

Wittgenstein's Influence on the Development of Virtue Ethics

Nicholas McGinnis

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By: Nicholas McGinnis

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_____ Examiner

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ABSTRACT

Wittgenstein's Influence on the Development of Virtue Ethics

Nicholas McGinnis
Concordia University, 2006

Remarkably little has been said concerning the implications of Wittgenstein's later thought for moral philosophy. I will argue here that the recent renaissance of virtue ethics, typified in the work of authors such as Rosalind Hursthouse, finds much of its inspiration in Wittgenstein's later thought. This influence is three-fold: first, in the critical tradition of virtue ethics vis-à-vis traditional theories of ethics; second, in the establishment of its broadly 'anti-theoretical' stance; and last, in the fact that recent critiques of virtue ethics can be parried by reference to Wittgenstein. The conclusion I hope to establish is that virtue ethics, in order to itself flourish as a viable alternative, must take careful account of Wittgenstein's thought and structure itself accordingly.

ABBREVIATIONS

The following abbreviations are used in the text to refer to Wittgenstein's works:

<i>BLBK</i>	The Blue Book
<i>CV</i>	Culture and Value
<i>LC</i>	Lectures and Conversations
<i>PI</i>	Philosophical Investigations
<i>PO</i>	Philosophical Occasions
<i>OC</i>	On Certainty
<i>RFM</i>	Remarks on the Foundations of Mathematics

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CHAPTER I: INTRODUCTORY NOTES

Wittgenstein is widely held to have remarkably little to say on ethics,¹ save perhaps the somewhat obscure remarks of the *Lecture on Ethics*, or tentatively again the closing sections of the *Tractatus*, whose proper interpretation remains highly controversial.² This view sits somewhat uneasily with our realization that his thought, both early and late, has enormous implications across several branches of philosophy. It is my intention here to argue that the ramifications of the later Wittgenstein's work point us, if indirectly, to one specific method (as opposed to theory) of ethics: that of virtue ethics, an ethical method which is agent-centred as opposed to act-centred, and which does not lay claim to objectivity or certainty. This follows in part from Wittgenstein's anti-metaphysical (sometimes termed 'quietist', but this is a loaded term) stand³ which not only undermines the foundations upon which traditional consequentialist and deontological approaches lay, but directs us to pluralistic ethical notions steeped in everyday language-use: in other words, to virtue ethics, whose re-emergence owes a great deal to the later Wittgenstein. Furthermore, many of the common criticisms levied against virtue ethics may be parried by reference to Wittgenstein, but at a deep cost, for it also imposes strict limits on what can and cannot be done within moral philosophy. My purpose here will be to present an interpretation of Wittgenstein that supports the above thesis—a task undeniably fraught with peril, for the most frequently voiced critical

¹ "I have heard a British philosopher declare that 'Wittgenstein has nothing to do with ethics'. He was genuinely astonished that there were philosophers who thought otherwise. And he was one of the endangered species quite sympathetic to Wittgenstein." Gleeson 2002: 225.

² A good entry-point to this discussion can be found in Cahill 2004, 33-57.

³ For an example of this anti-metaphysical interpretation, see Carruthers 1984, 451-479.

lament in the secondary literature surrounding Wittgenstein is that he has been misunderstood by any given commentator.⁴

The criticism invariably proceeds along the same lines: a substantive view x is attributed to Wittgenstein, which is then either defended or attacked, followed quickly by an article in reply which argues that said view x is in fact what Wittgenstein is expressly attempting to *deny*—inasmuch as Wittgenstein can be said to 'deny', which would involve a type of 'recoil' to a perfectly opposite view, a substantive negation of x instead, which would be another misinterpretation (cf. *PI* §305, "What gives the impression that we want to deny anything?"). We are sometimes told to approach the epigrammatic epistles of Wittgenstein something like a Zen koan, with a view to clear our minds of problems rather than 'solve' them.⁵ But here we are faced with a grave problem in regards to the current project of detailing the linkages between Wittgenstein's thought and virtue ethics. If to read Wittgenstein substantively instead of 'therapeutically' is, in fact, to *misread* him, it would equally be an error to somehow appropriate his arguments in order to advance a specific ethical *theory*. And this is undoubtedly correct. Yet one can imagine saying to Wittgenstein—playing the role of the anonymous interlocutor so often found in the *Investigations*—"Surely you admit that we are often faced with difficult moral problems with no clear answer and that we are desperately in need of good ways of thinking about ethics." And while this is true, the reply may perhaps be: "Yes, but you certainly are in no need of a *philosophical* way of thinking about ethics". For, despite his

⁴ "...most of the secondary literature on the *Tractatus* and the *Philosophical Investigations* consists of exegetical and critical discussion of the theories of language, mind and culture that are supposedly found in these books. Most of his philosophical expositors find his 'real views' in a small number of crucial passages which, taken out of context, can easily be made to provide support for almost any view one looks for." Stern, 1996: 444.

⁵ Stone 2000: 108-112.

distaste for certain forms of philosophizing, surely Wittgenstein would not deny the importance of good thinking in these matters. In a 1944 letter to Norman Malcolm he writes:

What is the use of studying philosophy if all that does for you is to enable you to talk with some plausibility about some abstruse questions of logic, etc., & if it does not improve your thinking about the important questions of everyday life. (Malcolm 1958: 39)

Wittgenstein here traces a link between the study of philosophy and the improvement of thought in other, 'everyday' matters. The point is that given that our thinking can stand for improvement and that philosophers are professional thinkers, it stands to reason that if ethics is something that can be thought about, we ought to find good ways of doing so, as difficult ethical and moral problems plague us every day. Such ways, if we remain true to our stated intentions, may only be tenuously 'philosophical' compared to previous efforts. A better way to put it is that our method would perhaps simply be anti-theoretical, which is hardly a pejorative term nowadays; then again, our notions of what *counts* as exhibiting theoretical form may even shift as we drop certain qualities once thought intrinsic to proper moral theory, such as commitment to a formalism of rules or again to abstract universalism and objectivity.⁶ Theoretical form, understood in a wide sense, does not necessarily entail metaphysical commitment ('metaphysical' understood as references to mind-independent conceptual objects), though such commitments have been central to nearly all ethical theories. Thus whether or not to term an anti-metaphysical approach a 'theory' is, for our purposes, a rather pedantic question of semantics.

But does not Wittgenstein also term his philosophy as merely *descriptive*? It "may in no way interfere with the actual use of language" and "leaves everything as it is" (*PI*,

⁶ On this issue, see Loudon 1990: 93-96.

§124). Yet our goal would precisely be to interfere with the use of language, specifically moral language. As Duncan Richter writes in a paper entitled *Whose Ethics? Which*

Wittgenstein?:

Even the appearance of endorsement of any ethical view is absent from Wittgenstein's later works [...] Properly Wittgensteinian ethics, then should be either ethics based on, or in line with, Wittgenstein's purely personal views or else should be derived somehow from the Philosopher Wittgenstein's methodology and guiding suspicions. (Richter 2002: 334-335)

It is squarely the latter option's feasibility with which we are concerned; for his part, Richter is of the opinion that no *substantive* doctrine or *theory* does indeed follow from Wittgenstein's methodology; it is ethically neutral. And in this he is right. But two issues do remain: first, the implications of the therapeutic method for existing philosophical theories of ethics (which Richter admits is *not* neutral), and second, the possibility of an ethical *practice* (as opposed to a theory which finds some sort of foundation through philosophy) which—while not being purely Wittgensteinian—would attempt to incorporate Wittgensteinian insights to stave off the type of philosophical confusions which commonly bewitch our understanding of these issues, while still helping us work through moral problems. Despite the admonition that philosophy is not to interfere with language, on another level we quite explicitly wish to (and indeed do) amend, modify and evaluate our own use. It is clear that we have further games for just this express purpose; and certainly we would be worse off if the natural and inevitable changes in language-games were entirely left to chance or unconscious drift. So while we would not commit the error of attributing to Wittgenstein a substantive ethics, or advocate an ethical *theory* obscurely derived from a wilfully narrow reading of 'key' passages, a consciously self-

amending approach perhaps remains quite possible, potentially coupled with a problem-solving heuristic methodology.

As I've intimated, there is also the question whether any ethical theories are rendered suspect due to overt or covert reliance on philosophical confusions. Many commentators have wielded the 'rule-following argument' in this vein—most prominently John McDowell—with the express intention of either establishing the plausibility of an 'uncodifiable' ethics or dismissing theories too reliant on the conceptual confusions we should wish to eliminate. This will form an important element of my discussion. But apart from rule-following there are other, related, avenues to tackle the notion that ethics can be codified into what McDowell terms "formulable universal principles" (McDowell 1998: 58). Consider the following passage from the *Investigations*:

...imagine having to sketch a sharply defined picture corresponding to a blurred one. In the latter there is a blurred red rectangle: for it you put down a sharply defined one. Of course—several such sharply defined rectangles can be drawn to correspond to the indefinite one—but if the colours in the original merge without a hint of any outline won't it become a hopeless task to draw a sharp picture corresponding to the blurred one? Won't you then have to say: "Here I might just as well draw a circle or heart as a rectangle, for all the colours merge. Anything—and nothing—is right."—And this is the position you are in if you look for definitions corresponding to our concepts in aesthetics or ethics.

In such a difficulty ask yourself: How did we *learn* the meaning of this word ('good', for instance?) From what sort of examples? In what language games? Then it will be easier for you to see that the word must have a family of meanings. (*PI*, §77).

Why did Wittgenstein compare our concepts in ethics or aesthetics to merging, blurred images? Perhaps we should dissect the metaphor a bit, tease out what he is trying to show us. Wittgenstein begins with a blurred rectangle, in relation to which infinite sharp rectangles potentially exist. Here we have a definite shape but no grounds on which to

determine the precise size. That there *is* a rectangle is still undeniable—just as there are 'games', which was Wittgenstein's object of discussion a few sections before. Should we be *forced* by circumstance to draw a boundary to our rectangle, the decision may seem rather arbitrary to those in thrall to a certain picture of meaning—though reasons could be given. Perhaps: "the exact mid-point between the deepest intensity of colour and its complete fade is the *fairest way*". If we agree both that 'fairness' is the way to resolve the issue, and on what constitutes 'fair', the question is settled—for the specific circumstance. Another circumstance may compel us to draw *different* lines. The deepest point of intensity of colour—the very centre of the perceived blurry rectangle—does it correspond to a given situation in word-use, say of the word 'game'? Perhaps at this point are the unambiguous games, the ones we use as examples when teaching the word, such as chess or soccer. The farther we move from this perceived centre of gravity the farther in meaning we get from these paradigmatic examples. When someone shouts, angrily, "Quit playing games with me!" he or she certainly does not mean a *literal* game. But we understand very well, quite clearly as a matter of fact. In a sense the concept is not 'blurred' at all, but only seems so relative to a given perceived centre (note the use of the indefinite article: *a given centre*, not *the centre*). You can also ask yourself: what is it blurring *into*? Another language-game (a different neighbourhood of the same city)? But there still *is* a point where the word is no longer used properly. There is a point certainly outside the rectangle just as there is a point certainly inside it, and these boundaries shift with convention, use, understanding. We try very hard to make the words fit; we also try very hard to *expand* word use, for example in poetry or slang.

But, according to Wittgenstein at *PI* §77, the situation we are in as regards to concepts in ethics or aesthetics is rather bleaker. *All* the colours merge. *Any* shape may be valid. "Anything—and nothing—is right," as he puts it. Wittgenstein, in conversation, has allegedly said that "the use of the word 'good' is too complicated. Definition is out of the question." (Richter 2002: 339) It is important to note what Wittgenstein says at the very end of the passage: that in such difficulties we ought to ask ourselves how we *learnt* the word, for what we have before us is a family of meanings. The 'philosophical' question Wittgenstein is trying to dissolve is whether we *need* to draw, or be able to draw, a sharp boundary (or even possess a specific, indubitable, if 'blurry', shape) in order to truly *have* the concept, to *know* 'games' or 'good'. The conceit is that there must be a single justifiable boundary to *the* intrinsic meaning of 'good', or 'game', there must be a single correct shape to draw, and that the goal of philosophy is to find it, demarcate it, and from thence act as border patrol. "Fine and well for vernacular speech to tolerate ambiguity in meaning, but in philosophy preciseness of meaning is crucial. We must draw lines!". A further hidden conceit is the very notion of this ideal, 'exact' demarcation. Wittgenstein admits that we may *stipulate* a precise definition for a given purpose, as when we say 'for the purposes of this law, a game is *this*.' Exactness, or precision, is thus defined in a purposive context; but what could exact *qua* exact possibly mean, outside of *any* such stipulation? For this is what we seek: *the* definition of good or game or what have you. Consider *PI* §88, where Wittgenstein says—

We understand what it means to set a pocket watch to the exact time or to regulate it to be exact. But what if we were asked: is this exactness ideal exactness, or how nearly does it approach the ideal?—Of course, we can speak of measurements of time in which there is a difference, and as we should say, a greater, exactness than in the measurement of time by a pocket-watch; in which the words "to set the clock to the exact time" have

a different, though related meaning, and 'to tell the time' is a different process, and so on. —Now, if I tell someone: "You should come to dinner more punctually; you know it begins at one o'clock exactly"—is there really no question of *exactness* here? Because it is possible to say: "Think of the determination of time in the laboratory or the observatory; *there* you see what exactness means."

"Inexact" is really a reproach, and "exact" is praise. And that is to say that what is inexact attains its goal less perfectly than what is more exact. Thus the point here is what we call "the goal". Am I inexact when I do not give our distance to the sun to the nearest foot, or tell a joiner the width of a table to the nearest thousandth of an inch? No *single* idea of exactness has been laid down; we do not know what we should be supposed to imagine under this head—unless you yourself lay down what is to be so called. But you will find it difficult to hit upon such a convention; at least any that satisfies you.

The problem here is simple—before demanding precise meanings in language we have to have of understanding of what preciseness entails, of what it would mean.⁷ And this meaning is decided in much the same way we decide to draw a certain sharp rectangle as opposed to another (and how thick its lines), or to leave it blurry. (*This is the way*). What *is* an exact or precise explanation, or meaning, as opposed to another, is decided on the contextual criterion of exactness laid down in the language game.⁸ Setting my watch, arriving on time, calibrating a satellite, performing an experiment in physics all have different standards of exactness, none of which are 'the' exactness. Yet we say 'the *exact* time' and are understood in all these contexts. The consequence of these considerations is simply that even a sharp, 'ideal' demarcation relies on other terms which themselves must be clearly defined. And certainly this is possible. A government policy seeking to

⁷ All this is not to suggest that Wittgenstein's project is just to amend a Fregean theory of meaning to include vagueness of predicates. Writes Gordon Baker, "A .. blindness to context supports the widespread idea that §65-88 argue for the importance of vagueness in constructing a theory of meaning, and suggest some initial steps towards the construction of a semantics for vague predicates." Baker 1981: 35.

⁸ Wittgenstein makes the same point in *Notes for the 'Philosophical Lecture'*, where he says that he equally could give a room's measurements in meters or in microns; but the choice of unit is *not* arbitrary for all that. "The description and the method and unit of measurement tells us something about the world in which this measurement takes place." *OC* 449. I will return to these themes in chapters 3 and 4.

subsidize sport games needs to define criteria for eligibility. It may even have a set of rules for the resolution of conflicts due to ambiguity in criteria. (One wonders if it also has rules governing the conflict-resolution rules, and so on.) But if we are *compelled* to make a decision in a conflicted situation, it will, nay, *must* be made nevertheless. For the use of a word is the meaning in many, but *not* all cases, as Wittgenstein notes (*PI* §43). Nevertheless by setting his face against the possibility of defining words like 'good', or even of making sense of the notion of 'precise' meanings, Wittgenstein seems to be eliminating the very idea of a philosophical practice of ethics (cf. *PI* §47-59). This negative, eliminativist aspect of therapy is widely acknowledged, though usually tempered with a mention of *PI* §118—the famous quote that "what we are destroying is nothing but houses of cards". Can anything be built in the wake of this destruction?

It is my contention that positive work *can* be done. Cora Diamond wrote, near the end of a paper concerned with the utility of thought-experiments in ethics, that

If my approach in the paper has been in any regard Wittgensteinian, it is in its insistence that we look and see what may be useful in our thinking about moral life. [...] It may then be Wittgensteinian for me to have tried to make room for *differences*, for modes of understanding practical life and practical reasoning which emphasize differences from the thinking through of quasi-mathematical problems. (Diamond 2002: 249).

Diamond underlines two points here: first that, much like Wittgenstein's analysis of language proceeds by examining actual use, any ethical methodology claiming to be inspired by Wittgenstein must *observe* as well, rather than ruminate from the armchair. Secondly, during this observation, it must resist the temptation to assimilate differences under unifying conceptual categories and other errors of forced systematicity. A very wide net must be cast if we are to do ethics in the shadow of Wittgenstein. The thing to understand is that the discursive practices that comprise 'ethics' or 'morality' are not

always readily identifiable via a set of specific *words* whose language-games may be investigated:

What I find problematic is the argument that goes from a general account of what is reflected by our having a given predicate in our language to an account of moral predicates as reflecting an interest in a particular group of properties. What we should learn from Wittgenstein is that there is no *a fortiori*. We need to look: what would it be like to have a language in which moral predicates had no, or virtually no, use? Would people not care about the things we care about? How *much* of our moral thought is actually dependent on such predicates? (Diamond 1996: 242).

Rather, any act or proposition can be interpreted morally; what we deal with are various ethical modalities which can be brought to bear on almost anything at all and which are deeply embedded within our forms of life, and not necessarily via the use of a certain group of moral predicates. We see this because ethics, unlike most of the sub-fields clustered around the umbrella-term of 'philosophy', is very much a living *practice*. The salient difference, to put it somewhat pithily, is perhaps that while one may theorize about the inevitable truth of hard determinism and yet not feel like an automaton afterwards, the aim of ethics is in fact to change one's behaviour. It is arguably, of all the fields of philosophy, the most resistant to *full* therapeutic dissolution, for it directly connects with our practices and actions in a way that metaphysics simply does not. Yet to the extent that it is deeply enmeshed with the metaphysical tradition of philosophy it cries out for therapy nevertheless.

The point is that even if we preclude a given ethical theory, or any theory, that relies on metaphysical confusion we are still faced with the necessity of choosing how to act in a given situation as reflective, self-conscious beings. This necessity of action ensures there will always be a remainder; there will be no one discovery which enables us to stop doing ethics (or, rather, *being ethical*) when we wish to (c.f. "The real discovery is

the one which enables me to stop doing philosophy when I want to." *PI* §133). Recall that the 'bedrock' of our language-games lies precisely in the ways we *act*. In a sense it is the practice of philosophical therapy, which stresses this last point, which will commit us to saying there can be no one discovery in ethics which will from thence on provide us with clear, ineluctable solutions to any and all moral and ethical problems (as therapy denies not the possibility, but the intelligibility of 'a view from outside'). By rejecting the Platonic project, best expressed in the *Euthypro* ("I want to know what is characteristic of piety which makes all pious actions pious" (6d9-e1)) Wittgenstein notes that we are to instead proceed by radically different means:

I want to say here that it can never be our job to reduce anything to anything, or to explain anything. Philosophy is really 'purely descriptive' [...] The idea that in order to get clear about the meaning of a general term one had to find the common element in all its applications has shackled philosophical investigation; for it has not only led to no result, but also made the philosopher dismiss as irrelevant the concrete cases, which alone could have helped him to understand the usage of the general term. (*BLBK*: 18; 19-20.)

I wish to argue that his focus on the concrete case in order grasp the meaning of a general term, without committing oneself to a Platonic universal, is more than simply congenial to the spirit of virtue ethics; it is a deep part of its methodology. The main features of virtue ethics—a critique of existing theories; a pluralistic, polycentric conception of 'good(s)'; a concern with agents, their motivations and patterns of conduct; and an appreciation of the limits of rationality, to name a few—indeed leads us ineluctably to virtue ethics as perhaps the only ethical approach which could potentially be squared with the later Wittgenstein's views on what philosophy is and, crucially, isn't. Not all formulations of virtue ethics—of which there are legion—will prove amenable to this project; I will return to this in chapter 2. The admonition not to engage in a certain type

of philosophical theorizing restricts our movement. But I do intend to argue that virtue ethics is best-placed to survive and evolve in such an environment, as its critical component has deep Wittgensteinian influences, leading to concomitant positive views which seek not to be felled by the same axe and in fact can be defended by it. Consider Roubert Louden's claim that

Virtue ethics [...] in certain fundamental respects is best interpreted not as one more ethical theory but as an anti-theory. It is not competing for the same turf as modern normative ethical theories but instead constitutes a philosophical brief against all such efforts. (Louden 1990: 1994).

Just this feature, in itself, ought to make virtue ethics a promising endeavour for anyone sympathetic to the later Wittgenstein; but I intend to go farther than that. Not only is modern virtue ethics congenial to Wittgenstein's thought, but in part stems from it, ought to constrain itself in light of it, and can be adequately defended using its resources.

We should note that there are several obvious points of contact between virtue ethics and Wittgenstein. First and most obvious is the recognition that contemporary virtue ethics is thought to have begun with Anscombe's 1958 paper *Modern Moral Philosophy*. Anscombe was close to Wittgenstein, cites him in her work, and served as his literary executor (along with Rush Rhees and G.H. von Wright). Since then there has been a foundational intellectual link between Wittgenstein's work and virtue ethics, which we will explore, with particular focus on the 'rule-following' sections of the *Philosophical Investigations*. A second has to do with the latent 'naturalism' present in Wittgenstein, particularly in the selections of the *Nachlass* which became *On Certainty* and which is also an important part of most contemporary forms of virtue ethics. It has been argued in some quarters that Wittgenstein adopts a more or less *Aristotelian*

naturalism, yet another important point of contact.⁹ Meanwhile, a third theme present in both Wittgenstein and virtue ethics is the importance of examples and embedded practices for concept-acquisition, in both Wittgenstein's thought and that of most virtue ethicists. The central contention is that of ethics as 'practical wisdom', not theoretical knowledge. A fourth and final point of mutual contact is the ways in which Wittgenstein's approach to philosophy can be made to defend the charges often brought against virtue ethics, notably of pernicious cultural relativism, lack of action-guidance, conservatism, and recent empirical data from psychology suggesting the non-existence of 'character traits'. This will be made via reference to the debate concerning fideism and of the process of change in language-games, Wittgenstein's views on sensation and private language, and, significantly, rule-following. Before we do this, however, it is important that we gain a clearer understanding of 'virtue ethics', to which we turn our attention.

⁹ See Garver 1996. The object of comparison is Aristotle's *Categories* and Garver terms the parallels "strong and significant" (p.154); we will return to this in the fourth chapter.

CHAPTER II: VIRTUE ETHICS

My purpose now is to examine virtue ethics itself—to sense its contemporary contours, give it a brief history, note major criticisms—but also to indicate the ways it is 'marbled' with Wittgensteinian influences, sometimes in surprising ways, consistent with the thesis I indicated in the previous chapter. I'll begin our recap of the modern development of virtue ethics with some notes on its critical tradition, continue with a quick and dirty taxonomy of major approaches, and conclude by enumerating a list of criticisms commonly levied at it.

1. The Critical Tradition of Virtue ethics

Contemporary virtue ethics is distinguished from consequentialist and deontological alternatives primarily through its dual focus on both *aretaic* (virtue-centred) concepts and on the lives of individual moral agents. The central claim is that virtue is not an instrumental good, but is valuable intrinsically—unlike competing moral theories that incorporate *aretaic* concepts only to the extent that it promotes, or may act as a short-hand version for, the good defined through other means. Virtue ethicists often ground their use of *aretaic* concepts through the notion of *flourishing*, or *eudaimonia*, though this is not universal; and, rather than providing a set of rules, one is admonished to act as the virtuous agent would, characteristically, given the circumstances. While the ultimate intellectual roots of this tradition are to be found in the writings of Plato and especially Aristotle, the contemporary re-emergence of virtue ethics as a genuine alternative moral theory (or, less radically, irreducible supplement) to traditional consequentialist and deontological positions traces its origins to Anscombe's widely-

reprinted 1958 paper *Modern Moral Theory*. The paper concerns itself with several different, though converging, lines of thought, not all of them having to do with virtue ethics (and those that do, often only indirectly). The central thrust of Anscombe's argument in the paper is that terms such as 'moral obligation' and 'moral duty' as mere vestigial remnants of a previous, now untenable, understanding of ethics, one based on 'divine law'. The 'moral ought', Anscombe writes,

...has no reasonable sense outside a law conception of ethics; they [present-day ethicists] are not going to maintain such a conception; and you can do ethics without it, as is shown by the example of Aristotle. It would be a great improvement if, instead of 'morally wrong', one always named a genus such as 'untruthful', 'unchaste', 'unjust'. (Anscombe 1997: 33-34).

The special 'moral' sense of ought, absent in Aristotle, was acquired through the millennia-long influence of Christianity; and now that we seek a secular moral philosophy, without the notion of a divine law-giver, it simply makes no sense to continue using these legalistic notions of obligation in conjunction with ethics. The notion of a 'law' conception of ethics without the concomitant divine legislator is a non-starter for Anscombe. The notions of 'obligation' or 'duty' have become rootless, though usage persists out of habit: "the situation [...] was the interesting one of the survival of a concept outside of the framework that made it intelligible" (*ibid.*, 31). This is a criticism that has not gone unchallenged, however. Alan Donagan writes that

The conception of morality as virtue is not an alternative to a conception of it as law. [...] The conception of morality as virtue presupposes that ... practical wisdom can determine whether or not a given choice accords with a rationally determined mean. The inference is irresistible that to each precept of moral virtue ... there is a precept of moral law that is its counterpart. And if the former can be arrived at by natural human reason, the latter can too. (Donagan 1977: 3-4).

The 'law' counterpart would, according to Donagan, have the following form: "in normal circumstances, to act in such-and-such a way would be morally wrong" (ibid., 4). But such a formulation is exactly what Anscombe takes to task in her arguments concerning 'relevant descriptions', to which we will turn shortly. The upshot will be that Donagan's 'law' counterpart is a wholly uninformative addition which can be jettisoned on grounds of redundancy. Anscombe also makes short work of the idea of Kantian self-legislation, the only readily available alternative, since it is obvious that "the concept of legislation requires superior power in the legislator" (Anscombe 1997: 27). *Self-legislation* is akin, Anscombe writes, to calling one's man every decision a *vote*; yet the idea of an assembly of one is incoherent, as is that of giving oneself a 'law'. As a result, Anscombe argues, these remnants of law-conceptions should be discarded and replaced by a conception of human flourishing, nature, action and virtue, inspired by but not slavishly beholden to Aristotle. (ibid., 43). These insights form the seed of modern virtue ethics, though not all Anscombe's arguments are universally shared; nor, for that matter, are her own positive views on the structure of a virtue-based ethical theory.¹⁰

Modern Moral Philosophy is also notoriously characterized by a set of brief, pugnacious arguments against the dominant approaches in moral theory. Critique of traditional approaches is a recurring theme in virtue ethics, so much so that for much of its history it was understood mostly as a negative undertaking:

Most of the work done in this genre [virtue ethics] has a negative rather than a positive thrust—its primary aim is more to criticize the traditions and research programmes to which it is opposed rather than to state positively and precisely what its own alternative is. (Louden 1997: 202).

¹⁰ For a good, if highly critical, discussion of the differences between Anscombe and Hursthouse's views, see Hurka 2001, ch. 8 ('Against Virtue ethics').

This early critical tradition, perhaps typical of any fledgling philosophy trying to secure some footing, is well-surveyed in Crisp and Slote's anthology; other lines of attack come from the work of authors such as Hursthouse, Foot, McDowell and Nussbaum. The criticisms levied by all these authors share certain commonalities. Let's begin with Anscombe, whose dismissive brevity almost makes one forget she is tossing aside in a few short paragraphs basically the entire extant modern tradition of ethics. On the topic of Kant, she calls his rule about universalizable maxims simply "useless" if we don't have "stipulation as to what shall count as a relevant description of an action with a view to constructing a maxim about it" (Anscombe 1997: 27). This is an interesting argument which is worth dwelling upon for a moment, as it also applies directly to Donagan's criticism mentioned above. What Anscombe means by this is that the ways in which we act are not so easily categorized that it is always immediately obvious what it is that we are trying to universalize: "a lie could be relevantly described as anything but just a lie (e.g. 'a lie in such-and-such circumstances')" (ibid., 27). Any attempt to use the categorical imperative in its 'universal' formulation¹¹ as an action-guiding rule is severely handicapped by the lack of well-grounded criteria for picking what the relevant features of the action-description actually are. Moreover (and this is why the 'law' counterpart of virtue is essentially uninformative) any given set of characteristics for an description never necessarily *entails* that these characteristics will always inevitably pick out the same one description. Writes Anscombe, ostensibly on a sideline concerning Hume—

If xyz is a set of facts brute relative to a description A, then xyz is a set out of a range some sets among which holds if A holds; but the holding of some set among these does not necessarily entail A, because exceptional circumstances can always make a difference; and what are exceptional circumstances relatively to A can

¹¹ "Act only on that maxim through which you can at the same time will that it should become a universal law." Kant 1964: 88.

generally only be explained by giving a few diverse examples, and *no* theoretically adequate provision can be made for exceptional circumstances, since a further special context can theoretically always be imagined that would re-interpret any special context. (Anscombe 1997: 29)

So here we have two kinds of problems relative to descriptions: first, determining which characteristics are the salient ones and in effect define the description; and second, the problem that a special context could always re-interpret even those characteristics, rendering the universalized maxim, or 'law', moot (recall how Donagan's formulation of the law included the vague notion of 'normal' circumstances and assumed the unproblematic status of describing an act as 'such-and-such'). So it is Anscombe's second problem here which seems particularly intractable; the first could be handled presumably with an appropriate rule or 'stipulation' governing descriptions. What such stipulations would look like, if not those of a divine law-giver, I haven't the faintest idea. In any event, the second of Anscombe's problems seems quite unanswerable. To the extent that it is a cousin of Wittgenstein's argument concerning rule-following and definability—a comparison we will draw out in the next chapter—it would apply to *any* stipulation (or 'rule') governing the choice of relevant descriptions.¹²

This is not a question of being able to handle a few singular, novel cases, which sophisticated Kantians can of course do; but that the idea of *law* itself is rendered impossible because *every* case is, in effect, a singular one. This comes out when one looks at just such a sophisticated response, such as the one found in Barbara Hermann's *The Practice of Human Judgment*. Hermann specifically make mention of the problem of description, admitting that "indefinitely many descriptions of an action are possible" and

¹² See for example *PI*, §184: "But here we must be on guard against thinking that there is some *totality* of conditions corresponding to the nature of each case (e.g. for a person's walking) so that, as it were, he *could not but* walk if they were all fulfilled".

that some prior, "independent moral knowledge" is necessary to assess a situation before application of the categorical imperative procedure even becomes possible (Hermann 1993: 3-4). Writes Hermann, explaining her concession,

...the CI [categorical imperative] cannot be an effective practical principle of judgement unless agents have some moral understanding of their actions before they use the CI procedure ... the claim that such prior moral knowledge is necessary follows from the structure of the CI as a practical principle of judgement. [...] It is useful to think of the moral knowledge needed by Kantian agents (prior to making moral judgements) as knowledge of a kind of moral rule. Let us call them 'rules of moral salience'. [...] They enable him to pick out those elements of his circumstances or of his proposed actions that require moral attention. (Ibid., 5).

These 'rules of moral salience' play a rather interesting role in Hermann's theory in that they are to directly address Anscombe's problem relative to descriptions by providing the agent with appropriate sensitivity to context. They are themselves acquired through appropriate moral upbringing; they are not exceptionless, ideal rules but instead serve to "reveal the presence of ... morally salient features of the situation which must be acknowledged;" they are a "vehicle for moral education" that partially define a "moral community;" most interestingly, they are independent from the CI procedure entirely (ibid 7; 11; 12). They are, basically, indistinguishable from most definition of the virtues, as we shall see when we examine virtue ethics more closely. The only difference is that in Hermann's theory they are to guide applications of the categorical imperative. But it seems that the rules of moral salience, or RMS, as Hermann says, does most of the heavy lifting in her friendly amendment to Kant. More distressingly, they do so with the explicit admission that they can greatly vary with a given moral community's "particular circumstances" (ibid., 11).

The RMS exist to enable relevant descriptions for application of the CI, but are themselves not created by the CI. Hermann is basically admitting, by this move, the correctness of Anscombe's criticisms and hopes to deflect it via notions surprisingly close to those proposed by Anscombe herself and other virtue ethicists. Hermann attempts to keep a distinctively Kantian flavour to her method by attempting to ground the rule of moral salience within Kant's notion of Moral Law, at which point her discussion becomes replete with some rather tendentious idealizations¹³ concerning the "conditions of human agency" that purport to demonstrate that each is to be "regarded as free on the same grounds as we regard ourselves as free" (Hermann 1993: 14). But now we are mired in a metaphysical morass that enables Hermann to find 'foundations' in obtuse formulations such as "the *ground* of the RMS is in the conception of a person as moral agent (or end-in-himself) that comes from the experience of the Moral Law as a Fact of Reason" (ibid., 15). Over and above the tension between this and her assertion that the RMS vary with times and climes,¹⁴ there is no reason to discount the idea that a vicious circularity may begin here by raising the problem of what exactly is a relevant description of personhood, agency, freedom, and other normative terms that seek to be grounds but cry out for them also. Moreover, universalism in the abstract has, historically, rarely been an impediment to concrete discrimination and tyranny. All men are equal: but blacks are not men, nor are women capable of reason, and so on. Several different narratives could be constructed that would explain, on the basis of any given ethical theory, how and why we discarded

¹³ As contrasted to mere and innocuous 'abstraction', 'idealization' is the introduction of an ungrounded premise to an argument: "An assumption, and derivatively a theory, idealizes when it ascribes predicates—often seen as enhanced, 'ideal' predicates—that are false of the case in hand, and so denies predicates that are true of that case" (O'Neill 1996: 41).

¹⁴ It seems to me that Hermann should've stopped with the RMS and looked for something instead much like the McDowell/Hursthouse Neurathian procedure I will describe later in detail.

such evidently wrong-headed notions; Hermann proposes her own (*ibid.*, 16). It is an open question whether what we would view as moral *regress* could be happily justified in books yet to be written as precisely the lauded perfectibility of moral concepts on the march. What *counts* as an instance of moral progress in the RMS when considered in the light of Moral Law? The problem here, to repeat, is of the relevant description of the grounding of the RMS itself. As I intimated above, even if the Anscombe's first problem of relevant descriptions was solvable by itself, the second problem causes both to be seemingly intractable. Thus Anscombe's argument in regards to Kantianism does not solely rely on the premise that self-legislation is incoherent, a disputed point which we may safely discard—for now.

A rather different problem characterizes Anscombe's critique of standard forms of utilitarianism. While the difficulties surrounding relevant descriptions can be made to apply as well, there is also a deep problem with the concept of 'pleasure' in Bentham and Mill. Anscombe terms it a 'difficult' concept, echoing Ryle's concerns on the topic:

Since Locke, pleasure was taken to be some sort of internal impression. But it was superficial, if that was the right account of it, to make it the point of actions. One might adapt something Wittgenstein said about 'meaning' and say 'Pleasure cannot be an internal impression, for no internal impression could have the consequences of pleasure'. (Anscombe 1997: 28)

'Difficult' may be understating the case somewhat. For Ryle (not at all coincidentally, another figure deeply influenced by Wittgenstein), pleasure was not a 'state of mind' but a disposition—i.e., pleasure could not be separated and was not a distinct thing from the specific pleasurable activity.¹⁵ Despite recent inroads made by cognitivists which have rendered Ryle's anti-dualism somewhat unfashionable, the more general point concerning what pleasure *is* and how it can be connected to action still poses a hard problem; and it is

not strongly contingent on adopting some form of non-cognitivism (rather, it follows from the rejection of either position). Anscombe's allusion to Wittgenstein is here not an accident at all; it would be a shallow account of both meaning and pleasure to have either as internal impressions and thence derive the most basic concepts of one's ethical or epistemological theory, for much the same reasons: the concept attempts to carry more theoretical weight than such a threadbare account of it can hope to lift.

A similar point concerning pleasure was put forward 30 years later by Martha Nussbaum in *Love's Knowledge*. Her criticisms of the notions of 'metricity' and 'singleness' in particular connect to Anscombe's critique. Metricity, according to Nussbaum, is

...the claim that in each situation of choice there is some one value, varying only in quantity, that is common to all the alternatives, and that the rational chooser weighs the alternatives using this single standard. (Nussbaum 1990: 56).

While 'singleness' is defined as the idea "that in all situations of choice there is one and the same metric" (ibid., 56). This is commonly defined as 'pleasure', whose maximization serves as our goal. Anscombe wrote in *Modern Moral Philosophy* that Aristotle was reduced to 'sheer babble' concerning pleasure; Nussbaum takes Aristotle rather to be making a strong argument for "a picture of choice as a quality-based selection among goods that are plural and heterogeneous," as opposed to the single one of 'pleasure' (ibid., 56-57). What is particularly interesting here is that Nussbaum takes Aristotle to be saying basically what Ryle wrote on the topic millennia later: namely, Nussbaum writes, that "my pleasures just are identical with the activities that I do [...] Pleasures, then, are just as distinct and incommensurable as are the different kinds of natural activity" (ibid., 57). Anscombe's curt dismissal of Aristotle's talk about pleasure no doubt springs from the

¹⁵ Ryle was arguably a behaviourist, which Wittgenstein was not, but the parallels are no less significant.

deep conceptual difficulties surrounding its exegesis, and Nussbaum's interpretation is far from uncontroversial. She does take Aristotle to say, at the very least, that pleasure is not a "single thing yielded in a qualitatively homogeneous way" by our activities (ibid., 57).

Yet this view of pleasure still seems to have widespread currency; to give but one example, in a recent work critical of virtue ethics, Thomas Hurka writes that

...pleasure is a sensation or feeling distinguished by an introspectible quality of pleasantness. This quality can vary in intensity, with more intense pleasures having more intrinsic value [...] In this it is like the loudness of sounds. (Hurka 2001: 12).

Despite Hurka's concession that pleasure, like sounds, are never unaccompanied—they contain various different introspectible qualities which differentiate a massage from winning a game of pool, just as sound contains pitch, timbre and tone—the underlying assumption that there is one measurable unifying quality (the 'loudness' of the pleasure, so to speak) is unmolested and indeed left strangely undefended. But this quality is precisely what Anscombe and Nussbaum's Aristotle would seek to deny—as well as, of course, Wittgenstein.¹⁶

It should be noted as well that even if Nussbaum's reading of Aristotle does depart significantly from him, that is not problematic for our purposes, as virtue ethics never aimed to defend a rigorously classical conception of ethics, but to expand on them or look to them for inspiration.¹⁷ The relevant question is therefore whether Nussbaum's argument relative to pleasure is internally consistent and convincing. The crux of it is that pleasure

¹⁶ The short discussion in the introduction should suffice on its own to convince the reader of this, though once again, there is a connection to certain 'rule-following' considerations, which we will explore at length in chapter 3.

cannot be pursued on its own without conceptual incoherence [...] Still less could there be a single item, Pleasure, that is separable from all the activities and yielded up by all of them in differing quantities. (Nussbaum 1990: 57)

The concern that 'pleasure' could not be this single, separable capital-T *thing* ought to bring strong echoes of the *Philosophical Investigations*. The comparison is evident: To play the role that is required of it, pleasure would have to be a very special type of concept, one which uniquely picks out a certain feature of our mental life common to all the activities which would produce it. We have already seen that virtue ethicists argue, however, that pleasure cannot be readily distinguished from specific pleasurable activities (as pitch may be from loudness). Even if, *ex hypothesi*, a strong form of reductive naturalism claimed that there were measurable chemical reactions in the brain that can be quantitatively analysed, such as the release of endorphins or dopamine (if this is what we are to maximize, however, the implication would be that *Brave New World* is not, in fact, dystopic!)—a very real problem arises when we conflate such a narrow naturalistic conception with our actual usage of 'pleasure', which is markedly heterogeneous. The problem here is that a consequentialist simply cannot have it both ways—the conceptual hardness of a naturalized notion of pleasure is incompatible with the flexibility required of it to concord with our ethical intuitions about *which* pleasures we ought to pursue. The dilemma is straight-forward: on the one hand, for 'pleasure' to fulfill the conditions of metricity and singleness outlined by Nussbaum, it would have to be stringently, empirically defined out of any useful ethical value. On the other hand, if we are to use our regular, common-sense (or language-game) notion of pleasure, it can no longer be

¹⁷ As John McDowell put it, discussing Aristotle: "I am less interested here with that Aristotle actually thought than with certain philosophical issues; so I have not encumbered this paper with scholarly controversy" (McDowell 1998, 66).

reconciled with the demands made to it by consequentialism, outlined in Nussbaum's requirements of metricity and singleness.¹⁸

To make this more clear, let us turn briefly to Rosalind Hursthouse, who brings this out early on in her wonderful book *On Virtue ethics*. She begins by noting the implausibility of perfectly 'empirical' forms of utilitarianism that would purport to give us 'hard', value-free evaluations of pleasure (which in any event form the distinct minority of accounts), and, concerning the oft-taken alternative to this position, notes that

...a utilitarian who wishes to employ any distinction between the higher and lower pleasures, or pronounce on what rational preferences would be, or rely on some list of goods (such as autonomy, friendship, or knowledge of important matters) in defining happiness, must grant that even her single rule is implicitly evaluative. (Hursthouse 1999, 37)

These distinctions cannot be supported, validated or deduced from a hard, naturalistic conception of pleasure, which seems to be the only available means of giving the concept 'rigid limits' (cf. *PI* §68) and thus satisfying the requirements of metricity and singleness; the distinctions remain, however, part and parcel of any sophisticated consequentialism and it is indeed difficult to see how one can proceed without them. The problem is rather acute; and we easily see that the difficulties surrounding 'pleasure' as a candidate would infect, *mutatis mutandis*, any other potential suggestion. Nussbaum take the next logical step and interprets Aristotle to be arguing that the very notions of 'metricity' and particularly 'singleness', are to be completely discarded: "there is no one standard in terms of which all goods are commensurable *qua* goods" (Nussbaum 1990: 58). This follows from Aristotle's pointed critique of the Platonic notion of the unitary 'Good':

[Aristotle] insists that "the definitions of honour and practical wisdom and pleasure are separate and different *qua* goods" (EN 1096b23-25); from this he draws the conclusion that there can be no single notion of good across

¹⁸ E.g., compare Wittgenstein's treatment of 'game' in *PI* §66-71 with Nussbaum's critique of 'pleasure'.

these things [...] there is no single thing that belongs to all of them (ibid., 58).

Once again, the parallels to Wittgenstein are striking and need not be belaboured at great length, though I will bring them up again later on. Let me just quickly remark on how one is almost instantly reminded of *PI* §65, where the interlocutor objects to Wittgenstein's depiction of language-games on the grounds that he has not provided the crucial aspect: "what is common to all these activities and what makes them into language or parts of language." Just a few sections later Wittgenstein explicitly uses the term 'good' as an example of a blurry, polycentric concept (*PI* §71, as discussed in the introduction); Nussbaum's Aristotle is making, for all intents and purposes, the same point. It seems to have been largely missed, however, in the attempts to fold virtue ethics back into consequentialism.¹⁹ But as we shall see in the next chapter, Wittgenstein's arguments concerning rule-following gives us good grounds to be suspicious of such attempts. For now let us turn to what virtue ethics is, instead of what it critiques.

2. Approaches in Virtue ethics

Beyond the critical, negative aspects of virtue ethics, a great deal of positive theorizing has been done, particularly in recent years. Despite Anscombe's explicit call in her paper for a moratorium on moral philosophy until such time as an "adequate philosophy of psychology" is hammered out, much of the work done in her wake has instead elaborated a positive ethics of virtue, distinct and, it is claimed, irreducible to the allegedly foundational concepts of competing theories (Anscombe 1997: 26). The

¹⁹ Critical appraisals of virtue ethics from consequentialists often note with approval the focus on virtues and character, but then argue that these can be accommodated within a sufficiently sophisticated view. See, for example, Hurka 2001 or Hooker 2002.

distinctive character of virtue ethics, to make a preliminary simplification and contrast, can be found in its focus on character over isolated acts and on examples over rules—hence the familiar, if somewhat misleading, slogan that virtue ethics is 'agent-centred', rather than 'act-centred'. Utilitarianism and deontology, as we have seen, often find the locus of moral evaluation within acts, that must then conform to certain fundamental principles, formulable as universal rules, in order to be judged as right or good. Virtue ethics is more concerned with the character of the agent. There are many ways to formulate this concern. Michael Slote, in his *Morals from Motives*, distinguishes three types of approaches: agent-focused, agent-prior and agent-based.²⁰ All forms of virtue ethics are at the very least agent-focused, according to Slote; they all underline the importance of the virtuous agent over rules or laws. 'Agent-prior' means that ethical evaluation proceeds from properly "independent aretaic evaluations", while 'agent-based' approaches assert that moral status is *fully* derivative from the motives of the individual (Storh and Wellman 2002: 49). While all forms of virtue ethics are agent-focused, only some of these are 'agent-prior' and of those that are both, a further subset is also 'agent-based', such as Slote's own theory.

In all three cases, the common focus is on the exercise of the virtues within lived human experience. As a result the agent and her context is never abstracted away.²¹ This means that, for most virtue ethicists, the oft-maligned action-guiding role of virtue-centred theories will admit of a wide pliability in its answers to moral problems, a result often seen as intolerable by critics. Rosalind Hursthouse explicitly admits as much when

²⁰ In what follows I draw heavily on a review essay by Storr, K. & Wellman 2002.

²¹ In *Virtue ethics and Anti-Theory*, Loudon highlights 'abstraction' as a feature of theoretical approaches to ethics, where "background features such as the agent's character, community traditions, etc., are believed to be morally irrelevant". Loudon 1990: 97.

she discusses her specification of right action, which also sheds light on her understanding of the 'agent-centred' focus of virtue ethics:

P.1: An action is right iff it is what a virtuous agent would do in the circumstances. (Hursthouse 1997: 219).

She writes in a footnote that "this premise intentionally allows for the possibility that two virtuous agents, faced with the same choice in the same circumstance, may act differently" (ibid., 291). This is a marked difference from theories which specify universally applicable rules that purport to find the one correct course of action, epistemic limits of agents in particular circumstances notwithstanding. Particularly in the case of so-called 'pleasant' irresolvable dilemmas, where of several courses of action—such as giving gift *X* or *Y*—none can be morally favoured, Hursthouse claims that it is possible that "both agents do what is right ... despite the fact that each fails to do what the other did" (Hursthouse 1999: 69). In the case of 'tragic' irresolvable dilemmas, where the agent cannot escape with hands clean no matter what she does, Hursthouse moves away from Slote's agent-based approach by admitting that not all evaluation strictly derives from the agent, but also from conceptions of human flourishing, or 'eudaimonia' (Thus Hursthouse's view is 'agent-prior' in Slote's taxonomy). The notion of 'flourishing', how it is construed, and what role it plays within virtue ethics is one of the significant differences found across various conceptions. Hursthouse, like Philippa Foot, favours a 'naturalistic' virtue ethics where the virtues serve as reliable (but not sufficient or necessary) traits which can potentially lead one to this *eudaimonia*, conceived as at least partially founded in facts about human nature.

But what exactly is 'virtue', that it should lead us towards a radically different type of approach, *eudaimonistic* or otherwise? One particularly concise definition is given in

the introduction to Crisp and Slote's seminal anthology on the topic: "virtue is knowledge", they write, a "sensitivity to the requirements placed on one by the salient features of the situations in which one finds oneself" (Crisp and Slote 1997: 13). Though they are summarizing one specific author's view—John McDowell—there is little doubt that many authors in the field would subscribe to the gist of the above statement.

Amendments and riders would soon follow however, as is the peril in all philosophy, particularly when doing so vulgar a thing as definition: some would say that a disposition to act according to this knowledge is crucial, for an agent may see what the situation requires but fail to act on it, or act only half-heartedly. Hursthouse would say that this disposition must go 'all the way down'. But as we have seen, her own definition of virtue engages the topic differently, pointing to the naturalistic, Aristotelian tendency in her writing: "a virtue is a character trait a human being needs to flourish or live well" (Hursthouse 1997: 219). This definition of course also begs clarification—Philippa Foot would say that this character trait must "engage the will" in order to differentiate it from technical skills or excellence in some art (Foot 1997: 164-169). Hursthouse spends the final third of her book working out what flourishing actually is. Meanwhile, Sabina Lovibond, for her part, understands 'moral virtue' as "the outcome of a successful process of formation", a "psychological trait—a state of character whose possessors can, as such, be expected to display certain consistent patterns of feeling and choice" (Lovibond 2002: 9; 10). Finally, Michael Slote's understanding of virtue deviates from this trait-based understanding and is somewhat more subtle; he prefers to use "natural-sounding language in our discussion of foundational issues":

...calling a trait of character a virtue is essentially the same, in ordinary English, as calling it admirable [...] Thus virtues are sometimes

characterized as good traits or excellences of character, but when we try to use the terms 'good' or 'excellent' of particular actions and people, we end up, I think, with something less idiomatic than we could hope for. (Slote 1992: 93-94).

Which, of course, is what Anscombe had said originally, bringing out the tension within virtue ethics between the desire to theorize and define, and the original critical foothold gained by arguing against overly theoretical approaches. Anscombe asks us to name a genus such as 'untruthful' rather than 'morally wrong'; likewise, Slote writes that to use 'good' "is to invite a request for further clarification in a way that use of 'admirable' seems not to do" (ibid., 95). This is why Slote resists calling virtue 'good traits' or again 'excellences in character', because such conceptualizations lead us to the difficult terms which we have sought to distance ourselves from in the first place. He'd rather define virtue always via reference to a specific *aretaic* notion, such as 'admirable' or 'laudable' instead of messy conceptual theorizing.

Hursthouse's definition directly addresses such difficulties by linking virtue to human flourishing, the central pillar of her naturalized approach. The 'further clarification' invited by her own formulation is answered in her reference to *eudaimonia*—arguably a case of a difficult concept ostensibly clarified by an even more troublesome one. Still, this move forms a significant demarcation within virtue ethics—between those who make use of the notion of 'flourishing' as a type of ground, and those who do not. Still, this 'ground' is markedly different from those sought by deontological and consequentialist theories. Hursthouse has probably pursued the eudaimonistic line of thought deepest and with the most alacrity, yet even she admits it does not serve to either demonstrate the objectivity or rational defensibility of morality (though it is our 'best chance' at living a good life, while not guaranteeing it). For her, *eudaimonia* is

understood as part of a 'Neurathian procedure', where the list of virtues is validated not from without, but "within an acquired ethical outlook" (Hursthouse 1999: 165). The Neurathian metaphor, famously championed by Quine, was that "the philosopher's task ... [is] that of a mariner who must rebuild his ship on the open sea" (ibid., 165). Reflective scrutiny from within one's conceptual scheme allows for gradual change that by successive iteration becomes, eventually, radical change. For Hursthouse, the space for reflection carved out by the Neurathian procedure is filled out with considerations of human flourishing. That these considerations are themselves inseparable from the acquired ethical outlook which the procedure seeks to evaluate does not entail that revision is impossible. At this point again the similarities to Wittgenstein are remarkable (over and above the links via Quine and Neurath).²² Writing in *On Certainty*, Wittgenstein affirms on several occasions that language-games do 'change' with time, and not in entirely random ways (cf. *OC* §63, §65, §265). On the other hand, there do exist constraints that may be identified with some form of natural law; Wittgenstein's example is induction.²³ Wittgenstein's thoughts on this matter, both in *On Certainty* and his *Remarks on the Foundations of Mathematics* will play an important part later on. It is my contention that Hursthouse's use of *eudaimonia* is a quite legitimate move within the Wittgensteinian approach we discussed in the first chapter. But not all authors in virtue ethics make use of 'flourishing'. Slote, for example, makes no use of it, since it turns away from the 'agent-based' type of approach that he wishes to formulate.²⁴ It has been argued, however, that virtue ethics cannot get off the ground as a real alternative to other theories without some concept of *eudaimonia* as a ground for the virtues themselves

²² On this, see Dreben 1996.

²³ "Is it [induction] merely the *natural* law which our inferring apparently follows?" *OC* §135; *OC* §287.

(Prior 2001). For now we will assume a *eudaimonistic* standpoint is required, but postpone explicit argument for this until later.

Differences in opinion are wide-ranging in the literature surrounding virtue ethics (and, more inclusively, virtue theory), covering a number of topics other than the role of 'eudaimonism', including cognitivism, externalism, realism, the role of desires and the intellectual distance between virtue ethics and other theories. These differences are seen as significant enough in number and scope that no less an authority than Nussbaum herself recently suggested that 'virtue ethics' hardly exists at all, save as a catch-all category for a collection of disparate thinkers that simply eschew conventional classification: "let us get on with the serious work of characterizing the substantive views of each thinker", she concludes, as generalizations are simply too misleading to be of any useful value. (Nussbaum 1999: 201). This may be too harsh a judgement; and while it would be a tedious task to meticulously go over the variations in an attempt to demonstrate their essential family resemblance, it may be sufficient to construct a basic template with details omitted. How these details are filled out would account for the distinct approaches found today. Such a taxonomical account can be found, ironically enough, in Nussbaum's article itself, which divides virtue theories into two camps: anti-utilitarians and anti-deontologists, with some common ground between the two. This common ground would consist of the following claims:

- A. Moral philosophy should be concerned with the agent, as well as with choice and action;
- B. Moral philosophy should therefore concern itself with motive and intention, emotion and desire: in general, with the character of the inner moral life [...]

²⁴ As cogently discussed in Copp, D. and Sobel 2004.

- C. Moral philosophy should focus not only on isolated acts of choice, but also, and more importantly, on the whole course of the agent's moral life (ibid., 170).

These concerns, Nussbaum writes, could be accommodated within a proper understanding of the subtleties of the classical authors of deontology and utilitarianism (but not, one should note, with conceptual reductionism); therefore, since there is no further common grounds than these, there is no such things as 'virtue ethics', Nussbaum concludes.

But rather than dissolving virtue ethics as a separate, distinct category, it calls into question the rigid divisions between all theories. By the same token we may ask ourselves what, if anything, to call 'utilitarianism' if we accept that goods are plural, formation of character crucial, rules heuristic and emotion significant? What we have everywhere is a complex layering of concerns differently stressed with specific claims denied or affirmed and hardly any hard correlation in sight save the names of founding thinkers providing the illusion of unity. The possibility of such a 'coming-together' in ethics where categories dissolve is hinted at by Hursthouse, who in her survey of Aristotle's view of the emotions (ostensibly part of Nussbaum's 'common ground') concludes that

It might turn out that thoroughly worked-out attempts to add on the Aristotelian account of the emotions changed the deontology and utilitarianism into virtue ethics in all but name; then indeed we might claim that virtue ethics is intrinsically superior in this regard. But until we see what such attempts look like, that should remain an open question; perhaps its current pre-eminence in this area will turn out to have been a historical accident. (Hursthouse 1999: 120).

No doubt there is a certain narrow understanding of both teleological and deontological theories that does not adhere to the 'common ground' above; virtue ethics could very

easily be defined in contrast to these theories. However, if Hursthouse is correct in her hunch, then by Nussbaum's arguments *all* conventional classification is more or less wrong-headed, for fully 'worked-out' utilitarian or Kantian theories incorporating the common ground would cease to be recognizable as either (consider our earlier examination of Barbara Hermann's use of 'rule of moral salience' in a Kantian context). All categories would be 'misleading' and would, most likely, have to be assessed also on an individual basis. To the extent that narrow readings are still prevalent, however, virtue ethics has something to stand out in contrast to; if convergence progresses, as seems to be the trend, then Nussbaum's argument will be applicable to the other traditional theories as well. The current tendency in such 'sophisticated' models of traditional theories seems to be large concessions to the criticisms of virtue ethicists and, more generally, moral particularists. Hermann is not alone in this; Onora O'Neill's basic strategy involves admitting that there are real limitations to the scope of practical rationality and its intelligibility (O'Neill 1996: 52). It is well beyond the scope of the present work to deeply assay subtle Kantianisms and compare their relative merits in contrast with virtue ethics; still, in light of all this one should not discount Hursthouse's bold speculation.

Despite all this, Nussbaum is right to point out the deep differences between various proponents of virtue ethics. Among those she terms 'anti-utilitarians' (or 'neo-aristotelians'), there is the claim that goods are plural, that reason deliberates about ends and goods, and can shape the emotions, and that existing traditions can be subject to rational critique. Not all thinkers endorse all these claims explicitly; Nussbaum identifies in this tradition herself, Homiak, Sherman, Richardson, Wiggins, Murdoch and McDowell (Nussbaum 1999: 181). By contrast, for those she terms 'anti-Kantians', there

is a feeling that reason has been given too much power, while other elements have been neglected. Thinkers here include Williams, Foot, Blackburn, Baier and MacIntyre. Nussbaum hedges significantly however in her discussion of the 'anti-Kantians', as Williams, she notes, endorses some of the claims of the other camp but over-all seems to be staking his own, separate ground—so it may be unfair to use his subtle thought as proof that virtue ethics is 'disparate', for it is difficult to associate him to any tradition: "he has little interest in the rather rationalist Aristotelian idea of virtue ... his position may not differ greatly from that of some subtle Kantians" (ibid., 190; 200). A similar hedge appears in her discussion of Foot, saying the relation of her thought to other virtue ethicists is "very unclear" and is probably much closer to McDowell's position "that my groupings suggest" (ibid., 192). Her heavy naturalism, Nussbaum asserts, takes Foot further away from the stressing of rationality that characterizes the other anti-utilitarians, but that this is so is a contentious point that will be addressed later on. Blackburn is treated only briefly "because virtue is not a central topic of his work" (ibid., 193). He is grouped with the others here because he challenges the notion that reason ought govern emotion. Concerning Annette Baier, Nussbaum comments that while virtue is important in her work, it is less prominent than in Foot and Williams (ibid., 194). Like MacIntyre, the last example to be discussed in her piece, Baier takes her cues from ingrained social traditions. Meanwhile, MacIntyre, concludes Nussbaum, may in fact be a strange 'neo-Aristotelian'—our first category—which leaves the classification of both in doubt. So of the five thinkers who show significant differences from the "large group motivated ... by a dissatisfaction with utilitarianism", two can only be tenuously ascribed to the virtue ethics tradition at all, two more may or may not be 'strange' versions of the first, while the

third, Foot, may also in fact be closer to the first than it seems (ibid., 168). Many, if not all, also would agree with some of the positions endorsed by the first group, particularly the notion that goods are plural (which makes us wonder why it was not included in the common ground).²⁵ Foot in particular could be seen to endorse some version of at least three of the four. Thus rather than dissolving virtue ethics Nussbaum has instead provided a convenient shorthand for their respective positions by focusing on their familial similarity.

It is important to keep in mind that Nussbaum's argument explicitly admits the possibility of ethics which are neither consequentialist nor deontological,²⁶ so her claim here is definitely *not* that all virtue-centred accounts and their recommendations can and ought to be incorporated into some more 'systematic' moral theory, unlike some other critics. Rather, Nussbaum stresses the lack of unity amongst classically-inspired thinkers who fall into neither traditional camp, particularly concerning the role reason has to play in ethics. The conclusion is that since the 'common ground' is not unique to virtue ethics, but can be comfortably accommodated by other theories, and that since everything over and above that common ground is subject to fractious dispute, 'virtue ethics' as a *category* is a misnomer. But even this weaker charge is not universally accepted by all critics of virtue ethics. Julia Driver writes that "virtue ethics has clearly been developed as an alternative ethical theory, and really one with its own set of problems and clarificatory issues", on the grounds that more developed approaches, such as Hursthouse's, "holds virtue evaluation to be the primary mode of evaluation. Right action is defined in terms of

²⁵ Writes Nussbaum: "Our four anti-Kantians can endorse this claim, and Williams makes a major point of doing so." Ibid., p. 198.

²⁶ "There are, to be sure, quite a few contemporary philosophical writers about virtue who are neither Utilitarians nor Kantians; many of these find inspiration in ancient Greek theories about virtue." Ibid., 163.

virtue, not virtue in terms of right action" (Driver 2006: 114; 121). The obvious retort here is that *qua* individual theory, it may be alright to call something a 'virtue ethics', but not to use the same term *qua* category. But this seems somewhat pedantic a point to make. A category-term may be legitimately more or less precise in the objects it seeks to group: 'sub-atomic particles' versus 'music'. A relative lack of precision in the category 'virtue ethics' may well be a temporary contingency in large part due to the rather recent nature of its resurgence. As more research is done, a common foundation may appear; this is starting to become evident already in the works of Hursthouse, Foot, and Swanton. I intend to argue here moreover that there are other facets which distinguish virtue ethics, such as accounts of *eudaimonia*, which are in fact essential to it. Whether or not 'virtue ethics' produces stronger or better approaches is a wholly unrelated question. So long as it is possible to construct a framework where virtue (and, I believe, flourishing) is central, it will be legitimate to speak of 'virtue ethics'.

3. Criticisms of Virtue ethics

Another critical account, found in a chapter entitled *Against Virtue Ethics* from Thonmas Hurka's book Virtue Vice and Value, provides us with a somewhat different narrative and taxonomy of the movement. Hurka makes the same basic move as Nussbaum, that is, to suggest that both consequentialism and deontology can value 'virtue' intrinsically, rendering the virtue-centred approach otiose. Hurka's categorization of virtue ethics begins with those theories who derive 'rightness' from virtue, as opposed

to outcome or duty, such as Hursthouse's or Slote's. This is in contrast, according to Hurka, with Anscombe's, which ties virtue directly to actions, bypassing motives entirely (most likely to avoid commitment to a given philosophical psychology). Hurka terms this a 'rationality' version of virtue ethics, "since it uses virtue to establish not moral claims but only claims about what people have reason to do" (Hurka 2001: 221). Hursthouse's theory, on the other hand, defines the virtues directly in relation to the fact that they enable flourishing. The structure is different, but the elements and conclusion identical: "Hursthouse's theory reverses the structure of Anscombe's, defining the virtues independently of rightness and deriving rightness from virtue"—what Hurka terms a 'morality' version (ibid., 222). Hurka is of the opinion that any formulation of virtue ethics can be sorted into one or the other version:

Any virtue ethics can be stated in either a morality or a rationality form. Its morality version will identify virtue by some property F independent of virtue and rightness by relation to virtue; its rationality version will define the virtues as dispositions to do what is independently right while asserting that the virtues also have F. But both versions will ground the rationality of right action in its connection, via virtue, to the same property F. (Ibid., 222).

Both forms of virtue ethics share a common difficulty—justifying the allegedly close relation between a given individual's good (her flourishing) and actions deemed right; it seems that something is missing from the equation. The proper answer will be that the concept of 'flourishing' cannot be understood solely through the lens of ethical egoism; for personal *eudaimonia* is inherently inseparable from that of one's community and society.²⁷ If the individual and collective good are linked, the explanatory relation between right action—which is often self-sacrificing—and properly virtuous motivation becomes less tenuous.

By far the most commonly-levied criticism is that virtue ethics is incapable of providing significant action-guidance. Both Schneewind's and Louden's critical articles from the Crisp-Slote anthology *Virtue ethics* mention it, and nearly every author in the tradition takes pains in their major works to dispose of or at least discuss the problem. The most succinct formulation of the problem as traditionally posed is that virtue, inasmuch as it is agent-centred, rejects codifiability and thus cannot give 'rules' to guide those who lack virtue (as well as access to someone who is, to whom they could turn to for advice). Louden's comments can stand in lieu of an exhaustive review of this oft-heard lament:

It [virtue theory] speaks of rules and principles of action only in a derivative manner. And its derivative oughts are frequently too vague and unhelpful for persons who have not yet acquired the requisite moral insight and sensitivity. Consequently, we cannot expect it to be of great use in applied ethics and casuistry. (Louden 1997: 206).

This is to count as a 'strike' against virtue ethics inasmuch as applied ethics and casuistry form important parts of contemporary ethical philosophy. Two lines of rebuke seem immediately available: the first is to show that one *can* properly derive action-guidance from virtue ethics, as Hursthouse attempts to do with her introduction of 'virtue rules' (such as 'do what is honest' or 'do not do what is uncharitable') (Hursthouse 1999: 37). Another is to deny the possibility of mere rules being able to aid those lacking 'moral sensitivity' to act correctly, as firstly they are not properly motivated, and secondly that the rules themselves always require interpretation which is contingent on the very sensitivity they lack. The answer is not supplementation by rules but a proper process of 'ethical formation' and upbringing:

²⁷ Hurka explicitly associates "the flourishing account with foundational egoism"; *ibid.*, p. 232.

That process [moral formation or education] ... aims to convert us into people whose good actions are not felicitous bits of copying or recycling, but express dispositions which are fully ours. (Lovibond 2002: 127).

Of course, here there are legitimate questions about what this upbringing consists in, and how it is itself to be justified. This is an issue faced by all theorists, not just virtue ethicists, however. Hermann, for example, also states that moral agents cannot be 'naive', and that moral rules are acquired in childhood socialization (Hermann 1993: 3; 6). For Lovibond, the process of ethical formation has no terminus-point; one cannot transcend, "once and for all, the alterity of ethical signs" (Lovibond 2002: 127). The proper upbringing of future generations is a task for the current generation, itself still embroiled in the perpetual process of acquisition and refinement of its own morality. The question of moral upbringing is hence not a separate one from the question of morality itself. In any event, a satisfying answer to the problem of action guidance will incorporate both strategies, though our discussion will have to be set aside for the moment until we have examined more closely the controversy surrounding rule-following in the next chapter and naturalism in the fourth.

Another criticism is that the virtue ethical approach tends to give us moral 'theories' which are conservative, ill-equipped to deal with change, and insensitive to the demands of global justice and cosmopolitanism. I've grouped these criticisms together, because they are linked—they spring from a common fount of epistemological concerns about the source of knowledge of the virtues. Many authors focus on the idealized 'virtuous agent' as define correct conduct as what this agent would do, leading to a certain insularity incompatible with the modern, plural, global world:

...Since virtue theory must treat disagreement with the virtuous agent as a flaw of character, it discourages parties to a moral dispute from according

even prima-facie respect to differing points of view. It encourages, rather, to impugn the character of the other rather than listen to the other's case. And it gives no distinctive guidance about how to analyze a dispute so as to find the common ground from which agreement can be peacefully reached. (Schneewind 1997: 200)

Without this guidance, ethical autarky ensues, as each cultural enclave views the others as deviant and wrong. I will argue later on that this stems from an erroneous 'inviolability' interpretation of Wittgenstein. Alice Crary terms 'inviolability' interpretations of Wittgenstein one would prohibit certain forms of 'external' criticism against language-games (Crary 2000: 119-121). Under this reading, practices different from ours cannot be meaningfully evaluated as superior or inferior; furthermore, we are also "prevented by the structure of language from bringing our critical concepts to bear on our forms of life" (ibid., 121). This is because, if meaning is fixed by communities of rule-users, we are never in a position to determine its adequacy: the standards of correctness are intrinsic to the language-game and we cannot subject the whole to critical scrutiny without undermining ourselves. In other words, we may still discuss what is consistent use of an expression, but not what consistency itself is (ibid., 120). The upshot is that, lacking a positive view of otherness, demands of global justice are stymied, change from within thwarted, and isolationism supported—such may be the consequences of virtue ethics if applied to societies. Moreover, when we are told to act as the 'virtuous agent' would, our reasons to do so (in many theories) spring from a commitment to personal flourishing. As a result, virtue ethics, some argue, may lack the resources to generate an account of justice and rights:

...the relational duties that correlate to rights are comprised of reasons generated by the standing of others. Insofar as virtue ethics treats character traits as fundamental, its focus is directed at the wrong target, so to speak,

since whatever moral reasons it posits must come from within the agent rather than from other persons (Stohr and Wellman 2002: 68).

Onora O'Neill puts this particular criticism very forcefully as well, though she frames the debate as being between 'particularists' and 'universalists', the former of which is commonly identified as being the 'friends of the virtues'. O'Neill writes that

A ... glaring deficiency is that particularists do not offer an account of justice that is adequate to the contemporary world. Modern societies have and need powerful and complex political and economic systems, whose influence cannot be confined within state and other boundaries, and whose construction and regulation must answer to standards that have more than local or traditional backing. The vindication and legitimation of such standards is inevitably a search for inclusive universal principles of justice, for principles of more-or-less cosmopolitan scope. (O'Neill 1996: 20).

A first retort to this line of criticism might be to question whether the 'universal' standards of cosmopolitan justice really do strike all involved as universal. What O'Neill sees as an "inability to account for cross-cultural reasoning" amongst friends of the virtues is part straw-man, part admission that the 'universal' concepts of Western thought are not so neatly shared as we may hope (ibid., 20). What we are to share must be constructed, a process inexorably begun by the technological changes of the past century—so the best response again to this criticism is to move from an egotistical account of personal flourishing towards a conception which, as a matter of necessity, links one's *eudaimonia* to that of the global society we now live in. There may not be a central, grounding concept to this process—of shared rational spaces or again of preconditions for discursive practices—but a piecemeal accumulation of realities brought upon by the practical fact of linked *eudaimonia*. This is not an implausible view at all, and I will elaborate it at greater length. These are deep concerns that will have to be addressed later, after we discuss

rules-change within communities, moving away from a static or 'conservative' model of virtue ethics towards a more dynamic one.

Another recent criticism, motivated by work in empirical psychology, is that character traits simply do not exist—and without these, virtue ethics has little to offer.

This criticism has been put forward most forcefully by Gilbert Harman:

Empirical studies designed to test whether people behave differently in ways that might reflect their having different character traits have failed to find relevant differences [...] Since it is possible to explain our ordinary belief in character traits as deriving from certain illusions, we must conclude that there is no empirical basis for the existence of character traits. (Harmann 1999: 316).

These empirical studies purport to show that behaviour is far more contingent upon situation and context rather than inner disposition. One experiment showed that the most important variable in play in a 'good Samaritan' case was the degree of hurry felt by the subjects over another appointment, and not their disposition to help others. Thus 'character traits' are merely some form of folk belief and should be given no causal or explanatory role in our theories and thoughts. Given that virtue ethics is founded upon the notion that individual virtues ought to be the central focus of ethical thought, it seems we have been chasing an illusion. Yet the strongly eliminativist conclusion is obviously much too strong given the empirical evidence available—a scant handful of studies which could in any event be at least partially reconciled with virtue ethics by noting that the overwhelming majority of test subjects do not possess the virtues perfectly in any event.²⁸ Still, the problem does point to a need for a more rigorous and subtle explanation of what are character traits and dispositions, which returns us to the topic Anscombe correctly identified as lacking in development—philosophical psychology. Paul Churchland has

²⁸ A line of response explored at greater length in Miller 2003: 378-380.

published interesting work linking cognitive neurobiology to virtue ethics that exhibits similarities to some of the more creative solutions put forward to the dilemma presented above (Churchland 1998). Once again, however, detailed discussion of these proposals will have to wait, in this case until we discuss naturalism at greater length.

4. Concluding Notes

A great deal of ground has just been covered, but the real work lies ahead. While 'virtue ethics' is, without question, a rather disparate endeavour, there is sufficient common focus for it to be considered a wholly separate tradition of ethics, alongside consequentialism and deontology. Of the many approaches put forward within the virtue ethics tradition, however, Rosalind Hursthouse's—in her work *On Virtue Ethics*—has the most potential for further refinement and development. In what follows, I will assume a roughly similar conception to hers as the paradigm-case of virtue ethics. This includes two crucial features: a *eudaimonistic* naturalism where the virtues are one's best chance at flourishing within a larger society and a 'Neurathian' understanding of objectivity (including an 'uncodifiability' thesis). There will be, of course, points of departure from her and points of contact with other thinkers; but Hursthouse's conception will remain central as we turn now to Wittgenstein.

My task in what follows will be not only to answer criticisms directed at virtue ethics via reference to Wittgenstein's later work, but also to set general boundary conditions on what a well thought-out programme of virtue ethics should do and look like based on this work. I will approach this from two angles: first, in the next chapter, that of rule-following. This will dovetail nicely into our present considerations; rather than an

abrupt transition from one group of thinkers to another, we instead find continuity in the work of John McDowell, who has written extensively on the topic and whose influence on Hursthouse is second only to Philippa Foot. Not only does an understanding of the rule-following argument serve to buttress the critical elements of virtue ethics—which we quickly surveyed in the first section of the present chapter—but it will also serve to address specific problems plaguing virtue ethics, specifically in the domains of action-guidance and criticisms surrounding the allegedly 'conservative' nature of virtue ethics. The arguments surrounding rule-following in Wittgenstein's work also cover the topics of rule-change, mentioned in passing in his other works and developed more fully in the *Remarks on the Foundation of Mathematics*. Rule-change, in turn, will lead us to discuss naturalism and objectivity, in my closing section. These considerations will, I hope, address criticisms directed at the motivational structure of virtue ethics and its lack of foundation for individual rights and cosmopolitanism. A tall order, no doubt; but the purpose here is not to establish the one correct answer, but to show than one can at least be formulated and then tempered in the fires of dialectical scrutiny.

CHAPTER III: RULE FOLLOWING AND FIDEISM

As I discussed previously, here we bring our focus to bear on Wittgenstein's later thought. The point of contact, providing a bridge from virtue ethics to Wittgenstein, is a series of remarks concerning 'rule-following'. I will focus firstly on McDowell's use of rule-following and then turn to another exegetical controversy with implications for virtue ethics—the one concerning 'fideism', which I hope will show that the common view of inherent conservatism through inviolability in Wittgenstein and virtue ethics is mistaken, belying criticisms that friends of the virtues cannot, as some have put it, account for ethics in a global, pluralistic world.

1. The Uncodifiability Thesis

As I noted in the introduction, it is widely held that Wittgenstein, and particularly his later thought, is largely orthogonal to ethics. Inasmuch as one seeks to glean a full-fledged ethical theory from his remarks, this assessment is probably correct. Still, it would be strange to think that none of Wittgenstein's remarks or arguments have any bearing whatsoever on moral philosophy which, after all, touches upon epistemology, philosophy of mind, of language—all topics Wittgenstein was deeply concerned with. Indeed, a cursory glance at the index of otherwise fairly general books on ethics reveals an interesting pattern of connection between Wittgenstein and moral philosophy, one that consistently references the main authors of virtue ethics.²⁹ This is because, to put it bluntly, Wittgenstein's positions and arguments form a central part of virtue ethics. To

²⁹ As does reference books such as the *Encyclopedia of Ethics*, who discuss McDowell, Lovibond, Cavell and Winch in the entry on 'Wittgensteinian Ethics'.

give but one example, in Bernard Williams's *Ethics and the Limits of Philosophy*,

Williams writes in a footnote that

The idea that it might be impossible to pick up an evaluative concept unless one shared its evaluative interest is basically a Wittgensteinian idea. I first heard it expressed by Philippa Foot and Iris Murdoch in a seminar in the 1950s. (Williams 1985: 218 fn. 7).³⁰

Williams, in the same footnote, also brings up McDowell, Lovibond and Cavell; this, one should note, was in 1985, just as the virtue ethical revival was beginning to gain some real momentum. The only other substantial index entry on Wittgenstein in the book brings us to a passage which says that the explanation for common ethical judgements "does not lie in postulating a stateable rule, which the respondent has internalized and unconsciously consults"; this is because "the capacity to see ethical similarities goes beyond anything that can be adequately captured in language" (ibid., 218). Williams directly attributes this conception to Wittgenstein and his followers (ibid., 98). Now, these two theses attributed to Wittgenstein by Williams are linked: the correct application of a given sort of concept, such as an ethical one, cannot be reduced to a stateable rule or set of rules mechanically applicable across all possible contexts, available to those without any 'evaluative interest' in the concept. McDowell's writings on the matter bring this connection out, and its implications for moral philosophy, out with the most alacrity. First, however, we must clarify a potential source of confusion between McDowell and Hursthouse.

In his seminal *Virtue and Reason*, McDowell directly identifies virtue with knowledge, a sort of 'perceptual capacity' to get things right (McDowell 1998: 51).

Hursthouse, for her part, termed virtues as 'character traits' that go 'all the way down'.

³⁰ Recall that, according to Nussbaum, Williams only barely counts as a 'virtue ethicist' himself.

These are not mutually exclusive. A character trait can best be understood as a disposition to *act* in certain appropriate ways at the appropriate time; the ability to do so is contingent on the further ability to see the salient facts of a situation and make a correct decision based on these.³¹ Hursthouse's definition expands on McDowell's without changing it fundamentally, as suits the specific needs of her approach (ibid., 167).³² It does not, by any means, exclude McDowell's thesis. In fact, Hursthouse writes that we can acquire the virtues from moral education—and what can be taught must be something that can be known in some sense, even if it is not open to precise articulation at any given moment (ibid., 251). There need be, therefore, no supplementation or extra argumentation to include McDowell's rule-following argument in Hursthouse's conceptualization. At several instances in her text, in fact, she explicitly endorses McDowell's argument and defends him against potential misinterpretations (ibid., 57-58).

But, then, what *kind* of knowledge is virtue? One is tempted to think, McDowell writes, that it has "stateable propositional content", playing the role of a universal, major premise of a practical syllogism interacting with a minor premise comprised of salient facts about a given situation (McDowell 1998: 57). This is a problematic conception. It threatens to destroy the identification of virtue with simple knowledge, because the allegedly required 'appetitive' component is entirely lacking from the picture: we neglect the possibility that one can have the 'knowledge' and 'deliverances of sensitivity' but still fail to act in appropriate ways. Writes McDowell,

An exercise of a genuinely cognitive capacity can yield at most part of a reason for acting; something appetitive is needed as well.

³¹ "To possess the virtues is ... not only to be well disposed with respect to actions from reason but also with respect to emotions and desires." (Hursthouse, 1999: 207-208)

³²She writes here that her claim that the virtues are traits of character turns out to be "much more complicated" than even she had supposed originally.

To talk of virtue—a propensity to act in certain ways for certain reasons—as consisting in a sensitivity, a perceptual capacity, is to amalgamate the required appetitive component into the putative sensitivity (ibid., 56).

Straight denial of the possibility that one may have the requisite deliverances but still fail to act on them leads us to the difficult (but essentially Socratic) conclusion that all wrong-doing is necessarily born of ignorance, never malice—McDowell discounts this possibility as somewhat too 'extreme' (ibid., 54). Therefore virtue, it would seem, is not knowledge or cognition alone, but has an extra component of volition identified with the major premise—a 'state of will' (ibid., 57). Meanwhile, the perceptions of the virtuous agent are captured solely within the minor premise of the syllogism. But the strength of this objection depends crucially on the plausibility of such major premises existing at all; McDowell wants to deny that this kind of 'codified' premise is possible, and draws on Wittgenstein to do so. What may not be immediately apparent here is that this is one of the strongest of the many links between virtue ethics and Wittgenstein. For both McDowell and Hursthouse, the project of creating a *virtue-centred* approach, one that can proceed independently of consequentialist and deontological theories (and not merely supplement their foundational accounts) crucially depends upon this argument, because the standard conception of rationality assumes the syllogistic picture outlined by McDowell and fatal to virtue.³³ Indeed, the collapsing of virtue ethics within the folds of other, traditional approaches nearly always proceeds along the lines of the objection stated by McDowell here: Since virtue ethics cannot provide the major premise itself, this chore must be done by a 'formulable universal principle' that could guarantee rationality

³³ Recall that both Hursthouse and McDowell wish to identify virtue with knowledge; the role the virtues play in their theories, particularly Hursthouse's, must be plausibly filled by such a conception of what virtue consists of. To do this certain 'prejudices' concerning rationality must be cleared up.

and consistency of action, such as that of the maximization of utility or the categorical imperative. Typically the argument makes the point through a critique of action-guidance, though this is not the only route possible.

The underlying point of most formulations of the objection, however, is that the virtues are only *instrumentally* useful, as they unearth the salient features of the particular situation to which a properly universal major premise should provide the reason for action. By denying codifiability, and the possibility of this type of major premise, McDowell seeks to carve out a space where virtue not only can be plausibly identified with knowledge, but can also be valued intrinsically. Without the major premise it is objected that we cannot act (or have reason to act) in a rational, consistent fashion. Both McDowell and Hursthouse reference Wittgenstein when they seek to dispute this notion:

A deep-rooted prejudice about rationality blocks ready acceptance of this [uncodifiability] ... the prejudice is the idea that acting in the light of a specific conception of rationality must be explicable in terms of being guided by a formulable universal principle. This prejudice comes under radical attack in Wittgenstein's discussion, in *Philosophical Investigations*, of the concept of following a rule (ibid., 58).

Hursthouse, in discussing similar issues surrounding rationality and motivation (speaking also of the debate over the alleged 'appetitive' component necessary for acting, though in another context), makes the same point somewhat differently; what is interesting for our purposes is that she also explicitly credits Wittgenstein for providing the space in which to create a new, different approach:

The debate all takes place against the background of the assumption that beliefs and desires are as different as gold and oxygen, and usually the assumption that the distinction between the rational and non-rational is equally hard and fast [...] There is no answer to the question 'is it rational or irrational *tout court?*'; all there is to be said is that it is irrational in this way and rational in that. To anyone sympathetic to the writings of the later Wittgenstein, such rejections of clear-cut distinctions in philosophical

psychology are as natural and necessary as breathing. [...] What often blocks understanding is the unconscious assumption [...] that philosophy is supposed to uncover or construct the foundations of our thought. [...] Sometimes—not always, of course—the cloud lifts if one says, 'But you don't believe that so-and-so if you're a Wittgensteinian.' (Hursthouse 1999: 16).

What comes out in these passages is the fact that virtue ethics does not simply take a few cues or ideas from Wittgenstein, but instead depends crucially on his arguments and, particularly, the philosophical context he creates in the *Investigations* and other late writings. What is this context? It is, appropriately, not easily formulable in one succinct statement, but comes out upon examination of his arguments. Let us presently follow McDowell's reconstruction of this one, central pillar—the rule-following argument.

McDowell begins with Wittgenstein's example at §185 of *PI* (though, for Wittgenstein, this was a return to a similar thought-experiment at §143), where a pupil is asked to extend a series (through an order which has the form $+n$, in this case $+2$), so as to produce 2, 4, 6, 8, etc. McDowell comments that we have a tendency to view iterations of this task as a type of psychological mechanism, analogous to the movement of some otherwise inert physical object being guided by an underlying structure—the common metaphor is that of rails—necessarily towards *the* correct answer (McDowell 1998: 58).³⁴ This view is, McDowell notes, rather suspect. The first problem is that any rule-following behaviour or statement of understanding a rule ("I am doing *this*")—such as that of adding 2—is in a sense underdetermined: the potential behaviour that comes under the jurisdiction of rule is infinite (in this case we have the set of natural numbers) while at any given time we've seen, or followed ourselves, only a finite fraction of these possible cases. What evidence we have for the picture of rule-following as a set of 'rails' cannot

dismiss the possibility that in the future behaviour will "diverge from what we could count as correct" (ibid., 59). Wittgenstein's example of this, also used by McDowell, is a person who continues the +2 series after reaching 1000 thusly: 1004, 1008, 1012... and does not understand that he has made a mistake, believing that he was applying the rule correctly. At this point, as Wittgenstein notes, it is no use to merely say: "But can't you see?" (cf. *PI* §185)—for he sees differently: a rabbit instead of a duck, as with the old optical illusion. Perhaps he believed that to correctly apply the rule, he was to "add 2 up to 1000, 4 up to 2000, 6 up to 3000, and so on", and does not admit or understand that there was a mistake (ibid., 59). The constant possibility of such behaviour runs against the supposition that to follow a rule is to be guided by these inexorable 'rails'. Concludes McDowell: "The pictured state, then, always transcends the grounds on which it is allegedly postulated" (ibid., 59). The point of these considerations is not a sceptical one, as is sometimes argued, nor to undermine confidence in our speech acts; rather it is only to remove an illusory ground we sometimes ascribe to meaning, a picture in which "the steps are *really* already taken, even before I take them in writing or orally or in thought" (ibid., 59).

The connection between the objection sketched by McDowell earlier on and Wittgenstein's argument is clear. The 'major premise', formulated as a single universal principle, is meant to *anticipate* all cases of application, "as only the act of meaning can anticipate reality" (*PI* §188). It is precisely because of this attributed ability that it can serve as major premise, much like an algebraic formula is thought to be able to. The minor premise of the syllogism consists of the specific integers in play, which leads us,

³⁴Crispin Wright wrote a book on the topic entitled *Rails to Infinity* which to my mind captures the metaphor perfectly.

so the picture goes, necessarily to a specific conclusion, *determined* by the formula. Likewise, a "complete specification of the reason why the virtuous person acts as he does" is required as major premise, as mere perceptual sensitivity is insufficient to provide reasons for action (ibid., 54); recall McDowell's formulation of the objection—that both the virtuous and non-virtuous may share the same perception but fail to act in corresponding ways, showing virtue forms a composite state. The 'deliverances of sensitivity' (the 'integers'), to use McDowell's phrase, interact with something else—the universal principle and one's own volition (the 'formula'), to produce determinate answers. But this conception strikes McDowell as 'implausible', for

cases would inevitably turn up in which a mechanical application of the rules would strike one as wrong—and not necessarily because one had changed one's mind; rather, one's mind on the matter was not susceptible of capture in any universal formula (ibid., 58).

Wittgenstein's rule-following 'argument'—I use the term with some trepidation, for it would be somewhat of a mischaracterization to see it as a pure example of premise / conclusion philosophical dialectic—serves to dispel the notion that to act rationally is to follow the dictates of some externally-determined universal formula, and also the correlated notion that error consists in something analogous to mechanical breakdown.

Consider the algebraic example. Are the steps to be taken for a series in some way 'determined'? For Wittgenstein, such a statement is perhaps referring to the

fact that people are brought by their education (training) so to use the formula $y = x^2$, that they all work out the same value for y when they substitute the same number for x . [...] It may now be said: "The way the formula is meant determines which steps are taken." What is the criterion for the way the formula is meant? It is, for example, the kind of way we always use it, the way we are taught to use it. (*PI* §189; §190).

When someone's behaviour diverges from what we would think counts as the correct answer in a given series, and does not 'see' the mistake at all, we lose the picture of rules as *determining* meaning in all possible application and cases. Grasping meaning is instead a function of being *taught* proper application of symbols. Yet for all this we do not lose confidence in our assertions or practices. Instead we see that it is largely spurious to make certain sorts of particularly stringent epistemological demands: that understanding a rule consists in letting one's mind be guided by some objectively present, mind-independent structure (such as Platonism concerning mathematics).

McDowell's stressing of Wittgensteinian 'uncodifiability' connects with several of the critical aspects of virtue ethics explored in the last chapter. The point of the 'rule-following' argument was that what counts as rational or consistent behaviour is not wholly determined by external facts which the mind somehow grasps via abstract contemplation; this is the vanity of previous moral theories which most authors of virtue ethics attack, though they focus on different targets, after different fashions. Anscombe's criticism of Kant, recall, explicitly made use of uncodifiability: "*no* theoretically adequate provision can be made for exceptional circumstances," she writes, rendering it impossible to construct the appropriate type of stipulation necessary to govern descriptions of actions (Anscombe 1999: 27; 29). This is akin to McDowell's presentation of Wittgenstein; in both, there lurks the realization that concept-application is not governed by the picture of 'rails'. The relevant description of, say, a lie—Anscombe's example³⁵—is not something which can be adequately captured in what McDowell terms a 'universal formula', for considerations identical to those of the +2 series, as are the consequences. Speaking of

³⁵ "A lie could be relevantly described as anything but just a lie (e.g. 'a lie in such and such circumstances')". Anscombe 1999: 27.

the objection's equal application to utilitarianism: "any action can be so described as to make it fall under a variety of principles of utility (as I shall say for short) if it fall under any" (ibid., 28). The general nature of the problem under Anscombe's consideration here is so similar to Wittgenstein it even seems strange she would not quote him or bring the connection out. Perhaps the connection was taken to be entirely self-evident. Another link between the rule-following argument and the critiques of virtue ethics is the argument that 'pleasure', or any other good, is a heterogeneous, polycentric concept (an argument we presented through Nussbaum's writings on the topic). The opposite view is that of pleasure as a unitary and measurable object; but as the rule-following argument applies across the board, it is clear that what counts as pleasure can no more be determined from 'outside' than what counts as a lie, or what counts as following the +2 rule. The attraction to a certain species of moral theory lies precisely in the claim that we *can* define what 'pleasure' is, or 'lies' are, in a peculiarly binding and inexorable way, so as to 'solve' problems with no rational dissent possible from the one answer determined by the formula. If we find Wittgenstein's rule-following argument convincing, however, we should not view such projects as likely to succeed: for it seems rather unlikely, if not downright impossible, that the definitions upon which the projects ride will be found—that they are indeed such things as can be 'found'. Yet despite these rather difficult conclusions there is no reason to embrace scepticism or lose confidence in the grounds of our assertions.

Where does our confidence come from, if not from determinate rules and principles, lying outside of us, as it were? According to McDowell—approvingly quoting Stanley Cavell—nothing but our 'shared forms of life', a 'whirl of organism' that consists

of common discursive practices, 'routes of interest' and patterns of recognized similarity: a 'congruence of subjectivities' (McDowell 1998: 60-61). We may choose to explain the correct extension of a number series in syllogistic terms, but this should not lead us to the conclusion that the operation moves independently of our forms of life. Writes

Wittgenstein about the tendency towards this sort of conclusion,

"It is as if we could grasp the whole use of the word in a flash." Like *what e.g.?* ... But have you a model for this? No. It is just that this expression suggests itself to us. As the result of the crossing of different pictures [...] You have no model of this superlative fact, but you are seduced into using a super-expression. (*PI* §193).

This 'flash' of insight is the seductive illusion that we mount ourselves on some external rails when we grasp the use of a rule, such as 'add 2', because we have the sensation that, despite the underdetermined nature of the picture, we *see* application of algebra or words into infinity. This 'strange' sensation leads us to postulate the superlative picture. Writes

Wittgenstein,

But there is nothing astonishing, nothing queer, about what happens. It becomes queer when we are led to think that the future development must in some way already be present in the act of grasping the use and yet isn't present. [...] Where is the connexion effected between the sense of the expression 'Let's play a game of chess' and all the rules of the game?—Well, in the list of rules of the game, in the teaching of it, in the day-to-day practice of playing. (*PI* §197).

The ability to project use into indefinite future context turns therefore not on some mysterious underlying mechanism churning out 'appropriate' answers, but rather on the taught practices of linguistic communities and creative decisions made within them.³⁶

Hence the thought that calculations within the deductive paradigm ought to be 'automatically compelling' somehow above and beyond forms of life is a method of avoiding Wittgenstein's difficult conclusions about the grounds of our rationality. For

³⁶ It is a remarkable irony that virtue ethics should be considered 'conservative' when in fact it has the most interpretive leeway; the picture of rationality as 'rails' strikes me as potentially dictatorial.

McDowell, the correct standpoint, or 'cure' to this (no doubt following Wittgenstein's notion of 'therapy'), instead is to

give up the idea that philosophical thought, about the sorts of practice in question, should be undertaken at some external standpoint, outside our immersion in our familiar forms of life. (McDowell 1998: 63)

This is the path to the Neurathian solution advocated by Hursthouse, as we saw in the last chapter. It may seem at first glance that Hursthouse's use of *eudaimonia* as a naturalistic ground for her brand of virtue ethics runs counter to the line of argument presented here, in that explicit reference to human flourishing may serve as major premise in a syllogism of the form criticized by McDowell here. But Hursthouse never intends, and indeed explicitly denies, that her naturalism is meant to be convincing outside of an acquired ethical outlook, i.e. a form of life (Hursthouse 1999: 166). Such a move will seem utterly unconvincing without the background assumed by appreciation of the rather deep implications of the rule-following argument, which includes McDowell's 'cure' for the seduction by the deductive paradigm; paradigm which, as McDowell concludes his interpretation of Wittgenstein, is a deeply unsatisfactory model even standing by itself:

Pupils do acquire a capacity to go on, without further advice, to novel instances. Impressed by the sparseness of the teaching, we find this remarkable. But assimilation to the deductive paradigm leaves it no less remarkable. The assimilation replaces the question "How is it that the pupil, given that sparse instruction, goes on to new instances in the right away?" with the question "How is it that the pupil, given that sparse instruction, divines from it a universal formula with the right deductive powers?". The second question is, if anything, less tractable. (McDowell 1998: 64)

The first question is quite tractable, by contrast. The boundary conditions created by both human nature and shared forms of life provide sufficient explanatory content to explain extension to novel circumstance; whereas it is difficult to see how a pupil can make the

'leap of divination' McDowell views as necessary to answer the second.³⁷ Furthermore, this is not to suggest that there are unbridgeable chasms created by forms of life or that one cannot be brought to 'see' things correctly if they have grasped usage differently. But these are topics to be addressed in the next chapter. For now, I have argued that virtue ethics—of which I chose Hursthouse's version as an exemplar—crucially depends on this interpretation of Wittgenstein's rule-following argument and the consequences drawn from it.

2. Wittgenstein, Religion, and Fideism

In apparent contradiction to the suggestion that Wittgenstein was strongly 'anti-metaphysical' is the depth of his religious belief, remarked upon by all his biographers, most thoroughly so by Malcolm (Malcolm 1993). Yet there are important insights to be found upon closer examination of their specific nature, for it is rather obvious that Wittgenstein's own religious beliefs (and his understanding of the significance of religious practices in general) can hardly be said to be 'metaphysical' in any conventional sense. The notion of a 'creator' God held little attraction, for instance, as did formal proofs for God's existence. Wittgenstein even told a former student and friend that any attempt to *justify* religion through philosophy or a philosophical system was simply 'offensive'; what is truly important is the symbolism—thus Wittgenstein could genuinely say that "all religions are wonderful, even those of the most primitive tribes" (ibid., 11). Wittgenstein's religiosity was as heterodox as his life—in fact was in dissociable from the way he lived his life. No 'proof' was necessary or even desirable in

³⁷ I am reminded of the Socratic dialogue *Meno*, where the second question is answered via appeal to *anamnesis* (85d4-86c for the answer; Meno asks it at 80d).

regards to religion; the corollary however is that religious sentiment should not mistake itself as something that should be intellectualized about. Malcom quotes Paul

Engelmann's *Memoir* on Wittgenstein, which sheds light on Wittgenstein's faith:

Wittgenstein did once say that he thought he could *understand* the conception of God, in so far as it is involved in one's awareness of one's own sin and guilt. [He also] once suggested that a way in which the notion of immortality can acquire *meaning* is through one's feeling that one has duties from which one cannot be released, even by death. Wittgenstein himself possessed a stern sense of duty. (ibid., 9; emphasis mine).

The focus here is, interestingly, on one's own personal experience of certain specific and central concepts: sin, duty, obligation. The *symbolism* of religion provides an intelligible framework within which to fulfill what one senses is obligatory despite internal conflict: Wittgenstein's 'confessions' to his friends was written with 'God's help' (ibid., 14). The semiotics of the Gospels provided the impetus to overcome his own self-disgust—formal *proof* of the existence of Jesus is not only unnecessary, but vulgar in the extreme. For Wittgenstein, Christianity, or any religious belief, is not a 'theory', but rather "a description of an actual occurrence in human life," whether that be consciousness of one's own sin and the possibility of salvation, or anything else of the sort (CV 28e). The only 'epistemological' justification is one's own life and experiences, not abstruse metaphysical musings designed to prove this-or-that point of esoteric religious dogma—that is mere superstition, a form of 'false science' (ibid., 18). The Christian religion, particularly, appeals to a specific sort of temperament, the feeling of needing 'infinite help' (ibid., 17). Thus the idea that religion is "*founded* on propositions which the worshippers believed to be true" is a profound mistake (ibid., 21). Wittgenstein was not tempted in the slightest to search for 'proof' or justification of religion: the feeling itself was the thing. He greatly approved of a remark of Kierkegaard's: "How can it be that Christ does not exist, since I

know that He has saved me?" (ibid., 19).³⁸ The parallels between Kierkegaard and Wittgenstein on these topics are significant and worth dwelling upon for a moment. In "Kierkegaard, Wittgenstein, and a Method of 'Virtue Ethics'" Robert C. Roberts identifies the essentially ethical nature of this form of religious faith as being situated within the framework of virtue ethics.³⁹ He does by arguing that practical wisdom can be understood as a form of 'corrective grammar', for which Wittgenstein provides the model and Kierkegaard the implementation. Writes Roberts,

While it would be odd to call Wittgenstein's activity 'virtue ethics', it is a kind of philosophical discourse that aims to improve us as persons, to liberate us from debilitating compulsions, to help us find our way back to a *human* life, after having wandered in the far country of conceptual vanity and illusion.⁴⁰ (Roberts 1995: 146)

The *grammar* of the virtues is the object of reflection, which "identifies in a general way how the possessor of the virtue understands himself and his situation". (ibid., 155). As with the 'Neurathian' solution, we proceed from *within*—in this case within one's grammar. Roberts does not believe this leads to 'incommensurability' between competing grammars, however, a thesis he argues Wittgenstein would have repudiated as well.⁴¹ It is important that we see why this is so. The possibility of genuine ethical or religious reflection is contingent upon the availability of 'rational' criticism, for otherwise theology or ethics simply becomes the re-iteration of arbitrary traditions interspersed with random fluctuations of its form from outside or non-rational influences. On the other hand, it is clear that one cannot easily "violate the grammar of his faith because at the moment he is

³⁸ He is reported to have exclaimed 'See? It is not a matter of *proof*!'

³⁹ The points of contact drawn between Wittgenstein and virtue ethics are similar to mine.

⁴⁰ I don't think it odd at all to term Wittgenstein's activity thus—that is the contention of the whole present work. Wittgenstein's later thought may even be best viewed as a type of virtue *epistemology*, as it is apparent to me that Wittgenstein prized certain mental virtues and character traits over specific doctrines when it came to doing philosophy.

wearing his philosophical hat" by openly admitting the subjective validity of different 'language-games' from some hypothesized neutral point of view, for such cognitive dissonance would be intolerable (ibid., 161).⁴² This requires a delicate balancing act, as Hursthouse notes in her section on 'Rationality' in "On Virtue Ethics"; it appears that we are forced to either simply re-affirm our commitment to our ethical grammar (or 'outlook'), for internal validation cannot help but be circular, or to proceed from a hypothetical 'neutral point of view' which may not be particularly fruitful, if it is possible at all (Hursthouse 1993: 165). But before we discuss Hursthouse's Neurathian solution let me approach the problem from a purely Wittgensteinian angle, via the 'fideistic' debate—for I think there exists an answer more or less parallel to the one in Hursthouse's work. The basic 'fideistic' argument is that, since external justification is not required for religious belief and other, similar practices, it would seem to follow that any criticisms springing from one's 'speculative intelligence' of these practices are simply wrong-headed; this is akin to the worry expressed by Hursthouse that "genuine reflective scrutiny" is not possible from within a given ethical outlook, and Roberts' worry concerning the 'incommensurability' of competing grammars (ibid., 165). This is a difficult dilemma, one which has already spawned a voluminous literature. As stated above, I will approach it via the 'fideistic' debate and key passages from *On Certainty* which seem to give support to the so-called 'incommensurability' reading, and moreover provide grounds to extend its reach across entire 'forms of life', not just religion.

⁴¹ "The concept of incommensurability, as Philips uses it, is a theory (or part of a theory) of just the sort that Wittgenstein intended his philosophical work to discourage." Ibid., p. 162.

⁴² A 'view from above' that transcends games to see them *as* games, including one's own. Wittgenstein's admonition that we are not to change, but describe, should be viewed in this light. Still, the cultivation of a certain 'ironic' distance will play a part in creating a form of cosmopolitan virtue in the next chapter.

Now, a good place to begin examining the alleged support for the fideistic interpretation found in *On Certainty* is Wittgenstein's stressing of the extent of our 'groundless believing' (*OC* §166). This groundless believing is often never even expressed in a propositional form (like religion; see above); rather, it is simply lived—it is exhibited in our acting (*OC* §110; §159). This 'bedrock' is not hard to find, either. Our spade is turned (*PI* §217) not on some esoteric formulation of apodictic philosophy which requires strenuous investigation—instead, we reach bedrock in very prosaic, mundane ways:

If a blind man were to ask me "Have you got two hands?" I should not make sure by looking. If I were to have any doubt on it, then I don't know why I should trust my eyes. For why shouldn't I test my *eyes* by looking to find out whether I see my two hands? (Who decides *what* stands fast?) And what does it mean to say that such and such stands fast? (*OC*, §125).

We don't know what it could *mean* to actually doubt certain things (*OC* §154, 157; §231), for we are no longer sure what counts as grounds, as evidence, as reasons. As a result we cannot be sure we even understand what a person is even saying if she were to express these kinds of doubts. How are we then to appraise radically different claims to truth, or scrutinize the validity of our own? It seems that we cannot do so at all. This intuition is cashed out in a series of remarks beginning at *OC* §608, the key passages of the Fideist reading. Wittgenstein imagines a tribe that consults oracles. Are we to say it is 'wrong' for them to do so? And if we do, "aren't we using our language-game as a base from which to *combat* theirs" (*OC*, §609)? The implicit suggestion is that we have no common ground with the tribe of oracle-consulters. What we perhaps count as evidence—the propositions of physics or of formal logic—are not convincing to them. Therefore we cannot legitimately 'combat' their language-game, and we have returned to the 'inviolability'

problem of the previous chapter: the Scylla and Charybdis of cultural relativism and static conservatism.

But there is much tension within *On Certainty* concerning this very issue. While *OC* §608-612 seem to implicitly endorse the Fideistic reading, other sections do not. Moreover, I think it can be argued that 'fideism' belongs to that illegitimate class of 'substantive' misappropriations of Wittgenstein which seek to make philosophical doctrines from the repudiation of substantive philosophizing. My contention is that it is in fact quite possible for us to criticize other forms of belief we find unsatisfactory, even when there is minimal overlap between the differing practices and language-games. To do otherwise would be to substantively assert the 'validity' of all forms of life and makes in effect a general normative statement, i.e., makes a metaphysics of language-games, turning Wittgenstein's analysis into an external point of view. We can say we 'know' other forms of belief or conceptual schemes are false because *of what it is, for us, to use 'know' rightly*. To deny this would enshrine precisely what Wittgenstein was trying to demolish—a standard of knowledge over and above our practices and ways we act:

As the problem is put, it seems that there is something wrong with the ordinary use of the word 'knowledge'. It appears we don't know what it means, and that therefore, perhaps, we have no right to use it. We should reply: "There is no one exact usage of the word 'knowledge'; but we can make up several such usages, which will more or less agree with the ways the word is actually used." [...] Philosophy, as we use the word, is a fight against the fascination which forms of expression exert upon us. (*BLBK*, 27).⁴³

It is of course difficult to resist the temptation of turning Wittgenstein's concepts of family resemblance and language-games into a theory about the essential form of human

⁴³ Compare with *OC*: §549. One should already be able to see in this the germ of the Neurathian solution.

language and 'conclude' from there that one cannot criticize across games. As Richard Amesbury writes,

It is important to avoid an especially seductive but confused reading of *On Certainty*, namely, that Wittgenstein is claiming that competing grammars make factual claims, the truth of which can never be assessed, given our lack of criteria neutral among all parties. (Amesbury 2003: 68).

It has been noted accurately that Wittgenstein's writing style attempts, as best it can, to discourage this interpretation; indeed, presenting his thoughts in any other way "would not have been a presentation of his philosophical views", opines Rush Rhees (Rhees 2003: 9). These views, as we have seen, include a radical re-evaluation of philosophy as a descriptive project, and not an explanatory one. Philosophy, as I wrote in the introduction, does not give us new information; it works by "arranging what we have always known" and "leaves everything as it is" (*PI* §109, §124). Hence our philosophical task is not to explain or justify why we may or may not criticize different language-games, but rather examine how it is in fact done—much as our task in ethics is not *philosophical* in some special theoretical, 'external' sense. To see why, we must turn to the workings of language-games and forms of life.

The selections from *On Certainty* which are in apparent conflict have to do with the hypothetical confrontation of two radically different 'forms of life'. These 'forms' are, one could say, the ways of acting which characterize or give meaning to our use of language; as Wittgenstein puts it, "to imagine a language is to imagine a form of life" (*PI* §19). In one selection, we are asked to imagine a people who consult oracles rather than physicists:

Supposing we met people who did not regard that [the propositions of physics] as a telling reason. Now, how do we imagine this? Instead of the physicist, they consult an oracle. (And for that we consider them

primitive). Is it wrong for them to consult an oracle and be guided by it?— If we call it "wrong" aren't we using our language-game as a base from which to *combat* theirs? (OC: §609).

This is a consideration drawn upon by Peter Winch in his article "Understanding A Primitive Society", where he discusses the practices of the Azande tribe, which do in fact involve the consultation of oracles. The anthropologist studying them is

confronted by two languages which he recognizes as fundamentally different in kind, such that much of what may be expressed in the one has no possible counterpart in the other. (Winch 1964: 13)

The intuitive conclusion one may draw from these two passages is that it is somehow 'unfair' to judge the beliefs of one language-game based on the criteria provided by another (presumably one's own). The differing forms of life include the ways in which a member would interpret the world, distinguish sense from nonsense, evaluate competing claims, and so on. The Azande would be quite justified, from an epistemic point of view, in rejecting an outsider's claims that he 'flew' in—inasmuch as such a claim would even be intelligible to them—as the Westerner would be to reject the efficacy of the oracle (likewise to the degree of its intelligibility).

It does indeed seem that Winch is drawing on Wittgenstein to shield certain, specifically religious, forms of life from external criticism, saying that it is illegitimate to call a primitive tribe's practices in regards to oracles factually 'wrong' compared to European practices. In another piece, Winch draws on again Wittgenstein and Simone Weil to claim that "philosophy is not on anybody's side" and that it "can neither demonstrate nor refute" the *validity* of religious practices (Winch 2001: 427; 429). Is this a correct interpretation? Characteristically, Wittgenstein himself refuses to make any

such assertions. Rather, in the passages immediately following the 'Fideistic' ones, he remains steadfast to his descriptive project and simply observes that

When two principles really do meet which cannot be reconciled with one another, then each man declares the other a fool and a heretic (*OC*: §611).

The perception that Winch is wrongly using Wittgenstein to insulate forms of life from attack is reinforced by the criticisms offered in Kai Nielsen's article "Wittgensteinian Fideism". In it, Nielsen suggests that there is an illegitimate reading of Wittgenstein that is sometimes used to draw absurd "fideistic conclusions" (Nielsen 1967: 191). Winch in particular is singled out:

Winch's view here has been rightly taken to involve a claim to conceptual self-sufficiency for all of the forms of life [...] Winch is indeed saying that we cannot criticize science or ethics by criteria appropriate to religion, and vice-versa. (*ibid.*, 201).

Yet nowhere does Wittgenstein himself offer anything resembling a defence of the 'conceptual self-sufficiency' of forms of life or suggests that they ought to be immune from criticism. Instead, when he notes that "what we believe depends on what we learn", which seems a substantively relativistic thesis on the surface, he goes on to say:

We all believe that it isn't possible to get to the moon; but there might be people who believe that that is possible and that it sometimes happens. We say: these people do not know a lot that we know. And, let them never be so sure of their belief—they are wrong and we know it. If we compare our system of knowledge with theirs then theirs is evidently the poorer by far (*OC* §286).

Wittgenstein never traps himself by accidentally falling out of the 'descriptive' mode which is central to his conception of philosophy. The tension between the assertions that our beliefs are contingent on our learning, and that we still *know* others are wrong are only apparent; they rely on a non-descriptive interpretation. Criticizing and evaluating claims are simply part of how our (any?) form of life functions. Nothing else (and

certainly not an 'external perspective') is necessary to make criticism possible of another language-game (though making the criticism intelligible might); as Michael P. Hodges put it,

There will, of course, be no neutral perspective from which to launch such a critique, but the supposition that only such a value-free critique would do is itself a prejudice of traditional philosophy in just the sense that Wittgenstein's methods are meant to displace.⁴⁴ (Hodges 2001: 76)

To be fair to Winch, he did not suggest such a 'neutral' perspective was required, but rather that one should have a "participant's understanding" of the language-game. This is still too stringent a criterion. Obviously a certain minimal shared background is necessary for intelligibility; but this may be found in Winch's own suggestion that there may be common "limiting notions", that is things such as "birth, death, and sexual relations", an idea already present in (and basically lifted wholesale from) Wittgenstein's *Remarks on Frazer's Golden Bough* (Winch 1964: 322).⁴⁵ In order for a language-game to be completely immune from criticism, it would have to be 'isolated' to a degree where all communication is impossible. Such a situation is quite difficult to even imagine, and it certainly does not seem to be the case for religious practices, which are very often embedded within another, larger set of cultural practices. To argue, as Winch seems to, that the set of practices that comprise a form of life are sufficient unto themselves ('fideism') amounts to a claim not borne out by any sober look at the actual *workings* of human interaction across practices. The failure of reasons due to different spaces of intelligibility is never the last word in such encounters. As such, Winch's condition appears too stringent—it becomes a normative constraint—and contrary to Wittgenstein's

⁴⁴A robust conception of a value-*laden* critical model is precisely what Hursthouse aims to offer with her Neurathian naturalism.

⁴⁵In the *Remarks on Frazer's Golden Bough*, *PO* 127.

philosophical aims. Indeed, further buttressing this descriptive interpretation, Wittgenstein goes on to give an account as to how discourse between forms of life continues *after reasons fail*:

I said I would 'combat' the other man—but wouldn't I give him reasons? Certainly; but how far do they go? At the end of reasons comes *persuasion*. (Think what happens when missionaries convert natives) (*OC* §612).

And again:

Why should not a king be brought up in the belief that the world began with him? And if Moore and this king were to meet and discuss, could Moore really prove his belief [that the world existed for a long time] to be the right one? I do not say that Moore could not convert the king to his view, but it would be a conversion of a special kind; the king would be brought to look at the world in a different way (*OC*: §92).

There is no misleading normative content in these passages; no suggestion that one ought not or cannot criticize different forms of life (it does peripherally raise the issue of a form of life which would openly advocate cultural relativism; Wittgenstein was writing before multiculturalism). There is only the attempt to describe what sometimes happens when forms of life conflict: that sometimes reasons end, 'persuasion' (and possibly force) begins, and a process of *conversion* occurs.⁴⁶

Despite the seemingly unambiguous nature of Wittgenstein's own position, the charge of 'Fideism' is one that has caused much controversy; not on the issue of whether or not it is a correct interpretation of Wittgenstein's own views of religion (nearly everyone agrees that "Wittgenstein did not hold the view either than religion can be understood only by those who participate in it or that it cannot be criticized" (Amesbury

⁴⁶ Onora O'Neill wrote that particularist positions lead to an "ethical disaster" that is evident in "the difficulty that many particularist positions have in making sense of ethical discourse or dialogue with 'outsiders' who supposedly do not share the same categories or sensibilities." O'Neill 1996: 20. We are obviously addressing this concern head-on right now.

2003: 47)) but whether or not anybody has truly advocated fideism based on

Wittgenstein's writings:

None of the philosophers labelled 'Wittgensteinian fideists' has ever claimed that Wittgenstein himself was a fideist. Rather, the debate has been between those who accuse *Wittgensteinian philosophers of religion* of fideism and these philosophers themselves, who, to my knowledge, universally deny the charge. (Ibid., 47).

Indeed, most philosophers of religion would argue a more subtle position, namely that because of the special nature of religious beliefs, one can deny, as D.Z. Phillips put it, "the appropriateness of *certain kinds* of criticisms of religion" (Phillips 1981: 89). One of these mistaken types of criticism is the facile identification of truth with science that Winch takes the anthropologist Evans-Pritchard to task for. D.Z. Phillips, as Amesbury points out, would rule out criticisms stemming from a metaphysical

perspective outside [of] all ... practices, a 'view from nowhere'. In rejecting this as a chimera, Wittgensteinians are not ruling out criticisms, but criticizing confusion. (Amesbury 2003: 51)

Rather, most philosophers of religion who have taken a cue from Wittgenstein would, it seems, accept criticisms coming from other 'forms of life', but strongly repudiate the suggestion that there is an 'external' point of view not itself contingent on a given form of life. This position is of course consistent with the over-all argument presented here and with Wittgenstein's own answer when he poses himself the rhetorical question: "But is there then no objective truth?" (*OC*: §108). It is revealing that instead of directly answering his question (formulated in a fashion reminiscent of the 'old' philosophy; compare with *OC*: §321, "it sounds all too reminiscent of the *Tractatus*"), Wittgenstein calls attention to the practices in which the very ideas of truth and falsity are formulated—while still admitting that "we should feel ourselves intellectually very

distant" from someone who could not answer basic questions with regards to their assertions and beliefs (*OC* §108.). This presumed distance would not only be the result of the lack of shared evaluative criteria for beliefs, but also of the conceptual differences in the articulation of them; and to reconcile the distance would involve a shifting of criteria and especially of practices—much more than a mere change of belief within a largely shared frame. It is this type of shift that Wittgenstein sometimes termed *conversion*.

Wittgenstein uses the term *conversion* ('Bekehrung', 'bekehren') to describe a particular type of transition, from one form of life to another. It consists, one could naively say, of a shift not because of *reasons* but of what reasons *consist of*. One's way of seeing the world is profoundly altered, as for example with the case of the religious convert who now interprets his experiences in solely theological terms. Roberts, whose article 'Wittgenstein, Kierkegaard and Virtue Ethics' we discussed earlier, puts the point somewhat differently. At *PI* §142, Wittgenstein discusses the 'practice' of weighing with a scale and comments that the practice would lose its point if things were to "grow and shrink for no obvious reason." But if we are to imagine a world where "certain very general facts of nature [are] different from what we are used to" (*PI* II §xii), our concepts and practices (such as that of weighing) would be radically different:

Gradually, the facts of the world he is visiting become irresistible to him and he undergoes a conversion in his concepts and practices: he quits talking about weighing things, and he quits weighing them ... His conversion includes the judgment that, given the nature of the world he is visiting, the conceptual scheme that lacks the concept of weighing is superior to his old scheme, is 'truer' to reality. (Roberts 1995: 163)

Though the example may seem outlandish, it squares perfectly well with the notions that, firstly, practices and acting are key,⁴⁷ and secondly that there *are* important ways in which facts about the world intersect with our conceptual schemes. These points of intersection guarantee that there will always be some minimal scheme overlap, whether or not transition between the two is the product of some type of 'pure' ratiocination (though here we should be open to the idea of many different types of 'rationality' as we are to different meanings of 'knowledge'). Hence we can conclude that "rival ethical and religious practices ... differ, but not so much as to be incommensurable" (ibid., 163). This is not to deny however that some (perhaps most) of the time the criticism we make of different forms of life (such as we would make of the tribe consulting oracles) are primarily internal, in the sense that we make no special effort to convince or argue but only reaffirm the reasons for our personal commitment to our own form or 'conceptual scheme'.

The nature of these schemes is a rather complex topic, but closer examination will buttress my point here. The mistaken interpretation of the selections from *On Certainty* that we are concerned with suggests that the lack of shared evaluative criteria insulates forms of life (such as religious practices) from any non-participant criticism. It is interesting for our purposes to note that Wittgenstein seemed to think that a 'conceptual scheme' consisted of something similar to what a type of proto-coherentism might say:

We do not learn the practice of making empirical judgements by learning rules: we are taught *judgements* and their connexion with other judgements. A *totality* of judgements is made plausible to us. (*OC*: §140)

Our knowledge forms an enormous system. And only within this system has a particular bit the value we give it (*OC*: §410).

⁴⁷ I cannot help but recall Evans-Pritchards' claim that the poison oracles were as satisfactory a way of arranging his household affairs as any other system he tried.

And again:

'So one must know that the objects whose names one teaches a child by an ostensive definition exist.' –Why must one know they do? Isn't it enough that experience doesn't later show the opposite? *For why should the language-game rest on some kind of knowledge?* (OC: §477; emphasis mine).⁴⁸

The similarities with coherentism here are rather apt, though not perfect. Justification springs not from foundational, indubitable data, but from the pliable networks of 'groundless believing' that provide a framework for *action*, which is "at the bottom of the language game" (OC: §204), not any specific set of foundational propositions.

This is important for us because networks of inter-related propositions are essentially polycentric constructions; two 'competing' conceptual schemes cannot be said to spring from differing sets of foundational *assumptions* that preclude any superstructural overlap (and therefore also preclude the possibility of evaluation and communication). Rather, one's web of beliefs has several different nodal points; changes often ripple outwards from these. Some of them no doubt are anchored to 'facts' about the world, though they are enmeshed in a deep interpretive web, and the exact nature of these relations is something we will turn to shortly. A process of 'conversion' could in theory involve a spectacularly rapid overturning of significant parts of the 'network', but this would be an extremely rare exception to the rule of more gradual change, which can nevertheless be equally significant—hence we can speak of gradual, but still near-total conversion (here, of course, I am once again anticipating discussion of the Neurathian solution).

The 'network' metaphor I used above may be quite more apt than one might suspect at first. Paul Churchland's 'Towards a Cognitive Neurobiology of the Moral

⁴⁸ See also OC §141, §225 and §274.

Virtues' suggests that the explanatory generality of the neural-network model can be applied to moral knowledge.⁴⁹ The talk here is of *training* networks through *examples* to perform specific *functions*, when faced with a wide variety of (sometimes novel) input. The relation to virtue ethical concepts such as upbringing and practice is not accidental and in fact forms part of the conclusion explicitly drawn by Churchland: that

the standard conception of moral argument as the formal deduction of moral conclusions from shared moral premises starts to look Procrustean in the extreme. Instead, the administration and resolution of moral conflicts emerges as a much more dialectical process whereby the individuals take turns highlighting or making salient certain aspects of the situation at issue. (Churchland 1998: 88)

Churchland's conclusions concerning the neural-network model of moral epistemology echo virtue ethics in more than one way:

This view of the assembled moral virtues as a slowly-acquired network of skills also contains an implicit critique of a popular piece of romantic nonsense, namely, the idea of the 'sudden convert' to morality ... Moral character is not something—is not *remotely* something—that can be acquired in a day by an Act of Will or by a single Major Insight. (ibid., 89)

I'd like to remind the reader that this is Churchland, and not Hursthouse, writing.

Churchland singles out 'virtue ethics' as specifically compatible with the thrust of his own work in cognitive neurobiology.⁵⁰ Should research such as this prove fruitful, the partial 'grounding' of the virtues within a (limited) naturalistic framework would find substantial support. Moreover, Churchland strongly argues for the inclusion of institutions within one's own society for the "evaluation and modification of practices" which could then

⁴⁹This is more than the accidental use of the word 'network' in two different contexts, but about the close connection between neural-network models and coherentism in epistemology: "A recent theory of explanatory coherence, however, exploits analogies between belief systems and neural networks to develop a rigorous computational model of coherentist belief revision" (Thagard, P. and Beam, C. 2004: 150).

⁵⁰ Under the heading 'Reflections on some recent 'Virtue Ethics'', Churchland writes "the general portrait of moral knowledge that emerges from neural-network models of cognition is a portrait already under active examination within moral philosophy, quite independently of any connections it might have with cognitive neurobiology. Its original champion is Aristotle..." Ibid., 93.

lead to better ones—precisely what incommensurability discourages and what the Neurathian solution seeks (*ibid.*, 95).

The point here is that Wittgenstein rightly insists that these networks are founded on one's practices—which, of course, is perfectly consistent with the psychological conditions surrounding deep conversion, such as that of a religious variety—yet the attempt to protect or insulate forms of life remains philosophically spurious. The very possibility of persuasion or *conversion* entails that there is a way of getting from the most alien set of practices to another, even if this process is not caused by a process of what we'd term pure ratiocination. This means that the divide between forms of life can be crossed; and as we noted, in the case of specific religious practices many of them are not at all self-sustaining forms of life but rather part of a larger shared conceptual scheme. It now seems apparent that the question is not whether forms of life are truly different or incommensurable, or whether statements taken in isolation are 'true', but rather how and to what extent a given network or section of belief is different relative to another one; one can imagine a large discursive space where various forms of life sit, sometimes uneasily, with and sometimes over each other. It is worth stressing that Wittgenstein explicitly maintained language-games do evolve over time (*OC*: §256). One example we can give in relation to our current discussion is that the discourse of religion has changed fundamentally in the West, in part because the cosmological explanations once offered by religion have been displaced by other ones; as a result, religion is no longer viewed as a source of authority on questions of astronomy. If it was the case that religious discourse was sufficient unto itself, to take the Fideistic thesis to its extreme, then the criticisms

which led to this change were invalid. Surely this is an absurd conclusion (Nielsen 1967: 206-208).

The most appropriate critical attitude, if one were inclined to adopt such a thing (in terms perhaps of 'moral progress', the 'gaussian distribution' Churchland spoke of), would hence be a *sensitivity* to the specific ways in which various forms of life are in fact different and similar.⁵¹ That there *always* will be a similarity is an issue we have dealt with briefly and will return to; Winch's own suggestion, reported earlier (about 'birth, death and sexual relations') does imply that there will always be a basic human perspective at work, from which criticism and dialogue may at least begin. This is a thought found in Wittgenstein as well, as I noted above (see also cf. *PI* §206). Given that language-games are rooted in the need for action and not the human ability to reason,⁵² it follows that any cogent criticism which cuts deeply across forms of life should strive to show the possibility of different ways of acting and not only present so-called 'indubitable' arguments, for as Wittgenstein notes, "indubitability wouldn't be enough to make me change my whole life" (*LC* 68). The deeper the difference, the more emphasis should be placed on acting over reasons. We may use the term *conversion* when the change in perspective is of a given order of magnitude, which cannot be given precise abstract quantification, but can be grasped readily enough by way of concrete example, such as the ones given by Wittgenstein in *OC* §609 and §92. It is crucial that conversion be possible, by acting if not reasons, in order to demonstrate that alleged 'incommensurability' is not a stumbling-block for interaction between forms of life.

⁵¹ The term 'sensitivity' ought to evoke my discussion of virtue from chapter 2. This is intentional.

⁵² *OC* §474-475. "This games proves its worth. That may be the cause of its being played, but it is not the ground [...] Any logic good enough for a primitive means of communication needs no apology for us. *Language did not emerge from some kind of ratiocination.*"

Consider, in closing, a passage from the 'Remarks on Frazer's *Golden Bough*':

The nonsense here is that Frazer represents these people as if they had a completely false (even insane) idea of the course of nature, whereas they only possess a peculiar interpretation of the phenomena. That is, if they were to write it down, their knowledge of nature would not differ *fundamentally* from ours. Only their *magic* is different. (PO 141).

What is important to remember here, if we are to square the apparent conflict between the legitimacy of various forms of rationality and the 'anti-metaphysical' thrust of Wittgenstein's thought, is that the beliefs of the tribesmen as represented in Frazer's work, even if they are *about*, in some sense, things that we would be inclined to consider 'metaphysical' or 'supernatural', they do not have obviously false beliefs about the mechanics of nature which are wrong-headed. They would not be able to function as a society if this were so. It also demonstrates that the legitimacy of various modes of reason do *not* establish the self-sufficiency of metaphysical systems, for the practices are not metaphysically grounded in any sense. Hence the move to protect these systems is in essence the result of a mistaken understanding of the implications of Wittgenstein's critique.

CHAPTER IV: RULE CHANGE AND NATURALISM

1. Rule Change

There is a fascinating and quite revealing passage in *Culture and Value* that is worth quoting as we begin:

I do not believe Shakespeare can be set alongside any other poet. Was he perhaps a *creator of language* rather than a poet? [...] "Beethoven's great heart"—Nobody could speak of 'Shakespeare's great heart'. 'The supple hand that created new natural linguistic forms' would seem to me nearer the mark. (CV 84e).

What could this possibly mean—the creation of 'new yet *natural* linguistic forms'? In *On Certainty* Wittgenstein writes of change in a somewhat different vein, saying that

If we imagine facts otherwise than as they are, certain language-games lose some of their importance, while others become important. And in this way there is an alteration—a gradual one—on the use of the vocabulary of a language. [...] When language-games change, then there is a change in concepts, and with the concepts the meanings of words change (*OC* §63, 65).

In the *OC* passages it seems as though gradual change in language-games is something akin to continental drift: a slow, inexorable process due to forces entirely outside of our control that we at best *react* to. (The ground(lessness) literally shifting beneath our feet as we are carried along). Such an interpretation would be compatible with the 'fideistic' view in a sense; I briefly argued earlier that without the availability of legitimate criticism through overlapping discursive spaces, change becomes as arbitrary as the traditions and practices supposedly insulated from outside intervention—a meaningless shuffling. I will return to this shortly. Yet in the first passage above Wittgenstein asserts that Shakespeare, the man, created *new, natural* forms of language through his art. No 'very general facts' about nature changed; only existing words were arranged in novel ways. So we must be

wary about understanding rule-change as a process purely intrinsic to the 'deep structure' of grammar itself, whose own internal logic propels it without our having much to say in the process. The opposite is, in fact, true: rule-change and other creative processes are constantly available to us. Moreover, the parallel Wittgenstein draws to literature is one commonly found in virtue ethics, particularly in regards to moral upbringing and the inculcation of moral values. Cora Diamond makes note of the way in which stories and narratives, even those that do not use specifically 'moral' terms, make significant moral points (Diamond 1996: 243-246). But what is significant here is that controlled, *willed* change can happen—and often proceeds via literature and art, thoroughly man-made institutions whose explicit purpose is to engage with one's own cultural concepts, to cross-pollinate with other influences. Art and aesthetics form essentially a discursive space where change is deliberately given an environment in which it is free to experiment (and recall that, for Wittgenstein, ethics contains aesthetics;⁵³ it is worth noting as an aside that repressive regimes often go after the artists and poets first, too). So there is a very important sense in which rule-change is a legitimate object of reflective scrutiny. This is an idea that deserves some further discussion.

Wittgenstein held that the existence of 'private objects' depended on the prior existence of a public counterpart. Indeed, for Wittgenstein, there was a meaningful sense of 'private'—one which depended upon the prior existence and knowledge of *public* language, however. Consider the following, somewhat cryptic remarks made in the *Notes for the 'Philosophical Lecture'*:

⁵³ "I am going to use the term Ethics in a slightly wider sense, in a sense in fact which includes what I believe to be the most essential part of what is essentially esthetics." A Lecture on Ethics, *PO* 38.

The private object. The naming of the private object. The private language. The game someone plays with himself. When do we call it a *game*? If it resembles a public game. (The diary of Robinson Crusoe). (*PO* 447)

And again:

There is a name only where there is a technique of using it and that technique can be private; but this only means that nobody but I know about it, in the sense in which I can have a private sewing machine. But in order to be a private sewing machine, it must be an object which deserves the name 'sewing machine', not in virtue of its privacy but in virtue of its similarity to sewing machines, private or otherwise. (*PO* 448)

Contrast this sense of 'private' with that of *logical* privacy⁵⁴, such as that in *PI* §258, where Wittgenstein discusses jotting down with the sign 'S' recurrences of a given internal sensation in a diary; what's important to note here is that any *fact* about the sensation is *not* logically private (such as, say, a neurochemical fact or something of the sort). But absent that fact, "whatever is going to seem right to me *is* right. And that only means that here we can't talk about right" (*PI* §258) (here there is an important qualification: the only thing this means is that the language-game, the convention, surrounding 'right' is disqualified from usage in these circumstances—and, as I mentioned above, this does not mean we should immediately succumb to the 'eliminativist impulse' regarding all such talk). The 'private language argument' is therefore not the unattractive dogma that the solitary individual cannot 'mean' anything, but an attack on a certain type of theory of meaning, which states that "we each have private languages and we learn to relate our private languages to each other, often through public language" (*ibid.*, 699). The upshot of the private language argument,

⁵⁴ "Something is logically private if someone has a unique access to it such that *no one else could ever be warranted in thinking they had obtained access to it.*" Levy 2003: 696. Emphasis mine.

therefore, is that it gives 'explanatory priority' of the public forms of language in any account of the contents of thought.⁵⁵

This idea is connected to a passage (and others similar to it) in the *Philosophical Investigations* that rhetorically questions the possibility of a type of 'unpractised practice' which would have no corollary whatsoever with existing practices:

As things are I can, for example, invent a game that is never played by anyone.—But would the following be possible too: mankind has never played any games; once, however, someone invented a game—which no one ever played? (*PI* §204).

One is inclined to concede the point to Wittgenstein simply because if we drop the hypothetical structure of the question as it is presented ('imagine no games had ever been played') and seek to find or create a real counter-example, we flounder—it seems impossible to think of an utterly *novel* practice that has no connection to any existing one. It is easy to modify an existing one, or combine two or more, or just find inspiration in another. But what could it *mean* to create a entirely new, unconnected, unpractised practice? We fancy it possible to imagine a possible world where no game has ever been played save the one round of, for example, chess—as the interlocutor tells Wittgenstein in the passage immediately following (*PI* §205). And that this possibility captures the 'queer' thing about intent. But this is a mistake, Wittgenstein holds, for the rules—as we saw in the previous chapter—do not inhere in minds capable of 'latching on' to some

⁵⁵ This version of the 'private language argument' supports Anscombe's assertion that Kantian self-legislation is 'absurd'. She wrote that such a conception requires 'superior power in the legislator', which is undeniably lacking if we give priority to public language in our explanations; it is simply not up to the individual. Anscombe 1999: 27.

external, objectively present rail.⁵⁶ Thus in order for a *new* game to be invented, games *per se* must exist in some form or another:

What sort of public must there be if a game is to exist, if a game can be invented? What surrounding is needed for someone to be able to invent, say, chess? Of course I might invent a board-game today, which would never actually be played. I should simply describe it. But that is only possible because there already exist similar games, that is because such games *are played*. (RFM, VI §32).

Wittgenstein continues in the same vein further in the same section, writing that

I may give a new rule today, which has never been applied, and yet it is understood. But would that be possible, if no rule had ever actually been applied? (Ibid.)

The possibility of novelty—of rule-change—is thoroughly contingent upon the prior existence of institutions and practices from which the *new* rule may be understood.⁵⁷

Consider yet another passage from the Remarks on the Foundations of Mathematics:

The application of the concept 'following a rule' presupposes a custom. Hence it would be nonsense to say: just once in the history of the world someone followed a rule (or a signpost; played a game, uttered a sentence, or understood one; and so on). [...] It is of the greatest importance that a dispute hardly ever arises between people about whether the colour of this object is the same as the colour of that, the length of this rod the same as the length of that, etc. This peaceful agreement is the characteristic surrounding of the use of the word 'same'." (RFM VI §21)

In this passage, Wittgenstein notes two crucial phenomena: the priority of the public language game and the steadfast nature of agreement amongst certain phenomena that enable the use of certain language-games, such as 'same'. This latter is quite important

⁵⁶ This is because the 'possible world' is compatible with multiple accounts of what is actually going on here, much like the behaviour of the 'two-minute mathematician' at *RFM* VI 34: "Could we not imagine a past and a continuation of these two minutes, which would make us call the processes something quite different?"

⁵⁷ "How do we compare games? By describing them—by describing one as a variation of another—by describing them and *emphasizing* their differences and analogies." (RFM, II §49.)

and we will turn to it in a moment. Right now what we are interested in is the process of rule-change itself.

Wittgenstein again and again stresses the point that new games proceed from previous games and never arise in a vacuum. Rather, what happens is that the parameters of an existing game are altered, or recombined with another's, or added to, as the situation (and, perhaps in some cases, no small amount of whimsy) dictates:

Say we quite often arrived at the results of our calculations through a hidden contradiction. Does that make them illegitimate?—But suppose that we now absolutely refuse to accept such results, but still are afraid that some might slip through.—Well then, in that case we have an idea which might serve as a model for a new calculus. As one can have the idea of a new game. (RFM VII §11).

In this example the possibility of a *new* game arises from a dissatisfaction with certain specific features of existing games; thus previous efforts are built upon, rather than dreamt up *ex nihilo*, or perhaps deduced from some indubitable 'foundational' premises. In this sense there is strong similarity between Wittgenstein and Neurath's metaphor, whose methodology is adopted by Hursthouse as a mode of ethical reflection. Moreover it is clear that the process of new-game creation is a central, not peripheral, feature of Wittgenstein's description of rule-following in the *Remarks on the Foundations of Mathematics*. Perhaps even *the* central feature, since the extension of rule-following behaviour into novel cases is precisely what distinguishes actual rule-following from meaningless groping:

...if at length the one who had been so trained put figures which he had never seen before one after another in sequence as in the first example, then we should probably say that the one chimpanzee was writing rules down, and the other was following them. (RFM VI §42)

This seems at first glance a strange position to adopt, since it may be objected that grasping a rule does not presuppose capacity to amend it; but this is in fact crucial to the rejection of the static 'rules as mental rails' picture. For if rule-following does *not* consist in 'latching' on to some objective 'external mechanism' specific to the given rule, it must consist instead of understanding the practice or games of rules in some rather more general sense, in terms of similarity or pattern—'it is something *like this*'. The external determination of appropriate steps is compatible with the theory that understanding presupposes no creative ability towards the rule; not so with the assertion that rules and games consist in a series of successive changes to existing ones, for the assimilation of novelty by the individual proceeds by analogy to practices she is familiar with, and analogy is a creative process—one creates the object and parameters of comparison.

Wittgenstein, as always, shows how utterly strange the alternative account would be—

Imagine that I put a playing-board divided into squares in front of you, and put pieces like chess pieces on it—and stated: "This piece is the *King*, there are the *Knights*, there the *Commoners*.—So far that's all we know about the game; but that's always something.—And perhaps more will be discovered." (*RFM* II §39).

This is an obviously absurd depiction of things, but it serves to show Wittgenstein's main point throughout his *Remarks*: that rules are not discovered, but employments *invented*.

Just as the board-game described above is not somehow unearthed via investigation, as the somewhat absurdist example implies, the language-games we play are the results of successive creative iterations. For Wittgenstein, the lesson to draw is clear: the "dangerous, deceptive thing" is to make "the determination of a concept—concept formation—look like a fact of nature" (*RFM* II §19). Moving away from such an idea, it could be said, is one of Wittgenstein's main goals in his later philosophy. This is why the

eudaimonistic naturalism of virtue ethics must be severely circumscribed by the Neurathian procedure—and the boundaries of these limits, I believe, are mapped out by Wittgenstein.

Another important feature is the *generative* value of rule-change. By this I mean that creation of new rules itself creates, as a by-product, contexts that themselves continuously provide new and often more complex avenues of creation. A different way to put it is that the process of rule-change enables *emergent* properties to arise within sufficiently complex language-games.⁵⁸ This is important because otherwise it is unclear how, if a certain type of public is required to make a new type of game intelligible, that the type emerged in the first place. With this in mind, consider Wittgenstein's remarks at *RFM* VI §11:

I believe this: only in a large context can it be said at all that there are infinitely many prime numbers. That is to say: For this to be possible there must already exist an extended technique of calculating with cardinal numbers. That proposition only makes sense within this technique. A proof of the proposition locates it in the whole system, of calculations. And its position therein can now be described in more than one way, as of course the whole complicated system in its background is presupposed.

What gives sense to a proposition such that there are infinitely many primes is a whole background system of calculation that "stands behind it", without which the proposition can't be made sense of (*RFM* VI §11). Thus the technique of calculation, once developed, permits the assertion of new, unforeseen propositions which follow from it. Yet without the technique the proposition is simply unintelligible. Wittgenstein's example involves us imagining an adult with a limited knowledge of mathematics:

Assume that an adult with intelligence and experience has learnt only the first elements of calculation, say the four fundamental operations with

⁵⁸ 'Emergence' in mathematical terms is often defined in terms of spontaneous self-organization and is a central facet of complexity theory. I am appropriating the term in this context, but it's not much of a stretch.

numbers up to 20. In doing so he has learnt the word 'prime number'. And suppose someone said to him 'I am going to prove to you that there are infinitely many prime numbers.' Now, how can he prove it to him? He has got to *teach him to calculate*. That is here part of the proof. It takes that, so to speak, to give the question 'Are there infinitely many prime numbers?' any sense (*RFM VI §11*).

The *generative* aspect here comes out more clearly when he approach Wittgenstein's example from a different angle. Instead of imagining the background necessary for a already well-defined proposition to make sense to someone, imagine someone who has been taught the minimum background asking themselves the question (possibly a creative act *itself*) and then *devising* a proof based on the techniques they already knew, or again the extension of techniques as a result of trying to find a solution to the problem—and then sharing it. The background propositions enable new questions, such as that about primes, whose answers in turn often open new domains and new games. The *cumulative* effect of the rule-changing process is the variety and multiplicity of practices today, a succession not only of variations on themes but creations of new themes from the progressive change and departure on the originating form—much like, perhaps, Darwinian evolution.

This admittedly says very little about just how can one explain what 'rule' itself is, to the uninitiated, and further discussion of this will require us to return to my earlier point concerning the 'steadfast' nature of certain agreements. Now, in teaching rules, it is not sufficient to merely say 'go on like this', for the fact of the matter is that you must explain what *that* itself consists of:

How could one explain to anybody what you have to do if you are to follow a rule? One is tempted to explain: first and foremost do the *simplest* thing (if the rule e.g. is always to repeat the same thing). And there is of course something in this. It is significant that we can say that it is simpler to write down a sequence of numbers in which each number is the same as

its predecessor than a sequence in which each number is greater by 1 than its predecessor. And again this is a simpler law than that of alternately adding 1 and 2. (*RFM* IV §9).

We approach something rather important in Wittgenstein, but we must tread carefully to avoid misunderstanding. I spoke briefly in the introduction, and again in the third chapter, of a latent 'naturalism' in Wittgenstein. I am wary of saying something so baldly as: there is a foundational bedrock within some naturalistic 'givens', such as the relative uniformity of nature, that can be counted upon to provide ultimate grounds for our language-games. Nevertheless it is undeniable that such things *do* play an important role in the teaching of practices—but it does not *secure* the rule, far from it. The role played by the 'givens' is exactly akin that played by the prior-existing public games, the ones that make private objects possible. So while certain facts about nature underlie language-games, they are not 'foundational', but form the germ from which the rhizome grows—a cluster which is accreted on, in a multiplicity of ways. Wittgenstein, again at *RFM* IV §32 asks if "regularity is possible *without* repetition", precisely paralleling his question whether chess is possible *without* games. The 'givens' have however no explanatory priority or different 'ontological' status over the public games, as we see in the lengthy passage at *PI* §208:

How do I explain the meaning of 'regular', 'uniform', 'same' to anyone? [...] If a person has not yet got the *concepts*, I shall teach him to use the words by means of *examples* and by *practice*. And when I do this I do not communicate less to him than I know myself. [...] I do it, he does it after me; and I influence him by expressions of agreement, rejection, expectation, discouragement. [...] None of the words would be explained by means of itself; there would be no logical circle. The expressions 'and so on', 'and so on *ad infinitum*' are also explained in this teaching. A gesture, among other things, might serve this purpose.

Wittgenstein rightly insists (cf. *PI* §210) that the teaching is not meant to indicate some 'essential' thing that can only be guessed at by the pupil. Everything the teacher knows is *present* in his examples and explanations: "You do not yourself understand any more of the rule than you can explain" (*RFM* VI §23). It is never a case of attempting to show something that cannot be properly said—the extension of a rule into some putative infinity of application, which the mind has to 'grasp' or 'latch on to' via the imperfect medium of mere words that can only *hint* at the 'transcendent form' of the rule. And thus the public nature of a naturalistic 'given' is not to be interpreted as transcendent, either (for it could not then be present in the explanation, which *is* complete). It is just another part of the rule-creation and learning process which includes statements such 'go on like *this*' and the gestures, the pointing towards the 'this'. Consider Wittgenstein's remark about a hypothetical tribe that, for much of its history, was not 'struck' by what we count as errors in their arithmetic or in their creation of lists—suppose that

Now times have changed and people (at first only a few) begin to demand exactness. Rightly, wrongly?—Were the earlier lists *not* really lists? (*RFM* VII §11).

Thus even if our 'givens' in nature hold perfectly firm it is quite possible that the practices surrounding them vary enormously despite our best intuitions that there must be *one* correct answer (imagine, say, arranging rocks in rows and columns; but the tribe is unconcerned with a pebble more or less, perhaps because our 'exactness' has no use as of yet).⁵⁹

So while regularities or uniformities in nature may enable in an important sense the creation of games, they do not *determine* the rules, any more than an algebraic

⁵⁹ I discussed 'exactness' and 'precision' in the Introduction—a use has to be *invented*, not 'true' precision discovered, as I noted above.

formula does (if it could, then Hursthouse's naturalism would not need to proceed from *within* an existing ethical point of view). It is the prior existence of an arithmetic in the tribe that permits the change towards 'greater' precision.⁶⁰ And forms of arithmetic, in their variegated multiplicity, are connected to some regularities in nature and, one must assume, in the way our minds function (which of course are continuous with nature). But these facts do not *determine* what holds fast or what is 'foundational'. Wittgenstein's gift for expression captured this line of thought in the following vivid image—

It might be imagined that some propositions, of the form of empirical propositions, were hardened and functioned as channels for such empirical propositions as were not hardened but fluid; and that this relation altered with time, in that fluid propositions hardened, and hard one became fluid. (OC §96)

This 'hardening' consists the status afforded to a proposition in one's conceptual scheme (cf. "it is as if we had hardened the empirical proposition into a rule"), whether it something that analyzes or is analyzed. It becomes part of the picture—"we do not judge the picture, we judge by means of the pictures" (RFM IV §12). This is perhaps why Wittgenstein believed his thoughts to be untimely—he was struggling against a picture that "held us captive" (PI §115), yet realizes at the same time that *changing* it requires that he proceeds as I've depicted—in one sense from *within* the existing bounds of our picture and our games, removing planks and replacing them until we are at sea in a *new* ship.⁶¹

⁶⁰ There is probably an ontogenetic story to be told here about how concepts have arisen throughout our evolutionary history which would not be markedly different from what I've said so far. Or consider the change towards a 'taylorist' view of time following the industrial revolution.

⁶¹ The passage at PI §115 continues: "And we could not get outside it, for it lay in our language and language seemed to repeat it to us inexorably." The use of the past tense ('held' us captive) indicates the possibility of change despite our inability to 'get outside it'.

2. Neurath, Naturalism & Wittgenstein

We finally come to Neurath's famous metaphor, which we have been referencing idly for some time now after a very brief discussion in the second chapter. The passage concerning the ship is found in his article "Protocol Sentences" originally published in Erkenntnis in 1933:

There is no way of taking conclusively established pure protocol sentences as the starting point of the sciences. No tabula rasa exists. We are like sailors who must rebuild their ship on the open sea, never able to dismantle it in dry-dock and to reconstruct it there out of the best materials. Only the metaphysical elements can be allowed to vanish without a trace. Vague linguistic conglomerations always remain in one way or another as components of the ship. If vagueness is diminished at one point, it may well be increased at another.(Neurath 1959: 201)

While it would be a mistake to think that this passage, and the context within which it is found, is identical or even perhaps a precursor to the later Wittgenstein's thought, we should note that it is at the very least quite congenial in its anti-foundationalism, coherentism, and anti-metaphysical aspects. But a strict reading of either is not what we are after in any event; it is Hursthouse's use we are interested in, one which—once again—is inspired by McDowell's discussion of the metaphor in "Some Issues in Aristotle's Moral Psychology" and "Two Sorts of Naturalism" (McDowell 1998: 23-49; 167-197). In the former, McDowell aligns it as within the scope of the Aristotelian philosophical method; not anachronistically so, but just as a way of modern thinkers to come closer to Aristotle, because "the image is apt for explicitly rejecting the hankering after an external standpoint" a desire which Aristotle evidently never felt (*ibid.*, 38). McDowell's main idea here is that the Neurathian way is *not* some philosophical consolation prize or second-best mode of reflection, since objectivity cannot be reached by us, mere mortals. Rather, when it comes to reflecting within an acquired standpoint,

Loss of confidence in internal reflection just as such requires an awareness, not shared by all ages, of the historical contingency of actual modes of thought. And the consoling counterpart idea, that of a mode of contact with the real in which we transcend our historicity, can seem to be available only by way of a philosophical misconception of the achievements of modern science, a misconception that is itself in turn partly motivated by that modern loss of confidence. (ibid., 37).

The fact that we do not have an external point of view (or, to be more precise, that notions of 'external' and 'internal' are confused ones), and that we must proceed from 'within' an inherited conceptual scheme, must not be directly collapsed into the argument that criticism requires a participant's understanding of what is criticized, an issue I've discussed already in relation to Wittgenstein. While it is true that we must all begin from somewhere, the target of criticism may well be partially 'external' to our own conceptual scheme (I say 'partially' because it is not clear what an entirely 'external' conceptual scheme would be like, or whether we'd be able to recognize one as such when we see it). The admonition not to assume one's own scheme is an 'external point of view', particularly in the case of the natural sciences where the temptation is strongest, is not tantamount to the *normative* constraint that supposedly 'alien' practices are to be left alone (or, to reverse the roles for once, that their criticisms of us should be dismissed out of hand)—a line of thought I hopefully have dispelled by now. Perhaps I should quickly try and put the argument yet another way. In the last chapter I argued that 'inviolability' interpretations essentially reject uncodifiability in that they shield from criticism what counts as grounds, or reasons, or 'wrongness'. Likewise, strong 'fideistic' interpretations, if they aim to establish the self-sufficiency of a conceptual scheme, fall into the same problem: how does deep change occur at all if each scheme has its own, perfectly self-sufficient arbitrate capacity? If we rule out criticism from 'outside'—however such a

line may be delineated, problematic in itself, as I mentioned—it follows that criticism from inside is limited as well. 'Outside' criticism, it is said, cannot be rendered intelligible because of the differences in grounds, practices, and verification procedures. 'Inside' criticism likewise cannot be of these things because it *becomes* equivalent to its 'outside' counterpart in its attempt to alter fundamentals. But if we admit that 'outside' criticism is valid and possible for the reasons I've outlined in this section (latent naturalism and other 'limiting concepts', the nature of the language-games surrounding 'knowledge', the process of 'conversion') then 'inside' criticism *can* be fundamental—then the ship, as it were, can be rebuilt in widely different forms (although certain planks are easier to swap than others). The two are linked. Should conceptual self-sufficiency of the fideistic variety be true, the scope of internal criticism would be severely limited by precisely what would disallow external criticism. Instead we should reject the entire notion of 'internal' and 'external' and situate conceptual schemes as harbouring some relative distance one from another, while still being more or less *about* the same thing (for a ship to *float*, it must at minimum satisfy *this*)—precisely the same conclusion drawn during the 'fideistic' debate.

Now, returning to Hursthouse's use of Neurath in her virtue ethical project, it is basically identical to that of McDowell's—she assumes, "without argument" that the procedure he draws from Neurath shows us the way forward, that

there is a space within which the rational validation of beliefs about which character traits are the virtues could proceed, unhampered by either the excessive demands of ethical foundationalism or the bogy of being nothing better than mere rationalizations of one's personal or culturally inculcated values.⁶² (Hursthouse 1999: 166).

⁶²I put the second horn of the dilemma differently when discussing fideism: that any rational reflection or scrutiny will result in criticism that cannot help but be shallow, if it is at all. It is basically the same issue.

But, as she notes, to "establish the existence of a space is not to say anything about how it is to be filled" (ibid., 167). Hursthouse would fill this with a conception of human flourishing, of *Eudaimonia*. Here a gap needs to be jumped between virtue ethics and Wittgenstein. I think it is quite plausible to argue that there are deep, enabling kinships between Wittgenstein and virtue ethics; for example with the Neurathian procedure, or again in the critical tradition of virtue ethics, and that the exegetical resolution of issues present in the later Wittgenstein (.e.g, fideism, rule-following) serve as the starting-points for the anti-foundationalist procedures of reflective amendment proposed by McDowell and Hursthouse. That much ought be clear by now, and indeed some recent scholarship has echoed my arguments in this matter:

It was the thoughts and insights of Wittgenstein's *Philosophical Investigations* that proved most decisive in the shift from noncognitivism and to cognitivism ...he shows that there are different paradigms for and contexts of rationality. (Loobuyck 2003: 188)

More tendentious, however, would be to argue that there is textual support anywhere in Wittgenstein that specifically *eudaimonistic* concerns ought to fill the reflective space proffered by the Neurathian solution. More to the point, I don't think it exists, directly or indirectly. I do want to argue that it is not necessarily *incompatible* or in contradiction with Wittgenstein, which is important in and of itself, especially inasmuch as virtue ethics takes so many cues from him. It is doubly crucial for virtue ethics however, since it seems that without *Eudaimonia*, the appeal of virtue ethics is substantially weakened.

This naturalism, present in McDowell's discussion of Neurath, in much of virtue ethics, and also, finally, in Wittgenstein after a fashion (the 'givens' I have discussed already) provides an important bridge linking conceptual schemes while not, if properly understood, giving us a determinate evaluative ground or external, objective truth

McDowell 1998: 174). Hursthouse's use of naturalism in particular is close to

Wittgenstein. In the final section of her book, on the topic of objectivity, she writes

If the grammatical idea behind ethical naturalism is right, namely that our terms 'good', 'bad/defective', 'well' do not suddenly start being used in a totally new way when we start using them in relation to ourselves, then our concept of living *well*, or flourishing (or *eudaimonia*, when we use it in relation to ourselves) is connected to our evaluations of human beings as good or bad. (Hursthouse 1999: 259)

Two things should be striking about this. First is the characterization of 'ethical naturalism' as being, at least in part, a *grammatical* idea: namely that the use of normative terms is properly stipulative even when consciously applied to ourselves—the use does not change. This 'grammatical idea' is *very* Wittgensteinian—that there is nothing suddenly special or 'queer' about the usage of certain propositions (*PI* § 93). The lineage of the idea as applied to ethics goes back to Anscombe's "Modern Moral Theory," when she recommended we discard the moral ought, or, at the very least (as one more-or-less friendly critic of Anscombe wrote),

deflate its role in ethical theory—to demystify it—in two ways: not only must we recognize that there is no reason to think of the moral 'ought' as anything but the ordinary indispensable 'ought' for which certain kinds of reasons may be adduced, but we must also see that these (moral) reasons cannot be guaranteed always to override others sorts of considerations. (Richman 1976: 38)

This 'normalization' of the *ought*, that is to say, bringing it down so that it is no longer a strange type of assertion that must glean its strength from metaphysical or theological considerations, but rather just an expression of ordinary language, is precisely the type of therapeutic dissolution we are after here. The second striking aspect of the above-quoted passage by Hursthouse is how short a conceptual leap it is from this 'grammatical' idea to notions of *eudaimonia*, from the grammatical remark that 'good' when applied to, for

example, plants (and hence that one 'ought' to water it) is not different at all when applied to ourselves; we merely have to look at the *usage* of 'good' to find lurking within something much like flourishing.⁶³ What changes from case to case is the relative complexity of the subjects under scrutiny: a good pair of scissors, a good chrysanthemum, a good shark, a good person. And, as I've discussed earlier, complexity is a social, *generative* process. In the last case, of people, what we believe muddies the waters and makes the idea of naturalism untenable is our reflective, rational capacity. But the purpose of this form of ethical naturalism is *not* to provide motivating, objective reasons for any given person to accept a list of specific virtues because it leads to flourishing. The point is rather different:

I am thinking of it as a starting point in an enterprise of critical reflection on the standard list [*of the virtues*]*—on whether one's views about which character traits are the virtues are correct.*⁶⁴ (Hursthouse 1999: 170)

Ethical naturalism necessarily proceeds from within an acquired outlook, but its reflection makes use of naturalistic concerns which may legitimately fail to be convincing to those without a similar enough outlook. The 'limited' rationality and objectivity is simply meant to provide an evaluative procedure by which to reflect on one's own however acquired moral architecture..⁶⁵

⁶³ There is also an important and interesting link to Aristotle here in terms of the *descriptive* project of philosophical grammar which echoes Wittgenstein's own methodology: "[Wittgenstein's] treatment of metaphysical problems by reference to the grammar of actual natural language bears a resemblance to what Aristotle does in the *Categories*. Wittgenstein, that is, adopts a kind of naturalism that is more or less Aristotelian, and is certainly more Aristotelian than Quinean." Garver 1996: 153. Aristotle's ethics should then seem all the more congenial to Wittgensteinians because of this crucial resemblance, over and above Aristotle's anti-codifiability stance, for example when he says that ethics cannot aspire to the precision of the other sciences[1094b10-b15] I brought the Aristotle/Wittgenstein connection up already in chapter 2, but full discussion would be a hefty project by itself. For now I direct the reader to the article above.

⁶⁴ She also writes, later on, "the ethical naturalism in question is supposed to be something that provides a criterion for a particular trait's being a virtue, *not* a criterion of right or good action, except indirectly; it is not just 'natural law' theory." *Ibid.*, p. 211.

⁶⁵ This is why in the second chapter I take as a point of contention Nussbaum's assertion that the naturalism present in Foot is a move away from stressing rationality as important. Rather naturalism is crucial for

I think that the method of Neurathian naturalism, in fact, precisely where virtue ethics gets its appeal. The role of flourishing within it is important and is worth further discussion. I noted above that it's a short step from the 'grammatical idea' underlying naturalism to a concept of 'flourishing'—for that is how we typically understand the notion of 'good' when used in a stipulative fashion. The move made by many virtue ethicists is to suggest that the most reliable path to reaching this good over the long-term, not only for oneself but for one's social group is through the exercise of the virtues⁶⁶—not that other moral theories are useless, exactly, but have severe limitations, some of which we've examined in chapter 2. As I mentioned above, possibly the greatest asset virtue ethics has is the open acknowledgement of its limited 'Neurathian' objectivity, one which seeks not to find the *one* rationally valid moral system of rules, but instead proposes a technique for evaluating and meliorating one's own moral beliefs on an incremental basis.⁶⁷ The central role played by *eudaimonistic* concerns in this process was well underscored in a recent article by William Prior, entitled "*Eudaimonism and Virtue*", where he writes that "the concept of virtue is conceptually tied to the concept of *eudaimonia*. To detach the two is to produce an account of virtue that is vague and incomplete" (Prior 2001: 329). This is because only a *eudaimonistic* approach can provide an account of 'good' without collapsing back into utilitarianism or deontology. *Eudaimonia* captures what is different about the virtue ethical approach; and as we have seen, there is a way of constructing it which does not commit us to strict Aristotelianism

cognitivism in ethics! It is also why I do not discuss the 'naturalistic fallacy', since there is a significant normative content within this form of naturalism.

⁶⁶ I will not get into a lengthy discussion at this point about the various ways in which this argument is made and the attendant controversies—whether all virtuous acts are a benefit to the agent, whether the wicked exhibit virtue if they courageously commit some wrong, etc., for it is not central to my point here.

⁶⁷ Thereby neatly avoiding a problem I indicated in the second chapter: reconciling moral intuition with the results of 'neutral' application of some codified moral system in cases of conflict.

or a determinate, biological reductionism. It is important because a virtue ethics without flourishing is one that cannot answer certain questions concerning the *ends* of virtue or what practical wisdom consists of (ibid., 331). Prior focuses on Philippa Foot's work to draw this conclusion out:

She cannot offer a complete account of wisdom because she lacks an account of the human good, and wisdom is the virtue most directly connect to the good. It is by virtue of wisdom that we are able to discern truths that Foot recognizes but cannot explain, such as the truth that some things are too dearly bought at the cost of others. This is exactly what an account of *eudaimonia* provides by classifying goods as either central or peripheral or as either intrinsic or consequential. (Ibid., 333)

This is why it is important that *eudaimonia* not find itself conflicting with the other aspects and elements of virtue ethics—to discard it would leave a large explanatory gap at best or even effectively fold virtue ethics back into deontology or consequentialism at worst. That it does not conflict is something I hope the above presentation of it has shown, by situating *eudaimonistic* naturalism as limited in several important ways: first, that it is meant mainly as a critical/reflective procedure to evaluate one's own moral outlook; second, that it is not determinate in its specifications of appropriate behaviour; third, that the 'objectivity' and 'rationality' present in it is not in any sense 'external' but is present only to the extent that it serves the critical purpose above.

All this should echo my earlier discussion of Wittgenstein and naturalism—for latent here, as McDowell writes, is the same relation that Wittgenstein drew our attention to:

between our concepts and the facts of nature that underlie them. The concepts would not be the same if the facts of (first) nature would be different, and the facts help to make it intelligible that the concepts are as they are, but that does not mean that correctness and incorrectness in the

application of the concepts can be captured by requirements spelled out at the level of the underlying facts. (Ibid., 193)⁶⁸

The precise nature of the relation cannot be that of simple determination, for otherwise we would have reached the conclusion that there is "far too determinate a specification of what it is to be a good human being", which is not only incompatible with our experience of the moral life, but is a much *heavier* thesis than the scant support available can hold (Hursthouse 1999: 211). The naturalism under consideration here is not meant to establish that a good human being *must* fulfill certain biological functions in order to be 'good' (i.e., have progeny, or, more Darwinian and morally alien, spread one's genes around as much as possible). We are interested in *character traits*, the ones that typically lead to flourishing (which we hope just are the virtues). And this flourishing—the object of the stipulative 'good' as applied to our species—is characteristically tied with being rational social animals.⁶⁹ It is because of this that we are not "completely constrained by what members and biologically specialized members of our species actually, or at the moment, typically do" (Hursthouse 1999: 221). Thus the only 'characteristic' way we have of going in is the 'social-rational' way—"to do what we can rightly see as we have reason to do" (ibid., 222; 223). The 'social' aspect comes through also in the very fact that any stipulative term, whether 'good' or otherwise, must exist as a public language game; the existence of an individual's 'private-language'⁷⁰ understanding of 'good' (always in a purely stipulative sense, remember) *depends* on the prior existence of a public

⁶⁸ I've discussed the relevant passages above already.

⁶⁹ The 'Darwinian' view is often mistakenly taken to be ultra-competitive and selfish. Richard Dawkins' early work (particularly "The Selfish Gene") led to this prevalent misconception, one which he admits to openly. In a later work, "The Ancestor's Tale", Dawkins stresses cooperation equally and how it may have arisen from egoistic premises: "...before the invention of the freezer, the best larder for meat was a companion's belly", he writes, as sharing in times of plenty establishes cooperative bonds when one's own luck runs out. Dawkins 2005: 96.

⁷⁰ Private as in a 'private sewing machine'.

counterpart. Any truly damaging levels of unadulterated ethical egoism in regards to flourishing would be selected out of the public language-game of 'good', for it could damage the flourishing of those presumably teaching the notions in the first place.

Eudaimonia is social then on two levels: in one sense just *because* we are social animals, and in another because notions of good are necessarily public ones, creating constraints on how it is understood—even the promotion of rational self-interest found in liberal economics points to the putative globally beneficial consequences of this egoism.

Lastly, it is also important to keep in mind that because of the legitimacy of various styles of rationality and discourses, (different ships being able to float, as it were) we are not in thrall to a specific, determinate model of what we *must* do and be like.⁷¹ For there are many ways to satisfy what Hursthouse identifies as the *eudaimonistic* 'four ends' of individual survival, continuance of the species, characteristic freedom from pain and enjoyment of pleasure, and the good functioning of the social group (Hursthouse 1999: 198-205 for full discussion). Any ethical evaluation of ourselves should therefore at least somewhat resemble the evaluations made using these concepts of, for example, plants and animals, despite the obvious differences. But this reason is not preceded by the definite article, it is not an external point of view which provides a universal standard by which to judge all times and climes. While the four ends seem to act as such a standard, it is important to remember that they themselves are contingent conceptualizations that are not determinate in their output either—though it is not hard to imagine that they must be pursued, after a fashion, in all human societies.

3. Criticisms of Virtue Ethics and Possible Solutions.

The key word here, of course, is *society*, for, as Hursthouse stresses, we are rational, *social* animals; as I've been stressing, the 'good functioning of the social group' is completely inseparable from one's own personal flourishing. This is important on two counts: first, against the notion that the apparent 'foundational egoism' of virtue ethics is a strike against the theory. As William Prior noted,

The chief fault with *eudaimonism* in the minds of modern moral philosophers is its grounding of ethical motivation in the good of an agent. This runs counter to a widespread intuition [...] that "the business of moral philosophy is the justification of action that is entirely objective and other-regarding. (Prior 2001: 338).

The ability of virtue ethics to satisfy these two conditions—of objectivity and selflessness—is a worry that I surveyed in the second chapter. From what has been said previously I hope it is apparent that these conditions as traditionally conceived are overly stringent. I've already said much concerning 'objectivity' and need not dwell on it more at this point. Concerning the assertion that moral philosophy must be *entirely* 'other-regarding', it is to me unclear precisely *why* a moral act must exclude any and all selfish considerations from one's own motivation; this seems to be a bias imported from Christianity, as Prior writes, and I am inclined to agree (*ibid.*, 338). It has persisted in secular philosophy, of course, for example in Rawlsian frameworks where the agent deliberates under the 'veil of ignorance', but it is interesting to note that recent criticisms of Rawls' view of agents have moved him closer to a 'particularist' conception akin to the one presented here, where "liberal principles are indeed maintained, but [...] their vindication, and hence their relevance, is said to be internal to liberal societies" (O'Neill

⁷¹ I don't mean to treat Wittgenstein as some oracular source, but I am reminded of this—"Life's infinite variations are essential to our life. And so too even to the habitual character of life. What we regard as expression *consists* in incalculability." (CV 73e.)

1996: 47). Regarding virtue ethics, the alignment of ethical motivation with personal good seems less problematic when one realizes there is no clear demarcation between personal flourishing and that of the community as a whole, for the reasons I've outlined already. Thus the debate between altruism and ethical egoism seems somewhat irrelevant with the points blunted thus. Rather they must be adjudicated within the context of a reflection on the virtues, where the deep connection between one's one self-interest and the welfare of the community is appreciated (a relation that should be understood as being symmetrical).⁷² The correct balance of personal and communitarian interest is a matter for ethical deliberation within the Neurathian procedure—in other words, from within an existing standpoint which may or may not be in need of amendment as circumstances change and factual knowledge is acquired.⁷³

These amendments are not solely in terms of whether specific actions and traditions are right or wrong, but also consist in the adjustments of what I'll call the metamorality of a society: the amount of tolerance it gives to otherness, dissent and ethical disagreement before coercive measures begin, for instance, or again as we are discussing the proper balance to strike between the individual and the community. What we are trying to avoid here is the notion that all these questions can be definitely settled by reference to some philosophical procedure. Rejection of this notion is not tantamount however to rejection of the possibility of moral progress. Quite the contrary. The evaluative capacity of virtue ethics, while admittedly perpetually incremental (what

⁷² For example in economics, where rational self-interest benefits society as a whole. Often self-interest is disparaged as detrimental to the community. Symmetry in this case also implies that selflessness can be equally damaging—perhaps by promoting vices such as laziness in others, as Nietzsche might claim.

⁷³ Knowledge such as, for example, "facts about female human nature" that show there is nothing intrinsic to feminine biology that impedes cognitive ability. See discussion of sexism in ancient societies in Hursthouse 1999: 245.

mathematicians might call an *asymptote*), is nevertheless one geared towards satisfaction of the naturalistic ends of human beings—naturalism conceived as a concern for the *stipulative* good, the idea already discussed that "when we talk about ethically good human beings, we have not suddenly started to use the word 'good' in a totally new 'moral' or 'evaluative' way" (Hursthouse 1999: 226). Consideration of these ends, in conjunction with relevant empirical facts brought into play, while not determinate in output, is sufficient to avoid wholesale relativism too. First, simply because we are able to legitimately criticize across traditions, sensibilities, and categories, against the hidden normativity of relativism that asks us to remain silent, as I've discussed previously. There is another reason—because of the link between the stipulative 'good' and naturalistic flourishing, practices can be morally condemned with intelligibility across a wide swath by simple reference to *eudaimonistic* concerns. To give but one quick example: often, a society with an obviously evil practice such as slavery seeks to justify its practices by saying that slaves are not human and thus can be treated as property.⁷⁴ This is in effect openly saying that the master's *eudaimonia* is not accessible to the slave, for if it were, slavery would be obviously immoral. That it is indeed accessible shows the practice as immoral and to be abandoned.⁷⁵ So while criticism of such societies, as I noted in the section on fideism, need not proceed from some idealized 'neutral point of view', reference to criteria and concepts common to both parties are more likely to produce meaningful change and dialogue, such as in the example above.

⁷⁴ We must be careful here. Ancient societies where slavery was widespread are not truly eligible for moral condemnation of the same sort we reserve for contemporary practices of the sort. This is not to say that there is a context, historical or otherwise, where slavery was 'right'; but deep history is not a fair object of moral evaluation except as imaginative contrast to ourselves. See previous footnote on this point.

⁷⁵ A trickier example would be an evil practice justified on religious grounds, which would situate *eudaimonia* in an eternal afterlife, access to which necessitates suffering here and now. In both cases

Disagreement in ethics are rarely so dramatic however, despite the prevalence of such examples in the literature. Most often the conflict is between two parties with otherwise largely similar world-views, and the resolution of such disagreements is sometimes a matter of moral adjudication, sometimes a question of living and letting live:

Many of our disagreements are over whether a particular action was or is right or wrong. According to virtue ethics, it is not invariably, but usually, going to be the case that one (or possibly both) parties to such a disagreement are going to be in error and what being in error will involve is an incorrect application of a virtue or vice term, or an incorrect judgement as to what a virtuous agent would do. ... the virtue and vice terms, and the concept of the 'virtuous agent' itself, allow for a certain amount of indeterminacy and degree. (Hursthouse 1999: 243)

An interesting question arises as to the exact amount of indeterminacy a virtuous society ought admit in its concepts (part of what I called the metamorality of a society, earlier).

The regulation of sexual mores has been one area where strict (religiously inspired) morality has given way to freer expression. But such cases are not on the whole terribly different from more prosaic ones; the lack of a well-defined virtue vocabulary at this level hobbles progress, though creative (or: 'generative') application of the existing language-game of virtue surrounding specific examples could sort things out admirably as well, with proper consideration to modern contexts and knowledge: that society will not break down utterly, for instance, if sex before marriage becomes commonplace. Reflection on the virtue of *tolerance* would be an effective starting-point when dealing with more abstract questions, such as the problems arising from globalization and increased movement of peoples. In addition, the ability to deal with metamoral questions belies the common lament that the strict 'internal'-only criticism that virtue ethics

however there is reference to what is good for human beings, a deep common ground despite disagreement as to how it is reached.

allegedly promulgates cannot sort questions where the boundaries of categories are the very things at issue:

Since the 'internal' critical standards of traditions and the self-criticism of individuals also vary, the problems posed by conceptual differences and categorial incommensurability will recur at many junctures and frontiers where ethical questions are urgent. For example, 'internal' criticism is unlikely to resolve problems of international justice, or of gender and justice. (O'Neill 1996: 22)

I've argued at length already that talk of 'internal' and 'external' criticism is severely confused, as is reference to supposedly insurmountable conceptual, category and sensibility differences. All that is required is the creation of a moral vocabulary, or virtue-discourse, capable of speaking to and about such situations and problematics at the proper level of abstraction, which is precisely what the generative value of rule-creation and stipulative naturalism permits us to do. O'Neill's example, concerning the resolution of gender issues, is a somewhat strange gambit, brought up solely in the abstract. Have such problems in historical fact been resolved by reference to universalist talk? After all, such talk has been present for centuries, yet issues of race and gender have only recently begun to be seriously addressed. And why shouldn't reflective amendment procedures of the type we envisage be able to redress wrongs of this type? O'Neill suggests that the devaluation of certain classes of agents within a tradition makes it difficult for their 'internal' criticism to be heard; what is required is reference to some 'external' objective conception (ibid., 22). But as I noted above with the example concerning slavery, purportedly universal categories may be quite easily defined solely with the master's interests in mind.⁷⁶ A society with a well-entrenched tradition of discriminative practices is not likely to be swayed by reference to inclusive universal justice, because in many

⁷⁶ This is what Anscombe warns us about in regards to Kant specifically, and universalism in general.

cases they have such a conception already, defined and exercised in such a fashion as to justify their oppression (which is not seen as such, of course). The first movement in social change rather seems to be the *self*-valuation of oppressed individuals within and indeed *because* of their differences through creative expression, rather than their assimilation into a larger universal category following some idealized syllogistic pattern (assimilation *by whom?* those with the power in society to effect such change?). Only *afterwards* come the belated recognition of misapplied 'universal' terms. It is therefore not immediately evident that universalists have the upper hand in cases of individual rights. The supposed incapacity of virtue ethics to find a 'ground' for individual rights, seen as necessarily generated by the standing of *others* and therefore impossible because of the 'egoistic' nature of *eudaimonia*, is belied by the intrinsically social nature of flourishing which just *is* a consideration for others, though the incremental nature of reflection does not make it the all-or-nothing affair demanded by many.

The second, related area where the emphasis on the 'social' element in both *eudaimonia* and generative rule-change is important: the criticism that virtue ethics is unable to construct a compelling case for global redistributive duties, or support a cosmopolitan conception of justice. I've described this criticism in the second chapter already. It asserts that the lack of "inclusive universal principles of justice" which addresses properly *global* concerns is courting 'ethical disaster', one which shows itself

in the difficulty that many particularist positions have in making sense of ethical discourse of dialogue with 'outsiders' who do not share the same categories or sensibilities. [...] In our world an inability to account for cross cultural reasoning ultimately has fierce practical consequences. [...] A particularist account of ethical relations and reasoning that might have been practically adequate in a world of homogeneous, closed societies will almost always prove practically inadequate in a world marked by cultural pluralism within states, vastly intricate ... transnational relationships, and

constantly shifting patterns of integration and connection between different spheres of life and different social groups. (O'Neill 1996: 19-20)

This criticism, though forcefully put, does not seem well-founded upon reflection. I identify here several converging problems or mischaracterizations: first, the view that virtue ethics, as a 'particularist' ethics, cannot account for cross-cultural reasoning or make sense of 'alien' discourse. Second, the related claim that as a result of this, virtue ethics is best suited to closed, homogeneous environments. The third problem I see here is the argument that 'inclusive universal principles of justice' are more appropriate for our pluralistic modern world, as it is described in the above quote by O'Neill. In fact, in regards to this last point, I think the opposite is true. The problem here is the assumption that 'universal principles' are really just that—that they will be seen, accepted and embraced as such, providing a 'bridge' across cultures where communication and discourse can proceed. Several dangers are present in this conception, the most pernicious being the notion that peoples and cultures resistant to 'universal justice' are *ipso facto* irrational, leading to paternalistic forms of colonialism enacted for the own good of the recalcitrant primitives. The search for standards with more than "local or traditional backing", which is "inevitably a search for inclusive universal principles of justice" has a rather spotty historical record, and this is no idle speculative fear (ibid., 19-20). Indeed, the most eloquent Enlightenment formulations of the universal rights of man and indubitable basis of these in reason were no shield against the gross colonial and domestic abuses made by the very same countries whose philosophers were busy drafting these self-satisfied proclamations. There is every reason to suspect that even today our best, most inclusive 'universal' theories of justice cannot help but remain, to the very 'outsiders' they are designed to include, the suspect product of Western intellectuals

working in an academic tradition as alien those of the so-called particularists, who at least have the advantage of openly admitting their own historical contingency. This possibility, of an 'imperialism of the universal', was put forward by well-known French social theorist Pierre Bourdieu, who wrote in an essay entitled *Abuses of Power by the Advocates of Reason*:

From deep inside the Islamic countries there comes a very profound question with regard to the false universalism of the West, or what I call the imperialism of the universal [...] If it is true that one form of universalism is no more than a nationalism which invokes the universal (human rights, etc) in order to impose itself, then it becomes less easy to write off all fundamentalist reaction against as reactionary. [...] Economic coercion is often dressed up in juridical reasons. Imperialism drapes itself in the legitimacy of international bodies. And, through the very hypocrisy of the rationalizations intended to mask its double standards, it tends to provoke or justify, among the Arab, South American, or African peoples, a very profound revolt against the reason which cannot be separated from the abuses of power which are armed or justified by reason (economic, scientific, or any other). (Bourdieu 1998: 19-20)

These considerations ought to give us pause and matter for some reflection before we embrace universal notions as the purported panacea to the dilemmas of a global, multicultural world—or even as sound foundations for a cosmopolitan form of citizenship, as human rights discourse sometimes aims to be. Writes Bryan Turner on this last topic,

There are three arguments against human rights discourse as a global medium for framing post-national identities. The first is that they are irredeemably associated with western values, and in particular with liberal individualism. [...] The second criticism of the human rights tradition is that they are not 'justiciable' or enforceable. (Turner 2002: 46-47).

The first of these criticisms echoes the one I have already presented. The second, concerning the enforceability of universal rights discourse, brings us to a consideration seldom entertained within moral philosophy: the role of power. The ability of universal inclusive justice to remedy inequalities, such as those surrounding gender, relies

ultimately on some form of defining authority that can set the limits on what it meant by the terminology of this justice (recall how easy it is to define slaves out of personhood). Turner is right to point out difficulties in enforcement, for they are not only a problem of mere logistics, but a reflection of the power structures inherent within any attempt at adoption of principles of inclusive universality. Deconstruction of this power leads us to see universalisms as just another tradition, one with sometimes more persuasive force—however acquired and utilized. This is seen in the 'successful' universalisms of neo-liberal economics, which had coercive measures at their disposal (through the International Monetary Fund's loan-conditions, for example) and the unsuccessful universalisms of the United Nations Universal Declaration of Human Rights, which had no adequate enforcement provisions.

Yet it can be easily objected that the mistakes made in the past do not speak to the validity of universal discourse. It may be that it was widely acknowledged that slavery was wrong, but the practice persisted because of structural incentives that took a long time to dismantle. The hypocrisy of persons is not proof of the illegitimacy of concepts. Furthermore, the universal notions of the Enlightenment concerning the rights of man are admittedly fallibilistic and subject to correction; past abuses, hypocritical or not, do not mean that they may not still be essentially correct. The criticism that universal discourse has not always been perfect ignores the fact that tremendous progress has been made, most of it using universalist terminology. It would be foolish and incautious to cease using, for example, universal human rights discourse on such grounds. And in a sense this is correct. Recall that the conclusions drawn from the rule-following argument are not meant to change language, but remove illusory grounds (of course change does

happen, but not as a result of this kind of philosophizing). Thus human rights discourse can persist much as it has. If it is useful, it need, as Wittgenstein may have said, no apology from us. The danger, I feel, is in the characterization of it as universal, necessary, and objective. Removal of this quality need not undermine confidence in use of the discourse itself. Rather free and open admission that the discourse must be in a sense *co-evolved* through the generative procedures of reflective amendment and rule-change, with all parties involved in the discussion, is more apt to produce truly inclusive and ‘universal’ accounts of rights and obligations, as well as lasting and meaningful meliorative change. What happens here is that the meaning of ‘universal’ is slightly altered to refer to the end-product of symmetrical dialogical processes. ‘End-point’ is really a misnomer, of course, since the task is forever unfinished. The gradual nature of this process better reflects the reality of ethical melioration, though, which is a long and arduous process. If we can discard the ‘universality’ of such talk while retaining its rational basis, we would be better off, for the dangers and temptations inherent in universality would be dissolved. So in opposing universalism one is in the end only advocating caution against conceptual overreach, the kind that makes us confident that democracy can be brought to recalcitrant and troubled countries or that property rights are fundamental, millennia-old farming practices notwithstanding.

But how, then, can virtue ethics do any better? Above, I outlined three basic problems with O'Neill's characterization of the difficulties faced by particularists in relation to issues of global justice, in which the answer to our question may be found. It is incorrect to say that the form of virtue ethics under consideration here cannot make sense of 'dialogue with outsiders' due to the grounding of morality within tradition and existing

practices, and that as such it is best suited to insular, homogeneous societies. Much of what I've said concerning fideism, rule-creation, and the Neurathian procedure ought to make this claim suspicious. I've argued that the notions of 'outside' versus 'inside' are spurious, for all language-games exist on the same continuum, in relative distance from each other but always *about* the same things. It is a heavily caricatured view that friends of the virtues see "ethical life as encapsulated in distinct domains by rigid grids of categories and sensibilities" (O'Neill 1996: 20). To the extent that these alleged encapsulatory 'grids' exist, their rigidity is grossly overstated here; my talk of boundaries and precision in the introduction should be brought to mind here. "Cross-rational" discourse is a real possibility, in fact an existing one already; it is a necessarily creative and dialogical process however (when it is not one-sided coercive conversion), mediated by what overlap does exist between differing practices and also by the salient features of the discourse-eliciting circumstances, and ultimately a product of the generative features of reflective self-amendment. It takes time. It takes *work*. It is a perpetual *striving*. If we really intend to account for widely different practices and modes of reasoning, and not just subsume them under *our* universals, such an approach is necessary.

Recall the relation of certain matters of fact ('givens', as I've termed them previously) to the development of language-games—one not determinate in output, but nevertheless crucial to the 'bootstrapping' and continued relevance of the products of the amendment procedure. One such 'given' now is the pluralistic world described by O'Neill—so is it not inevitable that reflection on the virtues, as those character traits that support flourishing, will be forced to take into considerations such facts and be amended appropriately? Virtue ethics is *evolutionary* in this sense, reflecting fitness to purpose—

the purpose, in this case, the 'stipulative' good. On the topic of cosmopolitan citizenship, Turner writes that "it makes sense that, if we are to have global rights and global citizenship, we need to *evolve* a language of obligation and virtue" (Turner 2002: 50).

This is because

the revival of cosmopolitan idealism is in fact closely connected with the classical idea of virtue. There is a republican tradition that had its origins in the Stoic tradition of Rome that promoted the idea of cosmopolitan virtue [...] This language of virtue ... has been lost to us in a world that has become dominated by calculating rationalism and the neo-liberal faith that our private vices (greed) are public virtues (wealth). (Ibid., 49)

Turner identifies the cultivation of a certain *ironic distance* from one's own polity and patriotism as the sound basis for a cosmopolitan conception of virtue and obligation that is neither relativist nor parochial—the "understanding of other cultures is assisted by an intellectual distance from one's own culture," while still remaining *ours* (ibid., 57). So while there is recognition of the fact that we cannot help but work *within* our frameworks, as the Neurathian procedure requires, it is tempered by this "Socratic irony, by which one can achieve some distance from the polity" (ibid., 57). So while I cannot tell you what, exactly, a virtue-ethical conception of global justice, or of cosmopolitan citizenship and duties, would look like, I do know that it is possible, crucial even, and more than this: it will be genuinely *transformative* of our current conceptions.

To continue my defence of virtue ethics, let me indicate another way in which a virtue-theoretic approach of the type we are considering may in fact be superior in a domain where it is typically held to be lacking—law and legislation, action-guiding institutions *par excellence*. The exercise of *discretionary power* is something implicitly included in every authoritative institution society has, yet can *only* be governed by uncodified virtue: for its falling outside the scope of universalized law occurs as a

premise of the very notion.⁷⁷ An simple example will make this more clear. Speed limits on highways are not enforced universally, *nor are they meant to*. The idea is to dissuade dangerously high speed relative to traffic flow while allowing a certain amount of 'play' within the rules. This is not something than can be easily codified and is simply left to the judgement and discretion of the person invested with enforcement authority. Universal and exact application of speed limits, for example through a mandatory computer mounted on the dashboard that detects local speed limits and prints out a ticket every time they are violated would be met with a huge outcry—and with reason. How would the programmer implement an algorithm that aims to model the police officer's judgement in determining what deserves a ticket and what does not? The same goes for the many laws and legal concepts that have no clear-cut definitions of key terms, from the mundane to the crucial: loitering, disorderly conduct, informed consent, self-defence. In all these cases a police officer or a judge must exercise some measure of personal discretionary power for which rules and precedents form only guidelines. In the end reflection on the virtues applicable in specific cases may form the only reliable method at getting the morally proper response to a given situation, particularly novel ones where precedent is more-or-less inapplicable.

It is true that examples of this mode of reflection are lacking in the virtue ethics literature, which has spurred on these 'action-guidance' worries. A good exception is found once again in Hursthouse, whose article "Virtue Theory and Abortion" provides a useful template for moral thinking within a virtue-ethical framework. While some commentators have found it to be of limited value, in my personal experience it counts as one of the most interesting discussions of the ethics of abortion I've read, one which

⁷⁷ The inevitableness of this is a consequence of the rule-following argument we've examined in chapter 3.

engaged deeply with my own opinions—in contrast to the abstracted debates concerning the status of the foetus weighed against the rights of women that informs most of the literature, which Hursthouse discards as irrelevant:

The sort of wisdom that the fully virtuous person has is not supposed to be recondite; it does not call for fancy philosophical sophistication, and it does not depend upon, let alone wait upon, the discoveries of academic philosophers. And this entails the following, rather startling, conclusion: that the status of the foetus—that issue over which so much ink has been spilt—is, according to virtue theory, simply not relevant to the rightness or wrongness of abortion. (Hursthouse, 1997: 228.)

This is an fascinating claim, perhaps too strongly worded, but it is important particularly in the context of the present work—not Hursthouse’s statement that the status of the foetus is irrelevant, for that is a conclusion is derived from another, more fundamentally challenging and unorthodox claim: that philosophy cannot inform the debate at all, that it is not necessary to "go beyond the familiar biological facts, deriving some sort of conclusion from them" through the machinations of metaphysical philosophy (ibid., 229). What Hursthouse is saying here is that academic philosophy has little to contribute to the *metaphysical* questions surrounding personhood as they involve the foetus; all that needs to inform us in this regard are the ‘familiar biological facts’. So once again we hit upon an important point of convergence between Wittgenstein and virtue ethics: the notion that philosophy *per se* has no new information to contribute and cannot provide us with general rules that will govern all cases, without exception. Instead, Hurstouse writes, the question we should be asking ourselves is markedly different:

'How do these facts [the 'familiar biological ones'] figure in the practical reasoning, actions and passions, thoughts and reactions, of the virtuous and the non-virtuous? What is the mark of having the right attitude to these facts and what manifests having the wrong attitude to them?' This immediately makes essentially relevant not only all the facts about human

reproduction I mentioned above, but a whole range of facts about our emotions in relation to them as well. (Ibid., 229).

What counts as *relevant* in virtue ethics is therefore wider than in act-centred theories, which is of course part and parcel of the open admission that rationality operates in a given *context*, and that our reflection on these issues cannot help but proceed from within said context; it cannot be the philosophical issue of the personhood of the foetus (outside the biological information we have concerning foetal development, which is the same point approached differently, with a different aim) which determines the morality of abortion, but facts about the agent's attitude towards the act itself (callous? aggrieved? sorrowful? uncaring?) their own personal circumstances in conjunction with these biological facts. This marks an important way in which virtue ethics ought *constrain* itself, a latent concern throughout the present work now brought out here in sharper relief. The slippery temptation Wittgenstein warns us of again and again, that of believing philosophy does more than 'leave everything as it is', is perhaps more perniciously present in ethics than anywhere else—for, as I wrote earlier, the problems cannot be dissolved away. Yet, as Hursthouse's discussion clearly brings out, there is a way of approaching these problems without falling into the trap; and in the end this is probably what makes virtue ethics a truly distinctive approach.

Now, the importance of one's own attitudes in ethical evaluation is something that only virtue ethics has properly emphasized, for it is an intrinsic part of personal and social *eudaimonia*. Consider a different example: that of temperance in regards to sexual relations. It may fairly be said that both a couple indulging before marriage and another one abstaining until it are *both* virtuous in so far as they are both acting from reasons and are properly motivated. This pliability of virtue is admitted because in our society the

notion of personal discretion is included in our understanding of temperance (though it is interesting to note how religious forces wish to promote abstinence and hence *reduce* discretion in this regard). What would count as non-virtuous action in this context would be *failure to act from one's own reasons*. Imagine if the abstaining couple got drunk one night, copulated awkwardly and felt guilty about their inebriated coitus in the morning. I'd say they acted wrongly because they betrayed their own principles⁷⁸—not because the act *itself* is wrong or was contrary to the naturalized virtue of temperance which acts as some external rule for behaviour. Virtue is, in part, the alignment of your reasons with your actions, of your freedom and your responsibility. But one must have a deep understanding of what this involves—it is a character trait that must 'go all the way down'.

In the second chapter I surveyed quickly an objection gleaned from empirical psychology to the effect that clinical tests do not bear out the idea that there are such 'character traits' at all. The basic argument, as I surveyed it earlier, is that the notion of 'character traits' is merely a piece of folk psychology, as systematic empirical investigation fails to demonstrate the existence of such traits when agents are placed in 'trait-eliciting' circumstances. One easy answer is to deny that virtue ethicists are "committed to the claim that there is widespread possession of global character traits", since virtue and vices are rarely fully held (Miller 2003: p. 377). Hence the failure of all agents at all times to perform a given virtuous act in eliciting circumstances does not demonstrate that *no* character traits exist. It is to be expected that possession of the virtues, on average, be modest, weak, or even merely continent in the vast majority of

⁷⁸ Here there is a parallel to draw to Nietzsche, so often taken as a problematic philosopher for virtue ethicists. I don't find this so at all, but this is a discussion for another paper.

cases. Still, to adopt this position, a fleshed-out account of trait-possession would need to be elaborated, one that would not sap the appeal of making reference to the virtues in explaining behaviour and reflecting on what to do. One such account is found in Miller's article, cited above, whose notion of a 'personality network' corresponds in many ways to Churchland's own views, which I presented earlier. Writes Miller,

Take an agent with a class of cognitive and affective or motivational states about S-type situations, and supposed those states are not isolated from one another, but rather stand in various relations both to themselves and to the remainder of the agent's personality [...] Call this the agent's *personality network for S-type situations*. (Ibid., 383)

Such an understanding has the benefit of avoiding the criticisms that 'character traits', grossly defined, do not exist, while remaining congenial to empirical testing and verification. But to advance this view, what is needed, according to Miller, is a deeper "understanding of moral education and trait acquisition", which is precisely the focus of Churchland's neural-network model (ibid., 384). Churchland writes that

moral learning consists in the gradual generation of these internal perceptual and behavioural prototypes, a process that requires repeated exposure to, or practice of, *examples* of the perceptual or motor categories at issue. (Churchland 1998: 86).

What we somewhat naively term the 'virtues', understood as 'character traits', is quite simply the product of this learning or training process—a process that is lifelong, as befits the constant self-amendment inherent to virtue ethics. There is somewhat of a Wittgensteinian counterpart to all this, inasmuch as the notion of a character trait resembles in some ways the 'beetle in the box' notion of a private sensation. If a virtue is a dispositional character trait to perform appropriate actions when faced with relevant eliciting circumstances that goes 'all the way down', the most obvious way to

conceptualize the notion is as a purely *mental* attribute. But at *PI* §293, Wittgenstein writes:

Suppose everyone had a box with something in it: we call it a "beetle". No one can look into anyone else's box, and everyone says he knows what a beetle is only by looking at *his* beetle.—Here it would be quite possible for everyone to have something different in his box. One might even imagine such a thing constantly changing.—But suppose the word "beetle" had a use in these people's language?—If so it would not be used at the name of a thing. The thing in the box has no place in the language-game at all; not even as a *something*: for the box might even be empty.—No, one can 'divide through' by the thing in the box; it cancels out, whatever it is.

The objection from empirical psychology is that, in regards to 'character traits', the box is empty—we are using a word with no referent. In the above passage, however, Wittgenstein is saying that this is perfectly irrelevant. The language-game played around "beetle" is simply *not about* the whatever is inside the box at all. Likewise, it is not impossible to suggest that it is not necessary, for the talk of 'character traits' to be meaningful, to have a publicly available object that *is* the trait. This may seem a more radical solution than Miller's, but this is not so: in fact it parallels the rejection of a strong account of character traits that in every relevant eliciting circumstance would manifest the trait in question, while not discarding the notion of an explanatory role for trait-possession in regards to action. A 'personality network' view, such as Miller's or Churchland's uses the notion of character traits only as a shorthand for a complex of responses which is given a perhaps misleadingly unified character by the use of a "beetle"-word. Hence it is no objection that clinical trials have failed to 'demonstrate' the existence character-trait 'realism'—appropriate enough, since we have sought, over the course of the present work, to move away from such philosophical dichotomies.

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