathy to naturalism, see his "Richard Rorty's Pragmatic Turn," in Habermas, *On the Pragmatics of Communication,* ed. M. Cooke (Cambridge, Mass.: MIT Press, 1998), 373–7. Habermas has recently described his theory of empirical knowledge as a nonreductive "weak naturalism," which he understands as the causal-explanatory thesis that human cognitive capacities first emerged through evolution. As an explanatory thesis, weak naturalism—whose precise implications for moral theory remain unclear—does not lead to the kind of ethical naturalism that interests us here, for it is not meant to replace normative ethics or to prescribe a normative account of moral justification; see Habermas, *Wahrheit und Rechtfertigung* (Frankfurt am Main: Suhrkamp, 1999), introduction; trans. into English as *Truth and Justification* by B. Fultner (Cambridge, Mass.: MIT Press, 2003). To do normative work, weak naturalism must become a moderate transcendental metaphysics; see Maeve Cooke, "Socio-Cultural Learning as a 'Transcendental Fact': Habermas's Postmetaphysical Perspective," *International Journal of Philosophical Studies* 9 (2001): 63–83.

[20] Habermas, "Discourse Ethics: Notes on a Program of Philosophical Justification," *Moral Consciousness and Communicative Action*, trans. C. Lenhardt and S. W. Nicholsen (Cambridge, Mass.: MIT Press, 1990), 46–7.

[21] See Habermas, "Discourse Ethics," 86ff; according to Habermas, these idealizing conditions imply a principle of universalization (U). Cf. also his "A Genealogical Analysis of the Cognitive Content of Morality," in Habermas, *The Inclusion of the Other*, ed. C. Cronin and P. DeGreiff (Cambridge, Mass.: MIT Press, 1998), 42–4.

[22] Besides Rawls's original position, recall Scanlon's contractualist principle, which projects an ideal of what no one could reasonably reject; T. M. Scanlon, *What We Owe to Each Other* (Cambridge: Harvard University Press, 1998), 153; for Scanlon's comparison of his view with Habermas's, see 393 note 5, 395 note 18.

[23] That is, from the observer point of view one cannot distinguish discourses that sufficiently approximate the ideal from those that do not. The normative significance of scientific studies of discourse must be assessed from the participant perspective.

[24] For a broader critical assessment of Hursthouse's virtue ethics, see Karen Stohr and Christopher Heath Wellman, "Recent Work on Virtue Ethics," *American Philosophical Quarterly* 39 (2002): 49–72. Note that Hursthouse distinguishes ethical argumentation from moral education, which aims to awaken a sensitivity to the kinds of motivating reasons that virtuous persons recognize (VE 237).

[25] See, e.g., Cottingham's critique of Mary Midgley's *Beast and Man* (Ithaca: Cornell University Press, 1978; rev. ed., 1995) (note 3 above).

[26] McDowell, "Two Sorts of Naturalism," in *Virtues and Reasons*, ed. R. Hursthouse, G. Lawrence, and W. Quinn (Oxford: Clarendon Press, 1995), 70; reprinted in McDowell, *Mind, Value, and Reality*, chap. 9.

[27] Habermas acknowledges the moral relevance of claims about flourishing when he holds that the justification of moral norms should take into consideration the particular "value-orientations" of the participants; see his "Genealogical Analysis," 42.

[28] Held, "Moral Subjects." Habermas's remarks on epistemology (note 19 above) suggest a middle way that combines a weak (normative-transcendental) non-naturalism with an explanatory weak naturalism.

[29] For feedback on earlier versions of this paper, we thank Garth Hallett, David Solomon, George Schedler, and the participants at the Philosophical Collaborations Conference on "The Natural and the Normal," Southern Illinois University, March 1–2, 2001.