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XIV*—MODERN MORAL PHILOSOPHY AGAIN: ISOLATING THE PROMULGATION PROBLEM

by Candace Vogler

ABSTRACT In recent years, the virtues have made a dramatic reappearance in Anglophone ethics, and it is safe to credit Elizabeth Anscombe with sparking this interest in her 1958 essay, ‘Modern Moral Philosophy’. In urging a return to Aristotle, Anscombe sets us a task that she does not know how to complete. Her bafflement should set constraints on interpreting the essay. I argue that Anscombe’s complaints against neo-Kantianism and social contract were of a piece with her sense that virtue-centred ethics presented serious philosophical challenges. The problem becomes clear when we notice that accounting for just interaction requires that various agents act from a single source. The uniformity cannot rest on an accidental convergence of individuals (hence cannot be built up, person by person). Nor can it be a simple matter of the internalization of social norms. Neo-Aristotelians taking their cue from Anscombe seek that source in our species. But even after we have rejected empiricist accounts of our species, the hard work of explaining how something of virtue belongs to our kind remains to be done.

I

Virtue. There are different ways of understanding the place of virtue in ethics. I will be interested in certain of the most ambitious, those neo-Aristotelian views that take it that right action is action from and for the sake of virtue, that right practical reasoning is virtuous practical reasoning, that the virtues are corrective,¹ and that, as Philippa Foot put it, ‘not

1. There are various ways of making out this thought. Philippa Foot teaches that we do not need to relate the correction supplied by virtue to difficulty in each individual bearer of virtue; the correction rather concerns what is *generally* difficult in human life. John McDowell suggests that the correction supplied by virtue is a correction of ‘first nature’ by ‘second nature’. I see no reason to hold with the recoil from mere nature—a suspiciously Protestant intrusion in a venerable line of thought about ethics. See Philippa Foot, ‘Virtues and Vices’, in *Virtues and Vices and Other Essays in Moral Philosophy*, Berkeley, CA: University of California Press, 1978, pp. 8–11; John McDowell, ‘Two Sorts of Naturalism’, in Rosalind Hursthouse, Gavin Lawrence and Warren Quinn (eds), *Virtues and Reasons*, Oxford: Clarendon Press, 1995, especially pp. 170–4.

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every man who has a virtue has something that is a virtue in him'.² Virtues regulate individual action and response (tending to produce right choice, right action, appropriate emotions or passions, and tending to be constituted in part by developed sensitivities to ethical salience).³ These excellences benefit their bearers (in some sense) and benefit others (in several senses). And virtue makes the human adult good *qua* human being.

Now, children may be lively and charming, but will not be, in the relevant sense, good *qua* human beings. What about the vivid children makes possible prudent, temperate, courageous, and just adults? There are three parts to the neo-Aristotelian answer:

1. It belongs to quick-witted children to be *capable* of virtue—the fertile ground, if you like, is there and ready for the cultivation of excellence. This potential is carried in our form of life, essentially, which is why the virtues make adults good *qua* human beings.
2. It belongs to the larger social world in which the children find themselves to help to inculcate virtue through training.
3. It belongs to youth to take advantage of natural aptitudes and cultural opportunities by habituating themselves to virtue.

If all goes well, quick-witted children will wind up not only bright and able but good. This, in turn, makes things better for other creatures (some of whom were never, in the relevant sense, ready for virtue, none of whom is ever more than temporarily able-bodied and quick-witted, etc.).

2. Philippa Foot, 'Virtues and Vices', p. 17. Foot means to distinguish, for example, the frugality and caution of the coward from prudence, the absence of cowardice in the villain from courage, etc.

3. Philippa Foot and Rosalind Hursthouse are my chosen neo-Aristotelians. Unlike Hursthouse, Foot does not take it that the subject and determinant of goodness and badness is something on the order of a motive or a disposition. Foot writes, 'For me it is *what is done* that stands in this position' ('Rationality and Goodness', in Anthony O'Hear (ed.), *Modern Moral Philosophy*, Cambridge: Cambridge University Press, 2004, p. 2). The divergence brings Foot closer to Elizabeth Anscombe. Roughly, the distinction is one in direction of explanation: Foot and Anscombe begin from patterns that structure intentional action, and the conditions that must be met if we are to make sense of what is done. Hursthouse begins from character traits. The chief difference concerns the bearer of rationality. For Hursthouse, an individual *person* will be more or less rational. For Foot, *actions* are rational or irrational. For both, judgements of rationality are tied to judgements of goodness.

In recent years, the virtues have made a dramatic reappearance in Anglophone ethics. But Elizabeth Anscombe sparked the neo-Aristotelian interest in the topic with her 1958 essay, ‘Modern Moral Philosophy’,⁴ pairing sweeping claims about the deplorable state of moral philosophy with cryptic suggestions about how we ought to change our ways. Like much of Anscombe’s work, the essay has been tremendously influential in a handful of gripping details and more generally set to one side. Perhaps the thrill of her caustic wit, quick indictments of neo-Kantian⁵ and social contract theory, and invention of the term ‘consequentialism’ explain our initial fixation upon bits taken out of context. Still, it has been more than forty years since the essay appeared, and I think the better explanation is that she expected too much of us.

In particular, in urging us to leave consequentialist utilitarianism, social contract, and neo-Kantianism to the side, turn our attention to Aristotle, and take up virtue again, she expected us to notice that the philosophical work required was daunting. She wrote:

Now I am not able to do the philosophy involved—and I think that no one in the present situation of English philosophy can do the philosophy involved—but it is clear that a good man is a just man; and a just man is a man who habitually refuses to commit or participate in any unjust actions for fear of any consequences, or to obtain any advantage for himself or anyone else. Perhaps no one will disagree. But, it will be said, what *is* unjust is sometimes determined by expected consequences; and certainly that is true. But there are cases where it is not: now if someone says, ‘I agree, but all this wants a lot of explaining,’ then he is right, and, what

4. ‘Modern Moral Philosophy’, *Philosophy*, 33, 1958, pp. 1–19; reprinted in *The Collected Philosophical Papers of G. E. M. Anscombe, Vol. III: Ethics, Religion and Politics*, Minneapolis: University of Minnesota Press, 1981, pp. 26–42; more recently reprinted in *Human Life, Action, and Ethics: Essays by G. E. M. Anscombe*, edited by Mary Geach and Luke Gormally, Exeter: Imprint Academic, 2005, pp. 169–94. Page references in the text will be to the 1981, *Collected Papers III* edition, hereafter ‘MMP’.

5. Anscombe took it that she was indicting Kant. Her impatient reading of Kant is, however, more aligned with neo-Kantian moral theory—Kant-inspired work that downplays the role of the noumenal, practical postulates (especially Kant’s account of the practical necessity of faith) and the place of pure practical reason in these—than with scholarly accounts of Kant’s view. I therefore name her opponent ‘neo-Kant’.

is more, the situation at present is that we can't do the explaining: we lack the philosophic equipment. But if someone really thinks, *in advance*, that it is open to question whether such an action as procuring the judicial execution of the innocent should be quite excluded from consideration—I do not want to argue with him; he shows a corrupt mind. (MMP, p. 40)

So we start from *some* understanding of virtue (for example, we know that a just man is good *qua* man, we know some practical tendencies that belong to justice, and we know some things about justice that cannot be questioned sensibly). The problem is that 'all this wants a lot of explaining', and she cannot help us there. I will operate under the assumption that her expression of bafflement should set constraints on interpreting her essay.⁶ Her essay sets us a task that she does not know how to complete. Adequate interpretation requires understanding the task and understanding why it is hard. I will argue that her complaints against neo-Kantianism, consequentialist utilitarianism and social contract were of a piece with her sense that modern virtue ethics presents serious philosophical challenges. In considering whether those challenges can be met, I will rely upon work by

6. For example, she completed the first edition of *Intention* in 1957, and the topics treated there include some of those she lists in her prolegomena to any future work in ethics:

But meanwhile—is it not clear that there are several concepts that need investigating simply as part of the philosophy of psychology and—as I should recommend—*banishing ethics totally* from our minds? Namely—to begin with: 'action', 'intention', 'pleasure', 'wanting'. More will probably turn up if we start with these. Eventually it might be possible to advance to considering the concept of a virtue; with which, I suppose, we would be beginning some sort of a study of ethics. (MMP, p. 38)

As far as I know, she did not come up with an account of pleasure that she found satisfactory. *Intention*, however, provides (in the sense she means) *conceptual analyses* of 'action', 'intention', and 'wanting', all of which are produced while '*banishing ethics totally*' from mind. So she had *some* idea about how to do the philosophy. Still, *Intention* was not enough to lay the requisite groundwork for an account of virtue (which could, in turn, provide 'some sort' of starting point for ethics). We can conclude that by her lights matters were *much* more difficult for virtue ethics than one might suppose.

Gavin Lawrence considers the relation between *Intention* and MMP in 'Reason, Intention, and Choice: An Essay in Practical Philosophy', in Anthony O'Hear (ed.), *Modern Moral Philosophy*, Cambridge: Cambridge University Press, 2004, pp. 265–300. Lawrence argues that the requirement that we banish ethics from mind when working toward an account of virtue is too stringent. The argument goes by way of his disagreement with Anscombe's reading of Aristotle.

Michael Thompson (whose research has taken the hard path of following out Anscombe's suggestions).

II

That Is Not It At All. One must begin somewhere, and it is only prudent to leave Anscombe's positive remarks to one side in framing some account of what she thinks is needed in a properly philosophical account of virtue. Here are her admonitions, keyed to the temptations in thought that we are supposed to resist:

1. Introspective Moral Psychology and Social Norms: 'Butler exalts conscience, but appears ignorant that a man's conscience can tell him to do the vilest things' (MMP, p. 27), and, by the same token, considering whether the 'second nature' of acculturation to social norms might be a useful starting place: 'But just as one cannot be impressed by Butler when one reflects what conscience can tell people to do, so, I think, one cannot be impressed by this idea if one reflects what the "norms" of a society can be like' (MMP, p. 37). She thereby means to rule out soul-searching and accounts of internalizing norms as starting points for virtue ethics, since virtue has to make its bearer good *qua* human being, and neither custom nor conscience need do that. I will revisit this problem in conclusion.
2. Neo-Kantian Moral Theory: 'Kant introduces the idea of "legislating for oneself", which is [absurd]. The concept of legislation requires the superior power of the legislator' (MMP, p. 27). I will take up this matter in considerable detail. It is one version of what I will call 'the promulgation problem'.
3. Social Contract Theory: Considering whether thought about a social contract might be of some assistance in doing ethics (such that virtue might be, as John Rawls suggested, explained in terms of fidelity to the contract or to its principles)⁷ she sees two problems.

7. John Rawls, *A Theory of Justice*, Cambridge, MA: Harvard University Press, 1971, p. 436.

First, just as you cannot be under a law that has not been promulgated to you, so you cannot be contractually bound without contracting.⁸ The second is that social contract is in worse shape than implicit moral law on this score. Although you can be subject to a law without thinking that you are (successful promulgation does not guarantee individual conscious uptake) failure to undertake a contract normally suggests that no contract has been made (MMP, p. 38).⁹ She thereby means to rule out social contract theory as a source of wisdom on virtue. Whether or not anyone might reasonably reject a social order that rewarded virtuous conduct, or would consent to making schooling in the virtues a part of every child's education, the explanation for imagined consensus ought to go by way of an understanding of virtue, and not the other way around.

4. Consequentialist Moral Theory: In coining 'consequentialism', and explaining the fault that it names, she takes herself to have shown why it will be useless to try to account for the virtues as qualities that are productive, instrumentally, of good outcomes. The place of estimating outcomes in ethical judgement is the kind of thing that ethics should *explain*. What we need to explain includes the following ubiquitous teaching of common sense: one is responsible for the bad consequences of deliberate

8. Although one might claim to detect the operations of contract in ordinary thought and conduct, any implicit convened upon principle detected thereby will tend to be formal, she thinks: 'it might be possible to construct a system embodying the law (whose status might be compared to that of "laws" of logic): "what's sauce for the goose is sauce for the gander", but hardly one descending to such particulars as the prohibition on murder or sodomy' (MMP, pp. 37–8).

9. Anscombe expands upon this in 'On the Source of the Authority of the State', reprinted in *The Collected Philosophical Papers of G. E. M. Anscombe, Vol. III*, pp. 130–55. Considering whether we could understand the state's right to command obedience as the result of a social contract, she writes: 'There is ... contractually conceded authority. But this must be voluntary, and it terminates when the contract does. The interesting cases of authority are those where *the subjects of authority are so willy-nilly*' (pp. 134–5). By 'willy-nilly' she means, I take it, willing and unwilling, variously. A social contract will bind not only all living parties to the contract, but future generations, relevant members of ancestor generations, persons inclined to do as the contract instructs, persons not so inclined, and so on. She takes it that making out this sense of 'contract' will be *at least* as difficult as giving an account of the obligations that it is meant to underwrite.

misdeeds, but gets no credit for their good outcomes; one gets credit for the good consequences of a good deed, but when things go wrong after acting from a good intention (an intention fittingly tuned to circumstances, appropriately executed in action, and deliberately aimed at the good, the fine, the noble, or some specific end in keeping with these) then the fault lies not with the doer or the deed, but with something else (MMP, pp. 35–6); and finally, one is permitted to risk more when faced with ethically hostile circumstances than one can ordinarily.¹⁰

Virtue-centered anti-consequentialism is familiar.¹¹ Anscombe's complaint had an unusual ground (that is, the definition of 'consequentialism'), but I will leave that to one side.¹² Her

10. See the concluding paragraph of 'On the Source of the Authority of the State', p. 155. She considers whether citizens who are subject to state-sanctioned systematic injustice owe obedience to governmental authority and concludes that they do not.

11. See, e.g., Philippa Foot, 'Utilitarianism and the Virtues', reprinted in *Moral Dilemmas*, Oxford: Clarendon Press, 2002, pp. 59–77.

12. Nowadays, 'consequentialism' is in widespread use as naming any kind of moral theory that assesses an action or policy in terms of the states of affairs reasonably expected to ensue should the policy be adopted or the action performed. There are many varieties of 'consequentialist' moral theory. Anscombe thought that there were many examples of consequentialism, but she introduced the term in order to mark views infected by a distinctive misunderstanding of means, ends, and intention (she suspected that the misunderstanding came into prominence with Henry Sidgwick). Although many contemporary ethicists divide moral theories into those that stress the primacy of right action to ethics, and those that instead stress the primacy of good (the latter define right action as action productive of great good), and while many baptize the former 'deontological' theories and the latter 'teleological' theories, counting 'consequentialist' theories as teleological theories focused upon production of good states of affairs (the many varieties of consequentialism keyed to different accounts about what is good in a state of affairs), the scheme misses Anscombe's definition entirely.

From the perspective of MMP, our deontological-teleological division is indebted to Sidgwick, and carries his misunderstanding of intention, means, and ends: we treat 'act' (or 'policy') as picking out means of producing states of affairs (chosen on the basis of some principle), and assume that an 'end' or 'goal' is a subset of consequences of the performance of an act or the adoption and implementation of a policy—perhaps the subset of expected consequences (where we gloss 'expected' in the mood that we use in reading actuarial data), perhaps the agent-relative foreseen consequences, or perhaps the more traditional 'foreseeable' consequences (where the failure to foresee is a species of culpable ignorance).

It seems safe to suppose that Anscombe would have urged that Sidgwick's misunderstanding of means, ends, and intention ran so deep that his view was not properly teleological. A teleological view focuses on the means–end rational structure in intentional action as such. A merely consequentialist view focuses upon some predictable effects of an action (or the implementation of a policy) and assesses the action (or policy) in light of these. It does not matter, for consequentialists, whether the predicted consequences were intended. That is the fault Anscombe names

objections to contractualism, neo-Kantianism, and conscience and custom reveal a lot about why she thinks neo-Aristotelian virtue ethics poses difficulties. Roughly, although stress on human nature—*first* nature—gives neo-Aristotelians an important edge in explaining how ethical interaction is possible for us, the fact that we are not born virtuous reintroduces questions about *second* nature (normally taken to be the outcome of acculturation and habituation), and with these, the problems that made introspection and reflection on norms unsatisfactory starting places. The promulgation problem just is the problem of explaining our capacity for ethically sound interaction, in light of the requirement that I take up in the next section.

III

Interaction: The Need for a Singular Source. Although virtues are individual character traits, virtue ethics has to treat *different* people—parties to mutual, reciprocal acts of justice, say, or of fidelity—as acting from the *same* source.¹³ This is clearest in the case of virtuous conduct allied to full-blown social practices. As Rawls taught us,¹⁴ a group of eighteen people who knew

'consequentialism'. It is serious: for example, I predict that I will find myself indoors with an inconveniently wet umbrella when I leave for work carrying one in hard rain; wetting my umbrella is *not*, however, my end, and carrying it to work in the rain is *not* a means to that end; if I intended the soggy umbrella, and the rain let up, I'd need to find another way to wet the umbrella. Any view that treats (merely) foreseeable consequences as intended counts as consequentialist. Robert Brandom's argument that 'practical commitments' in intention mirror 'doxastic commitments' in belief is an excellent example of consequentialism outside the range of moral theories that we associate with the term (*Making It Explicit*, Cambridge, MA: Harvard University Press, 1994, pp. 243–69).

The matters normally associated with 'deontological' views, on the other hand, become aspects of intentional-action-description in teleological views. At least, the 'deontological' matters will fold into an account of action when 'deontological' matters have *appropriate bearing* on what is done and why—that is, when the 'deontological' account of the action is *not* captive to either a failure to notice that 'pretty well any action can be so described as to make it fall under a variety of principles... if it falls under any' (MMP, p. 28) or else to the 'mere mesmeric force' of an action description that intersects with the *moral* 'ought' (MMP, p. 32).

13. I use 'source' to mark what is in the will and can be expressed in intentional action as such—partly captured in sentences like 'Promises are to be kept', but also involving skills, attention to salient aspects of circumstances, and patterns of judgement.

14. John Rawls, 'Two Concepts of Rules', reprinted in Philippa Foot (ed.), *Theories of Ethics*, Oxford: Oxford University Press, 1967, pp. 144–70.

nothing of baseball could wander onto a baseball field. Their individual fascinations might lead four to arrange themselves around the diamond, one to kneel behind home plate, three to wander into the outfield, one to stand on the pitcher's mound and start tossing a baseball to the kneeling man, and the other nine to take turns attempting to spoil the game of catch by knocking the ball away with a baseball bat. It is *not* possible for these creatures to play baseball. In order to play baseball, each man needs to have baseball *in* him.¹⁵ Even if each man has idiosyncratic ludic tendencies that lead him to formulate, endorse, and abide by a set of rules governing his movements that (as it happens) corresponds to the rules of baseball, such that each understands himself to be playing a position in the game that he has given to himself, it will be the merest accident that the aggregated individual actions look to add up to a game of baseball. We have eighteen individual amusements taking place simultaneously on the same field, not a game of baseball. And this will be so even if some players leave and others wander onto the field, each of whom sees a splendid opportunity to pretend to play the very game that *he* has given to *himself* (while those others go about doing whatever it is that *they* are doing, conveniently providing a perfect backdrop against which to live out the private fantasy).

Anscombe's essay on promising takes up a wider range of such cases.¹⁶ There are two problems about 'cases of this type', she explains. The first is to explain the content of the thought 'I am playing baseball', or 'I am making a promise', or 'I have entered into a contract', or 'This is my gift to you'. This problem is solved for Rawls (in part) by introducing consideration of

15. Again, not just the rules of the game, but also the skills, patterns of attention, a sense for play, etc.

16. G. E. M. Anscombe, 'On Promising and Its Justice, and Whether it Need be Respected *In Foro Interno*', reprinted in *The Collected Philosophical Papers of G. E. M. Anscombe*, Vol. III, pp. 10–21. The essay begins with a paradox: it would seem that a man cannot do such things as marry, enter into a contract, swear an oath, or make a gift, since in order to do so he must think that he is doing so, but, 'If thinking that you are getting married is essential to getting married, then mention of thinking that you are getting married belongs to the explanation of what getting married is; but then won't an explanation of what getting married is be required if we are to give the content of the thought that one is getting married? Hence it will be impossible to say what is the thought of the man who thinks he is getting married; and so generally for all cases of this type' (p. 10).

a social practice, for Anscombe by introducing and explaining some features of Wittgensteinian language-games.¹⁷ The language-game, like the social practice, deposits the relevant *identical* source in the many participants (recall that the fact that social contract theory tends to bypass this requirement is, for Anscombe, why contractualism is not philosophically promising).¹⁸ This explains how entering into a game or an undertaking can restrict one's possibilities of acting without incurring reproach. People will criticize a player if she breaks the rules of play. People will complain about broken vows or promises, or attempts to reclaim a gift, as well.

The second problem about cases of this kind is to explain how they tend to restrict participants' possibilities of acting *well*. Here, mere invocation of language-games or social practices is not helpful. As Anscombe put it:

It is at this point that I cease to use the notion of a language-game, since I should find further application of it useless and unintelligible. Unintelligible, because I can see no procedure to describe a language-game, other than that of using the language of 'desert', of 'keeping' and 'breaking' your 'word', of 'justice' and 'injustice' in the contexts where someone has, e.g., attached a certain sign to a statement that he will do so-and-so. Unless, indeed, all we mean by saying that a language-game is played is that the things we are discussing are said. But in that case the notion is useless; a mere superfluous bit of jargon.¹⁹

Although careful discussion of a practice or a language-game might explain how many different people can act from a single source, it cannot explain why any of them *should* act from that

17. Language-games are more diverse than full-blown social practices in the relevant sense of 'practice'. Full-blown social practices require an institutional context (for Anscombe and her followers). Language-games are conventional tools or techniques, but are more various than social practices.

18. In political philosophy as well as ethics. See Anscombe, 'On the Source of the Authority of the State', pp. 134–5. For extensive discussion of this point in Rawls, David Gauthier and Philippa Foot, see Michael Thompson, *Some Remarks on the Role of Generality in Practice*, PhD Dissertation, UCLA, 1992. For extensive criticism of neo-Kantian attempts to make sense of the singular source, see Michael Thompson, 'What is it to Wrong Someone? A Puzzle about Justice', in R. Jay Wallace, Philip Pettit, Samuel Scheffler and Michael Smith (eds), *Reason and Value*, Oxford: Oxford University Press, 2004, pp. 334–84.

19. 'On Promising and its Justice', p. 17.

source. The mere exploration of the facts that people do such things, and of the stunning coincidence in their thoughts and actions when they do, is not enough to baptize such doings with, for example, justice. It is not enough to distinguish acts of, from, and for the sake of justice from beautifully played games of baseball. And pointing out that many (but not all) people tend to think matters of justice weightier or more important than baseball gets us no closer to a theory of justice. It just adds to our discussion of the sort of talk and happenings routinely attracted by justice-associated language-games. In short, we require more in our discussion of the common source of the many actions than we can get from talk of practices and language-games if we are to complete the shift to virtue-centred ethics.

IV

Promulgation. At this point, Anscombe's complaints against social contract and neo-Kantianism intersect with her uncharacteristic bafflement. What is wrong with neo-Kantianism is that 'legislation' requires a legislator adequate to the task of legislation. In ethics, this will require a legislator adequate to the task of not just 'setting' moral law (in the attenuated sense of thinking about, endorsing or rejecting, and conducting oneself in light of some precepts or principles as we imagined in the private amusements case), but also of *promulgating* it, and this is a thing beyond the power of any individual finite dependent rational being as such (that is, any addressee of a Kantian imperative). No matter how successful I am at developing a sound code of conduct for myself, no matter how impressive my powers of persuasion, I cannot make it the case that all just people have always operated from the *same* source in refusing to seek the judicial condemnation of the innocent.

The consolation of divine law ethics is partly this: God *is* adequate to the task of depositing a singular source of right conduct in human nature (the human is its creature), and acceptance of revealed doctrine as such is supposed to provide assurance on this point.²⁰ Accordingly, one crucial advantage of

20. *Explaining* the sense in which an orientation to good is promulgated to our kind as such is complicated even in divine law ethics. The point is that God is big enough and powerful enough and in the right relation to us to make it the case that

neo-Aristotelian ethics is supposed to be that it rests in thought about what belongs to our kind. Our *species* is supposed to explain what it is about us, and what it is about the ethical, that makes ethical conduct at once possible and problematic for the human as such. And while I may have no confidence about whether people long dead, or wholly unknown to me, shared some of my tastes, internalized norms, or cultural circumstances, I can recognize their species.²¹ This much, at least, is in place. Moreover, if ethical conduct is possible for the human being *as such*, then this is and will have been true of any quick-witted member of my kind. First nature might solve the promulgation problem. So the thing that looks to be entirely out of reach for any account of ethics that rests in the thought that the possibility for right conduct arises when and because individuals give law to themselves one by one, or find themselves charged with endorsing or rejecting norms that they have internalized, or daily call each other to the ethical, or can be imagined as parties to a contract governing conduct, looks to be what neo-Aristotelian ethics can take for granted, namely, that in acting in accordance with and for the sake of justice, courage, prudence or temperance the many people all act from the *same* source.²² This, in turn, ‘wants a lot of explaining’.

V

The Singular Source. Michael Thompson has turned his attention to starting the requisite explanation. In ‘Apprehending Human Form’, he argues that the core common element attributable

all just men act from the same source in acting justly. In Anscombe’s tradition, justice is our business, not God’s, and dealing with the circumstances of justice (circumstances in which the many for whom ethical conduct is possible confront each other with opposing claims) is a specifically human challenge. God equips us to meet the challenge, but does not answer it for us.

21. I begin from such assumptions as that images of strangers depict their *arms*, rather than, say (as Michael Thompson puts it), ‘mutilated wings’, or ‘maybe *legs*, after all—only horribly deformed and not much good for crawling with’ (‘The Representation of Life’, in *Virtues and Reasons*, p. 279).

22. Obviously, the account of our species cannot be a flatly empirical account. Thompson’s work has taken up the problem of providing the relevant conceptual analyses of *species* in some detail. See ‘The Representation of Life’, pp. 247–96 and ‘Apprehending Human Form’, in *Modern Moral Philosophy*, pp. 47–74, especially pp. 56–67.

to the human being as such (that is, the quick-witted, mature member of the species) might be sought in the fact that each of us comes equipped to employ the *I*-concept, and that the fact of the human capacity for self-conscious self-representation coincides with a capacity to represent ourselves as members of our species. He writes:

A use of *I* or 'I' is connected to the thing it is about by the fact that the thing it is about is using it in thought or speech. As not resting on a link to observation, the *I*-concept is in some sense a non-empirical or a priori representation. This of course does not keep it from acting, in each case of its use, as a singular representation of what is in fact an individual thinking organism, one which, say, occupies a certain amount of space ... It is then easy to see that each of us can readily come into possession of an a priori representation of what is in fact the human form ...²³

The most important sense in which the *I*-concept is 'non-empirical' or 'a priori' is that we cannot explain the knowledge demonstrated in our correct use of it as knowledge that we get from observation. There is no question about the grounds for my using 'I' only for myself, for example. Even if my doppelganger suddenly materialized at my elbow, I would not use 'I' for it, and, as a perfect twin, it would not say 'I' for me. If the knowledge involved in deploying 'I' were grounded in observation or introspection, we could ask a sensible question about the evidence required to license using 'I' always and only of oneself, with the thought that the absence of evidence should tell against the speaker.²⁴ Thompson links the knowledge required for correct use of 'I' to an implicit representation of

23. 'Apprehending Human Form', p. 67.

24. Anscombe took up the peculiarities of 'I' in 'The First Person', reprinted in *The Collected Philosophical Papers of G. E. M. Anscombe, Vol. II: Metaphysics and the Philosophy of Mind*, Minneapolis: University of Minnesota Press, 1981, pp. 21–36. The essay is famous for the thesis that 'I' is not a referring expression. Edward Harcourt argues convincingly that Anscombe's thesis rests upon a rejection of the ordinary understanding of a test by which we determine whether an expression has a reference, and is instead based in her argument that we do not reach the reference through a specific mode of presentation of an object (see 'The First Person: Problems of Sense and Reference', in Roger Teichman (ed.), *Logic, Cause and Action*, Cambridge: Cambridge University Press, 2000, pp. 25–46). Harcourt's reading of Anscombe is, thus, consistent with Thompson's claims about 'I' and the *I*-concept, and, if I understand him, Thompson's work is consistent with Anscombe's.

myself *qua* human, that is, *qua* thinking organism. That the knowledge is both ubiquitous among quick-witted humans *and* non-observational supports the thought that the capacity for it is native to us.

From there, Thompson progresses to this thought: ‘The life form that underwrites the character of this very thought as thought has several other bearers in this room.’²⁵ He thereby means to produce an account of a capacity that each sound adult member of the species shares, non-observationally giving each of us access to a representation of her species, thereby supplying an account of *a* core ethical capacity that is carried in our form of life:

We have provided an opening ... for the view that our fundamental moral and practical knowledge—our knowledge of good and evil and of what is rational and irrational in human action—is at the same time knowledge implicitly about the specifically human form, knowledge of how well-working practical reason reasons, yet in no way a biological or empirical knowledge or any sort of knowledge that derives from observation.²⁶

This, in turn, supplies the beginning of the kind of account Anscombe wanted of what it is about the vivid child that makes possible the just, temperate, prudent and courageous adult. It accepts all of her admonitions. It belongs squarely to the thing that we share: first nature, understood in a suitable way. And it makes some headway in explaining how moral knowledge might be promulgated to our kind as such.

VI

Second Nature Again. Nothing in the a priori singular representation of a thinking organism as such—the *life form that underwrites the character of this very thought as thought has several other bearers in this room*—constrains the content of the second thought. What comes to mind next could be ‘So that one may

25. ‘Apprehending Human Form’, p. 68.

26. *Ibid.*, p. 72.

have a wallet, which I could snatch.' Following Foot, Thompson suggests that such a second thought will betray a defect in individual practical reason: 'In individual bearers of human form, some [ethical] knowledge will often enough go missing, of course, just as often some teeth are missing; or the knowledge will be present but nevertheless fail to make it into the determination of action.'²⁷ This is not, I think, the biggest concern.

The biggest concern is the sort that Anscombe marked in rejecting social norms as a starting place for ethics. Thompson dismisses a related worry in a footnote, urging that neo-Aristotelian naturalism about virtue cannot be impugned by worldly reflection on 'the bloody course of human history' any more than a monograph on the mayfly could be charged with naïveté on the grounds that it implies that *the mayfly breeds before dying*, whereas most mayflies die before breeding.²⁸ The response underestimates the force of the objection.

It will be true of many mayfly corpses that each was doing well, *qua* mayfly, before disaster struck. Whole clouds of mayflies destined to die before breeding will have been fully capable of reproducing before dying. Entire human societies, on the other hand, have been oriented to systemic injustice, and have instilled the norms and principles crucial to the orientation in the very young as part of customary education. This was, recall, why Anscombe thought that reflection on social norms was no more certain than soul-searching as a source of wisdom about virtue.

One can at once have tremendous confidence in our moral knowledge that restricting a human being's access to political participation, education, food, clothing, shelter, etc., on the grounds that it is female, or of sub-Saharan African descent, or Catholic, or Jewish, or Muslim, is wrong, and that this very piece of moral knowledge is distinctively modern and liberal, hence not a thing that seems to have been timelessly promulgated in and to members of our species as such. What is needed in order to complete the work of answering Anscombe's call will be an answer to *this* objection.

In short, the potential for ethical conduct deposited in the quick-witted human by first nature has to reach all the way to

27. Ibid., p. 73.

28. Ibid., p. 74, n. 14.

our knowledge of the injustice in sexism, religious persecution, and racialism, as well as to the more traditional prohibitions on murder, torture, and procuring the judicial condemnation of the innocent. That this cannot be left to the vicissitudes of custom and conscience will be clear to anyone who thinks about the historic prevalence of systematic injustice.²⁹

Faced with the difficulty of making sense of the requisite reach of first nature, given our understanding that whole societies have misjudged good and evil, Anscombe imagines one of us deciding to do the best he can with what he's got through acculturation and habituation, realizing that he will be lucky if this does the trick. She remarks:

Such an attitude would be hopeful in this at any rate: it seems to have in it some Socratic doubt where, from having to fall back on such expedients, it should be clear that Socratic doubt is good; in fact rather generally it must be good for anyone to think 'Perhaps in some way I can't see, I may be on a bad path, perhaps I am hopelessly wrong in some essential way.' (MMP, p. 37)³⁰

VII

In Conclusion. The as yet unsolved promulgation problem should continue to haunt ethics, whether or not one finds neo-Aristotelian work congenial. The problem is to explain

29. Anscombe's own forays into responding to the objection are to be found in the late lectures 'Knowledge and Reverence for Human Life', reprinted in Mary Geach and Luke Gormally (eds), *Human Life, Action, and Ethics*, Exeter: Imprint Academic, 2005, pp. 59–66, and 'The Dignity of the Human Being', in *Human Life, Action, and Ethics*, pp. 67–73, as well as an earlier essay, 'Authority in Morals', reprinted in *The Collected Philosophical Papers of G. E. M. Anscombe, Vol. III*, pp. 43–50. All involve some reliance upon divine law ethics (in the lecture on reverence, for example, she urges that the Holy Spirit has given us the light by which we can apprehend the intrinsic value of human life), but the essay on Authority argues that some moral knowledge could not be primarily revealed—for instance, fundamental precepts of justice.

30. Jonathan Lear pointed out that Socrates' doubt was grounded in religious convictions, and the status of the luck we hope for in taking up a stance of ethical modesty is uncertain without faith. Anscombe might respond that we are not entirely clueless about, say, justice: we cannot sensibly question whether murder might be intrinsically just. Also, there is a deeply egalitarian strand in neo-Aristotelian ethics. One development of that strand might be a rejection of racialism and *some* forms of sexism and religious persecution, although it is doubtful that we will get a perfect match to modern, liberal moral knowledge by meditating upon our shared species.

the common source that will make sense of ethically sound interaction among persons who have very little in common beyond their capacity to be mutual, reciprocal participants in, for example, justice. I find complaints against social contractualism, neo-Kantianism, and Humeanism (together with other strategies for working from custom and conscience) on this score convincing.³¹ I share Anscombe's sense that there are strict limits on the headway we can make with further exploration of social practices or Wittgensteinian language-games. The question that she poses for us is more basic than 'Why be moral?' It is 'What makes ethical conduct essentially possible *and* problematic for us?' What is wanted, then, is something on the magnificent scale of neo-Aristotelian thought about our *kind*—perhaps the only common denominator across all known past and present parties to mutual, reciprocal ethical interaction.

We may well complain that Anscombe asks too much of us. What I have tried to do is outline the character of the request, and some reasons to take it seriously, in light of one sustained effort to begin answering her call.

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REFERENCES

- Anscombe, G. E. M. 1958: 'Modern Moral Philosophy'. *Philosophy*, 33, pp. 1–19.
Reprinted in Anscombe 1981c, and in Geach and Gormally 2005.
- Anscombe, G. E. M. 1969: 'On Promising and Its Justice, and Whether it Need be Respected In *Foro Interno*'. *Critica*, 3. Reprinted in Anscombe 1981c, pp. 10–21.
- Anscombe, G. E. M. 1975: 'The First Person'. In Samuel Guttenplan (ed.), *Mind and Language*, Oxford: Clarendon Press. Reprinted in Anscombe 1981b.
- Anscombe, G. E. M. 1978: 'On the Source of the Authority of the State'. *Ratio*, 20.
Reprinted in Anscombe 1981c.
- Anscombe, G. E. M. 1981a: 'Authority in Morals'. Reprinted in Anscombe 1981c, pp. 43–50.
- Anscombe, G. E. M. 1981b: *The Collected Philosophical Papers of G. E. M. Anscombe*, Vol. II: Metaphysics and the Philosophy of Mind. Minneapolis: University of Minnesota Press.

31. The most developed account of the complaints is to be found in Michael Thompson's 'What is it to Wrong Someone? A Puzzle about Justice'.

- Anscombe, G. E. M. 1981c: *The Collected Philosophical Papers of G. E. M. Anscombe, Vol. III: Ethics, Religion and Politics*. Minneapolis: University of Minnesota Press.
- Anscombe, G. E. M. 2004: 'Reason, Intention, and Choice: An Essay in Practical Philosophy'. In O'Hear 2004, pp. 265–300.
- Anscombe, G. E. M. 2005a: 'Knowledge and Reverence for Human Life'. Reprinted in Geach and Gormally 2005, pp. 59–66.
- Anscombe, G. E. M. 2005b: 'The Dignity of the Human Being'. In Geach and Gormally 2005, pp. 67–73.
- Brandom, Robert 1994: *Making It Explicit*. Cambridge, MA: Harvard University Press.
- Foot, Philippa 1978: 'Virtues and Vices'. In *Virtues and Vices and Other Essays in Moral Philosophy*. Berkeley, CA: University of California Press.
- Foot, Philippa 1985: 'Utilitarianism and the Virtues'. *Mind*, 94, pp. 196–209. Reprinted in *Moral Dilemmas*, Oxford: Clarendon Press, 2002.
- Foot, Philippa 2004: 'Rationality and Goodness'. In O'Hear 2004.
- Geach, Mary and Luke Gormally (eds) 2005: *Human Life, Action, and Ethics: Essays by G.E.M. Anscombe*. Exeter: Imprint Academic.
- Harcourt, Edward 2000: 'The First Person: Problems of Sense and Reference'. In Roger Teichman (ed.), *Logic, Cause and Action*. Cambridge: Cambridge University Press, pp. 25–46.
- Hursthouse, Rosalind, Gavin Lawrence and Warren Quinn (eds) 1995: *Virtues and Reasons*. Oxford: Clarendon Press.
- McDowell, John 1995: 'Two Sorts of Naturalism'. In Hursthouse, Lawrence and Quinn 1995.
- O'Hear, Anthony (ed.) 2004: *Modern Moral Philosophy*. Cambridge: Cambridge University Press.
- Rawls, John 1955: 'Two Concepts of Rules'. *Philosophical Review*, 64, pp. 3–32. Reprinted in Philippa Foot (ed.), *Theories of Ethics*. Oxford: Oxford University Press, 1967.
- Rawls, John 1971: *A Theory of Justice*. Cambridge, MA: Harvard University Press.
- Thompson, Michael 1992: *Some Remarks on the Role of Generality in Practice*. PhD Dissertation, UCLA.
- Thompson, Michael 1995: 'The Representation of Life'. In Hursthouse, Lawrence and Quinn 1995.
- Thompson, Michael 2004a: 'What is it to Wrong Someone? A Puzzle about Justice'. In R. Jay Wallace, Phillip Pettit, Samuel Scheffler and Michael Smith (eds), *Reason and Value*. Oxford: Oxford University Press, 2004, pp. 334–84.
- Thompson, Michael 2004b: 'Apprehending Human Form'. In O'Hear 2004, pp. 47–74.