

Uneasy Virtue

The predominant view of moral virtue can be traced back to Aristotle. He believed that moral virtue must involve intellectual excellence. To have moral virtue, one must have practical wisdom – the ability to deliberate well and to see what is morally relevant in a given context.

Julia Driver challenges this classical theory of virtue, arguing that it fails to take into account virtues that do seem to involve ignorance or epistemic defect. Some “virtues of ignorance” are counterexamples to accounts of virtue that hold that moral virtue must involve practical wisdom. Modesty, for example, is generally considered to be a virtue even though the modest person may be making an inaccurate assessment of his or her accomplishments.

Driver argues that we should abandon the highly intellectualist view of virtue and instead adopt a consequentialist perspective that holds that virtue is simply a character trait that systematically produces good consequences. In this approach, what counts as human excellence will be determined by conditions external to agency, such as consequences. *Uneasy Virtue* presents a stimulating and accessible defense of the idea that the importance of the virtues and the ideas of virtue ethicists are best understood within a consequentialist framework.

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Introduction

Over the past few decades, criticism of Utilitarianism, and consequentialism more generally, has become increasingly fashionable. Currently popular is the view that the moral quality of our lives is best captured by alternative theories such as virtue ethics or Kantian ethics. These views are considered superior in that they avoid classic problems of Utilitarianism: they are not as demanding of moral agents, and they do not necessarily advocate an impersonal standard for determining right action. Further, each of these theories locates what is morally important or significant as being *within* the agent or agency, whereas consequentialist theories are typically viewed as locating these factors externally, in the form of consequences. Thus, while a Kantian maintains that the moral worth of a person's action is determined by conscious adherence to the Categorical Imperative, the Utilitarian holds that the rightness of the action is determined by its consequences. This feature of Utilitarianism is seen as a weakness since it is taken to 'alienate' the agent from morality and, further, render the agent hostage to the forces of moral luck. This book, however, will seek to defend consequentialism from the encroachment of virtue ethics in both its Aristotelian and Kantian forms by, first, pointing out serious internal deficiencies with Aristotelian virtue ethics; second, illustrating some of the limitations and the very narrow scope of virtue within the Kantian system; and, third, showing that consequentialism can well accommodate virtue evaluation. These three themes will be the central themes of the book. The final conclusion is that Consequentialism is not deserving of some recent attacks and that, once the theory is developed, its many advantages will outweigh those of its competitors.

In arguing for these claims I will challenge a long-held conception of

virtue, one that locates moral excellence in cognitive excellence. This view, held by Aristotle, has been enormously influential on the development of modern virtue ethics. Aristotle held that a central feature of virtue is “correct perception”; that is, the virtuous agent is one who correctly perceives what is morally relevant. This feature of Aristotle’s account of virtue has been elaborated by John McDowell and Martha Nussbaum, in addition to *particularists* in virtue ethics. The idea is that it is foolish to argue in favor of rules of right conduct, as the Utilitarians and the Kantians do. No rule or decision procedure can capture or detail the features of a ‘right act.’ Particularists maintain that what makes an agent’s conduct appropriate is an enormously complex issue, and one that cannot be codified. Instead, in giving a theory of what we ought to do and how we ought to be, one should focus on judgment and discernment – correct perception. I argue that the emphasis on correct perception is mistaken and that a significant class of virtues, the virtues of ignorance, which includes the trait of modesty, cannot be accommodated by this view. Thus it risks leaving out an important element of our moral experience.

Consequentialism, it turns out, offers an extraordinarily complex and flexible evaluative system. Broadly speaking, it is the view that the moral quality of a person’s action (character trait, etc.) is determined by its consequences. That is, for an action to be ‘right,’ for example, it is both necessary and sufficient that it produce or be thought to produce the appropriate sorts of consequences. Of course, this is all very vague, but the different formulations of the theory will specify the details differently. The formulations of the theory that I would like to focus on involve the contrast between the objective and subjective versions of the theory. These two versions of consequentialism are quite different, and a discussion of the differences is illuminating in providing a systematic way to compare consequentialism with other theories.

A subjective consequentialist defines the rightness of an action in terms of the subjective states of the agent. An example of a subjective consequentialist theory is expectabilism, which holds that an action is right if and only if the agent *expects* that the consequences of the action will be good. An objective consequentialist, on the other hand, defines a right action as that which produces good *actual* consequences – thus, what the agent *expects* to be produced is irrelevant in determining rightness – though it will certainly be relevant in terms of apportioning praise and blame. These two versions of the theory illustrate a more general distinction among ethical theories – the distinction between *evaluational*

internalism and *evaluational externalism*. Evaluational internalism is the view that the moral quality of a person's action or character is determined by factors internal to the person's agency, whereas evaluational externalism is the view that the moral quality of a person's action or character is determined by factors external to the person's agency. Subjective consequentialism is an example of the former; objective consequentialism an example of the latter. Arguably, Kantian ethics – or, at least, the old traditional interpretation of Kantian ethics – is an example of evaluational internalism, since Kant at least claimed that the actual effects of an action are irrelevant to its moral quality. Aristotle's theory is mixed; certain psychological states are necessary for virtue but not sufficient, since a virtue trait must show some connection to actual human flourishing. "Success" is necessary for Aristotle in a way that it is not for Kant or for the subjective Utilitarian. The drawback is that for both Aristotle and the objective consequentialist the moral features of one's life are subject to luck; prey to forces beyond the control of the agent since at least some of the consequences will be beyond the control, or indeed the recognition, of the agent. Kant chose the internalism route to protect the agent from luck, as did the subjective consequentialist.

In Chapter 1, I focus on Aristotle's theory. An entire chapter is devoted to Aristotle because he is the exemplar of virtue ethics; the vast majority of modern writers on virtue have taken their cue from Aristotle: John McDowell and Martha Nussbaum both locate virtue in the perceptual sensitivity of the moral agent to morally salient features of context, an idea that is traced directly back to Aristotle. Further, Aristotle's account represents a mixed view in the sense that he held that certain psychological states were necessary for virtue, but also that an external condition had to be met for virtue – namely, that it be productive of human flourishing in some way. In presenting a brief account of Aristotle's theory of virtue in Chapter 1, I hope to show how this view has influenced modern conceptions of virtue, and I hope also to lay the basis for critical discussion of the mixed perspective that will follow later in the book.

A central feature of Aristotle's account is the idea that virtue consists of "correct perception" on the part of the virtuous agent. There is some debate as to whether this is necessary and sufficient for virtue or merely necessary. However, in Chapter 2 I develop a criticism of this feature of classical virtue theory by discussing a class of virtues that I call the 'virtues of ignorance.' This criticism succeeds against even the weaker construal of the perceptual sensitivity requirement as merely necessary.

These virtues of ignorance require that the agent *fail* to detect a morally relevant feature. Take, for example, modesty. Genuine modesty, I argue, requires that the agent underestimate self-worth to some extent (though not to the extent of constituting self-deprecation). This means that the agent is making a mistake. The agent fails to fully recognize that, for example, he is the best pianist in the world when in fact he is. If modesty is a virtue, then, modesty provides a counterexample to Aristotle's theory. Knowledge of virtue-making factors is not a necessary condition for virtue.

In Chapter 3, I expand this line of attack against traditional virtue theories by showing that not only is knowledge not essential to virtue, but other internal states, such as having 'good intentions' or deriving pleasure or satisfaction from virtuous activity, are not necessary. For example, having objectively good intentions requires that an agent have correct beliefs regarding what is valuable – a tall order for most persons who have beliefs that are often heavily influenced by the fallible mores of human society. Consider Huckleberry Finn, who helped a friend escape the evil of slavery, though he himself did not seem to find that institution morally repulsive. Huckleberry's belief was wrong; slavery is an evil, and he should have condemned it. Still, he was a sympathetic person, and in the end the sympathy won and he did the right thing by not turning his friend in to the authorities. Further, the sympathy was a genuine feature of his character. He did not spare his friend on a whim. If he had to do it over again, time after time he would have acted the same way. If we look at his entire character, then, the sympathy is a virtue, even though Huckleberry lacks the right sort of belief to make his intentions good. He believes he is acting wrongly when in fact he is acting rightly. Thus, if good intentions were necessary to virtue, Huckleberry would not be virtuous.

The Huckleberry Finn case is an extreme, since it illustrates a person who has demonstrably false beliefs about the good. But if virtue theorists insist that Huckleberry lacks virtue because of his flawed cognitive state, then this is bad news for most of us, who, even in some small way, are likely to harbor false views of value. The psychological requirements placed on virtue in the classical tradition seem far too rigid and unrealistic. Huckleberry may have had many vices, but he did have virtue, which prompted him to do the right thing, even though he may not have recognized it as such. Huckleberry's virtue is an *uneasy* virtue, however, due to its lack of a firm cognitive foundation. Nevertheless,

since it is a trait of character that we value because we recognize its good-producing qualities (since Jim's freedom is a good), it is a virtue.

Chapters 3 and 4 constitute a sustained attack on the internalist view of evaluation. I argue that none of those internal qualities traditionally associated with virtue is necessary for it. Some internal states may be necessary for particular virtues; for example, it may well be that for a person to be genuinely generous, she must realize that she is helping the needy. However, my point is that when we ask ourselves the question "Why is x a virtue?" we do not respond by saying things like "x displays good intentions"; rather, we point to external factors, that is, those consequences actually produced by the trait in a systematic fashion. Thus, the sustained criticism of the internalist perspective leads to a development of my positive view of virtue: that a virtue is a character trait that systematically produces a preponderance of good. This is decidedly consequentialist, but it is a variety of objective consequentialism, since it locates the goodness in the actual consequences produced (or the consequences that would be produced under typical circumstances).

On this externalist account of virtue, 'excellence' or 'virtue' is analogous to the biologist's sense of 'fitness' in that both of these concepts are to be understood externally. The fitness of an animal may involve internal states, but the value of those states is determined by reference to the external environment. Sharp teeth are indicators of fitness only in certain environments. Since some environments are more common than others, we can loosely speak of sharp teeth contributing to fitness; but it is understood that this is merely a norm; that if the context were to shift, the judgment of fitness might shift as well. Fitness is not to be determined by the animals' internal states alone; reference to the environment is crucial in evaluations of fitness – indeed, it is the determining factor. Likewise, virtue or excellence in humans is not a matter of their internal states alone, divorced from the social environment. This allows for a sort of relativism in virtue judgments, though not a pernicious relativism. Simply, it allows judgments of virtue to shift with given shifts in context. The tendency to be blindly charitable, that is, to see the good in others and not the bad, was not a virtue in Nazi Germany, though it may have been one in 19th-century rural England. The justification is provided by an appeal to consequences. If accepted as genuine cases, these pose a problem for accounts of virtue, such as McDowell's and Nussbaum's, which resurrect Aristotle's theory. McDowell argues that virtue is a perceptual capacity to detect what morality demands in a given context;

he thus equates moral virtue with knowledge of what is morally relevant. Yet an agent exhibiting modesty is unaware of the features that make him modest. The blindly charitable person is one who *fails to see* all that is bad in others. To avoid the problem posed by these cases, the Aristotelian must deny that they are true virtues. Yet, to do this without some theoretical justification is to beg the question in favor of his own account. The standard arguments, to be found in Aristotle, in favor of the “correct perception” view of virtue are all based on reliability: that is, correct perception, practical wisdom, and so forth are necessary to ensure reliability of good behavior on the part of the moral agent. Without such perception, even a well-intentioned agent will bumble about and cause all sorts of unnecessary harm. But if we are talking about the disposition to behave in a certain way, reliability is already built in. The blindly charitable person, in the appropriate context, does behave well reliably. What something like correct perception or practical wisdom will in fact do is allow for flexibility in dealing with nonstandard contexts. Jane Bennet, a blindly charitable character in Jane Austen’s novel *Pride and Prejudice*, is someone who always sees the best in others and overlooks the bad; she will be in some moral difficulty if transplanted to Nazi Germany. However, the plausible way of dealing with these sorts of cases is to point out that virtue evaluation is context sensitive. It is not to deny the label ‘virtue’ to traits that fail in some context or other to be good-producing.

The alternative theory I develop, in part to accommodate the virtues of ignorance, is proposed and developed in Chapters 4 and 5. It is offered as a supplement to standard objective consequentialism. A virtue is a character trait that leads to good consequences systematically. The mental states leading up to the actions instantiated by the trait are not themselves intrinsically valuable, though they will certainly be extrinsically valuable. Their value, however, will be understood in terms of external features – that is, the consequences produced, or the ones that would be produced, under normal circumstances.

In claiming that the trait leads to good systematically, one is not committed to the trait’s leading to good in every single instance. For example, a person may be just, yet, on a single occasion, the just action may lead to bad consequences. The claim is merely that for justice to be a virtue it must systematically lead to good, or lead to good on balance and nonaccidentally. An analogy with seat belts may help. Wearing a seat belt is generally considered good, though there may be some occasions when wearing a seat belt actually leads to a worse outcome, in rare

crashes where the victim would be better off thrown from the car rather than strapped in place. However, these rare occurrences do not make us change our evaluation of seat belts as good, any more than the rare occasion of justice leading to a bad outcome makes us change our evaluation of justice as a virtue.

There are two different ways (at least) of developing objective consequentialism. Previously, the form focused on was a form that Michael Slote has dubbed “actualism.” Actualism holds that the moral quality of actions and/or character is determined by actual consequences. This has been taken to be the form of objective consequentialism that writers such as Railton have argued for, and has been viewed as rather counter-intuitive because it is subject to moral luck problems to a greater extent than purely internalist theories are. Actualism seems to hold the agent responsible for any actual outcomes of an action, and these outcomes alone determine the moral quality of the action. Thus, for example, if Donna throws a banana peel into the garbage, and the peel falls out unbeknownst to her, causing an innocent passer-by to slip and break his leg on the peel, Donna is responsible and her act of throwing out the peel is immoral and wrong.

However, there is another way of developing objective consequentialism. The theoretical distinction that underlies the distinction between subjective and objective consequentialism is the distinction between evaluational internalism and externalism. What makes objective consequentialism useful for my account of moral virtue is that the moral quality of actions and/or character is determined by factors external to agency. However, these factors *need not* be out-there-in-the-actual-world factors. Rather, what matters morally in objective consequentialism is not what goes on in the agent’s head. But this leaves room for counterfactual support of moral claims in the sense that an agent’s action could be deemed right/wrong, depending on the consequences of that act in normal circumstances, or what would have been its consequences in normal circumstances. This would help shield the account from moral luck to some extent while preserving the strength of the objectivist’s connection to the world or to external reality. One could view this as simply a more attenuated type of actualism. A robust modal realism would recognize counterfactual claims as making reference to events in possible worlds. Applied to character evaluation, this alternative would hold that a moral virtue is a character trait that *would* systematically produce good. This alternative is “counterfactualism.” My claim is that though this alternative to actualism has the benefit of minimizing moral

luck problems, and offers a little recognized alternative to subjective consequentialism, it is nevertheless untenable because it privileges possible worlds close to our own without independent argument, and this, in turn, would lead to other counterintuitive results. That is, it may well be the case that Samantha's generosity is the result of some fluke, so that in nearby possible worlds she is not generous. Nevertheless, that doesn't affect her actual generosity. Further, one could view moral luck as being not so much a *problem* as a phenomenon alerting us to the significance of our connection to what happens in the actual world – and this would be a strength of actualism.

Major portions of the later chapters deal with an articulation and a defense of objective consequentialism. Defending it against the pure internalist requires pointing out the advantages of preserving a connection to the world; one isn't committed to the view that useless or even counterproductive traits are virtues. The best that can be hoped for by advocates of a necessary internal condition to virtue is a "mixed" virtue ethics that still recognizes the importance of external features.

However, the mixed view purchases its superficial plausibility at the expense of a host of theoretical problems that are shared with the pure internalist and externalist perspectives. For example, like objective consequentialism it will suffer from the problem of moral luck. If, for example, conduciveness to actual human flourishing is necessary for virtue, then the agent's virtue is still subject to external conditions. If human flourishing is not actually produced, the person lacks virtue even if he or she possesses "good" internal states of the requisite sort. Further, like internalist views such as one developed by Michael Slote, a mixed view will suffer from the difficulty of specifying how good motives and intentions can be identified independent of external factors that would make them good (see Driver 1995).

For these reasons I favor a reconsideration of the other "pure" perspective, that of evaluational externalism in the form of objective consequentialism. The account as it has so far been spelled out needs to be defended against objections of the sort that are now familiar. For example, what is the scope of relevant consequences to be considered? That is, how far into the future are we to go in counting the consequences? Which consequences are relevant and which are not? These problems are serious, but it is worth pointing out that any theory that holds some favorable outcome as necessary, even if not sufficient, for virtue will have the very same set of problems. Even a mixed view such as Aristotle's would need to deal with scope problems regarding the extent to

which we consider the human flourishing brought about by virtue. However, *tu quoque* arguments are not the most satisfying. In the last chapter of the book, I defend the account against this set of criticisms by arguing that judgments of virtue are context sensitive.

As has been mentioned before, an additional concern is that of moral luck. The initial attraction of the internalist perspective is that it can mitigate the impact of luck on evaluation. If the moral quality of an agent's character and actions is completely determined by voluntary states of the agent's mind, then bad luck in the form of an accident, or some other unfortunate external circumstance, will have no impact on moral quality. But the externalist account has the advantage of tying the agent to the actual consequences of his actions. If we are held responsible for consequences, and not merely for our internal states, then we will be far more cautious and concerned about the impact of our actions on others, and this will promote the good. What is unique about the view developed in this book is that it views virtue as having no necessary connection to good psychological states. States such as knowing the import of one's actions, deriving pleasure from the good, and so on are not necessary to virtue across the board. One or more states may be necessary for *particular* virtues, though that would remain to be determined by analysis of the specific virtues. A trait can be a virtue even though it fails to instantiate such psychological states. In this way, traits such as modesty and blind charity can be regarded as virtues in the right contexts. The broader significance of this step is to drive a wedge between the view that human excellence is a matter of simply attaining wisdom and the view that one's social interactions contribute to human excellence. On my account both are significant, though not all significant. The best life is one that incorporates both forms of excellence. Thus, though the view I advocate is consequentialist, it is one that advocates a balance of goods for a person's life.

The focus of this book is moral virtue. The account of virtue I present should not be understood as an exhaustive ethical theory; the issue of act evaluation, for example, is a separate issue and one not directly dealt with here. I happen to believe that the actualist, or objective consequentialist, view is the correct one for action as well as for character evaluation, but nothing I argue for here commits the view to this. My intent is simply to show that this approach to evaluation can well accommodate virtue evaluation in a way that is far more intuitively plausible than this approach has previously been given credit for being.