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Preliminary considerations

I Interpretations of Aristotle's *Nicomachean Ethics*

Few works in the history of philosophy have provoked as much discussion and diverse opinions as Aristotle's *Nicomachean Ethics* (NE). Philosophers and scholars in different eras have examined a number of moral topics, such as the best life for a human being, the meaning of virtue, the ideal of natural law and the reasons for moral actions, as a result of their reading of Aristotle's text.[1] Aristotle's work, however, is not merely a historical artifact, but continues to inspire contemporary thinkers in their quest to answer significant questions concerning human ethical action. Nancy Sherman comments upon the manner in which Aristotle contributes to contemporary moral topics: "No longer do utilitarianism and Kantian ethics alone dominate the moral landscape. Now Aristotelian themes fill out that landscape with such issues as the importance of friendship and emotions in a good life, the role of moral perception in wise choice, the nature of happiness and its constitution, moral education and habituation."[2] One might add to these subjects the theory of universal basic goods, the role of fortune in a human life and the process of moral reasoning to which the philosophy of Aristotle has contributed. The flexibility and broad scope that are characteristics of Aristotle's efforts have also led to many disputes about the precise meaning of the topics listed here. This chapter will examine some of the contemporary discussions of these themes, while subsequent chapters will treat Aristotle's own doctrine and its various medieval interpretations.

[1] A recent discussion of the way in which the NE has been interpreted in different eras can be found in *The Reception of Aristotle's Ethics*, ed. J. Miller (Cambridge: Cambridge University Press, 2013).

[2] Introduction to *Aristotle's Ethics: Critical Essays*, ed. N. Sherman (Lanham: Rowman and Littlefield, 1999), p. vii.

a The accounts of happiness

Aristotle's two accounts of happiness that appear in books I and X of the NE have led his expositors to different views on its nature and constitution. John Cooper summarizes the frustration of Aristotle's readers on this topic when he says, "Perhaps, in the end, one should admit that Aristotle works with two distinct mutually incompatible conceptions of human happiness in the Ethics."[3] Many modern scholars have agreed with Cooper and have found the two descriptions of happiness in the NE to be contradictory.[4] Cooper, however, like many others attempting to explain Aristotle's thought, persists in his attempts to explain the true doctrine of Aristotelian happiness despite its difficulty. He admits that he originally maintained that Aristotle's notion of *eudaimonia* (happiness) consisted exclusively in contemplative activity and left no room for morality as normally understood.[5] After reflection Cooper came to accept the notion that "... happiness requires the activity of the best virtue, *along with the others*: happiness requires the perfection of our nature as human ..."[6] Cooper describes here what has come to be known as the 'inclusive theory' of Aristotelian happiness, which W.F.R. Hardie distinguished from the 'dominant theory' that considers all human actions to lead to the supreme virtue of theoretical wisdom.[7] Anthony Kenny, like many modern readers of the NE, understands Aristotle to have made theoretical wisdom the dominant characteristic of happiness to which all other human pursuits are ultimately directed: "Aristotle ... considers happiness only in the dominant sense ... Aristotle

[3] J. Cooper, "Contemplation and Happiness: A Reconstruction," *Synthese*, 72 (1987), p. 190.

[4] Foremost among them are J. Ackrill, "Aristotle on Eudaimonia," *Aristotle's Ethics: Critical Essays*, pp. 57–77; M. Nussbaum, *The Fragility of Goodness: Luck and Ethics in Greek Tragedy and Philosophy* (Cambridge: Cambridge University Press, 1986), esp. pp. 373–378; W. Hardie, "The Final Good in Aristotle's Ethics," *Philosophy*, 40 (1965), pp. 277–295; repr.in *Aristotle: A Collection of Critical Essays*, ed. J. Moravcsik (Garden City, NY: Anchor Books, 1967), pp. 297–322.

[5] J. Cooper, "Contemplation and Happiness . . .," p. 190. For a discussion on the translation of *eudaimonia* as happiness, see R. Kraut, *Aristotle on the Human Good* (Princeton: Princeton University Press, 1989), p. 3.

[6] J. Cooper, "Contemplation and Happiness . . .," pp. 203–204 (italics added).

[7] W.F.R. Hardie, "The Final Good in Aristotle's *Ethics*," and *Aristotle's Ethical Theory* (Oxford: Oxford University Press, 1968). Hardie reconsiders the adequacy of such terminology in "Aristotle on the Best Life for a Man," *Philosophy* 54 (1979), pp. 35–50, but modern scholars continue to use the terms 'dominant' and 'inclusive' in order to distinguish Aristotle's descriptions of happiness. Despite much research in the past fifty years, no consensus on Aristotle's doctrine of happiness has been reached. For an extensive list of the publications on this topic see H. Curzer, *Aristotle and the Virtues* (Oxford: Oxford University Press, 2012), pp. 390–391, nn. 5–6.

seeks to show that happiness is identical with philosophic contemplation."[8] These different readings on the nature of Aristotelian happiness are also apparent in the medieval commentaries on the NE. Although the terminology differs, most medieval interpreters of Aristotle followed the lead of Albert the Great, who argued that human happiness primarily consisted in contemplation. A second type of happiness, which Albert called 'civic' and which was comprised of moral virtues, contributed to the primary form of happiness by calming desires and passions so that a person might be free to consider immutable truth.[9] In the thirteenth and early fourteenth centuries Thomas Aquinas and Boethius of Dacia, a master in the Parisian Arts Faculty in the 1270s, accepted what today would be termed the inclusive theory of happiness. They understood happiness to result from both the knowledge of truth and also the exercise of moral virtue.

b The relation of virtue to happiness

A second problem concerning Aristotle's concept of happiness involves the question that Julia Annas calls the most important and central one in ancient ethics: "In what does happiness consist?"[10] To both modern and medieval readers of the NE the more specific question becomes: What is the relation between virtuous activity and happiness? Aristotle's assertions that happiness is a final (or complete) activity and that those possessing virtue may not be able to exercise it in sleep or misfortune have produced different ideas on the role of virtue in the production of happiness.[11] Aristotle's final definition of the human good as the activity of the soul in accordance with virtue (τὸ ἀνθρώπινον ἀγαθὸν ψυχῆς ἐνέργεια γίνεται κατ' ἀρετήν: NE 1098a15–16) has done little to resolve the question definitively. Richard Kraut declares categorically that ". . . happiness consists in just one good: this is the virtuous exercise of the theoretical part of reason that is the activity called *theoria*. Every other good (including the

[8] A. Kenny, "Happiness," *Proceedings of the Aristotelian Society*, New Series 66 (1965–1966), p. 99.

[9] See Chapters 5 and 6. For a modern view similar to that of Albert see S. Clark, *Aristotle's Man* (Oxford: Clarendon Press, 1975), p. 197 where he says that the practice of virtue "clears the way to the knowledge of the god."

[10] J. Annas, *The Morality of Happiness* (New York and Oxford: Oxford University Press, 1993), p. 46.

[11] NE 1097a30–31 where Aristotle claims that happiness is τὸ τούτων τελειότατον, the most final of them (goods). τελειότατον has been translated as "most complete," "most final" or "most perfect." For those possessing virtue and not able to exercise it, see NE 1095b32–33.

ethical virtues) is desirable for the sake of this one activity."[12] Annas rejects this view of Aristotelian happiness and remarks that a number of other activities and goods are needed for one to achieve human happiness. In her reading of the NE Aristotle rejects the idea that virtue is sufficient for happiness, and remarks that such a concept in Aristotle's view would be grossly counterintuitive.[13]

Aristotle's puzzling definition of *eudaimonia* led interpreters of the NE in the early thirteenth century to relegate virtue to a means whereby happiness might be achieved. They failed to see the close connection between the activity of virtue and human goodness. Later in the century more sophisticated thinkers, such as Albert the Great and Thomas Aquinas, rejected this view and stressed the importance of the activity of virtue in the production of human happiness. Still they had some difficulty in determining the exact role of virtue in the human attainment of happiness. Aristotle's doctrine of human goodness continues to lead to erroneous conclusions and frustration. Kenny claims that "Aquinas, adapting Aristotle, denied that the search for happiness involved any awareness of God."[14] It is hard to determine exactly what Kenny means by this statement since *cognitio Dei* is an absolutely essential element in Thomas's doctrines of human happiness, imperfect beatitude and perfect beatitude. Thomas rightly views the supreme object of contemplation in Aristotle's thought as divine beings.[15] Aristotle continues to thwart those seeking precise formulations in his ethical treatises. His method of avoiding absolute precision in ethics leads Annas to conclude that "What Aristotle says about virtue and happiness . . . reflects commonsense Greek ethical thought, which is tempted . . . in both of two conflicting directions . . . If we find what he says unsatisfactory, it is because we think that ethical theory, even of Aristotle's kind, must take sides in a way that Aristotle does not."[16] Like his predecessors, Socrates and Plato, Aristotle creates the elements for a philosophical dialogue that continues even to the present day.

[12] R. Kraut, *Aristotle on the Human Good*, p. 5.
[13] J. Annas, "Aristotle on Virtue and Happiness," in *Aristotle's Ethics: Critical Essays*, p. 35 and *The Morality of Happiness*, pp. 375–377.
[14] A. Kenny, "Happiness," p. 99.
[15] Thomas Aquinas, *Sententia libri Ethicorum* (=SLE), ed. Leon., 47, 1–2, (Rome, 1969) p. 583, ll. 80–93: . . . quod felicitas est optima operatio. Optima autem inter operationes humanas est speculatio veritatis . . . alio modo ex parte obiecti, quod dat speciem operationi, secundum hoc etiam haec operatio est optima, quia inter omnia cognoscibilia optima sunt intelligibilia et praecipue divina. Et sic in eorum operatione consistat perfecta humana felicitas.
[16] J. Annas, "Aristotle on Virtue and Happiness," p. 50.

c Natural law

The few lines in book V of the NE on the distinction between natural and conventional justice (τοῦ δὲ πολιτικοῦ δικαίου τὸ μὲν φυσικόν ἐστι τὸ δὲ νομικόν: NE 1134b18) led medieval moralists to regard Aristotle as an advocate of the theory of natural and universal law.[17] While acknowledging Aristotle's acceptance of the notion of natural law, the medieval authors relied more heavily on Christian sources for the development of their own theory. As is clear in the subsequent chapters, the main inspiration for the content and principles of natural law are the writings of Paul and the Church Fathers, especially Augustine.[18] While there is very little dispute about the presence of a natural law theory in the NE among medieval authors, such is not the case in contemporary thought. Aristotle's text is again the cause of diametrically opposed interpretations, since he asserts the existence of natural justice and then shortly thereafter says "for us [human beings] although there is something like natural justice, it is still changeable" (κινητὸν: NE 1134b28–29). Modern political, religious and legal philosophers, who have developed a new theory of natural law, trace its origins to the work of Aristotle. Foremost among them is John Finnis, who cites another passage in the NE as support for the idea of moral absolutes: "Not every action . . . admits of a mean . . . It is not possible then ever to be right with regard to them; one must always be wrong" (NE 1107a9–13).[19] Hardie disputes this interpretation and argues that Aristotle is here making a purely logical point that arises from the way in which certain words are used to describe actions.[20]

[17] For Thomas Aquinas's explanation of Aristotle's text see SLE, pp. 304–306, ll. 1–168.

[18] For a survey of theories of natural law in the Middle Ages, see J. Porter, "Contested Categories: Reason, Nature and Natural Order in Medieval Accounts of the Natural Law," *The Journal of Religious Ethics*, 24 (1996), pp. 207–232.

[19] J. Finnis, *Moral Absolutes: Tradition, Revision and Truth* (Washington, DC: Catholic University of America Press, 1991), p. 31; also J. Finnis, *Natural Law and Natural Rights* (New York and Oxford: Oxford University Press, 2011); J. Finnis, "Natural Law: The Classical Tradition," The Oxford Handbook of Jurisprudence and Philosophy of Law, ed. J. Coleman and S. Shapiro (New York and Oxford: Oxford University Press, 2002), pp. 1–60. Finnis and other 'neo-natural law' theorists acknowledge a greater debt to Thomas Aquinas, but still attribute the theory to Aristotle as well. G. Grisez, *Way of the Lord Jesus, v. 1: Christian Moral Principles* (Chicago: Franciscan Herald Press, 1983), c. 7; G. Grisez, J. Boyle, and J. Finnis, "Practical Principles, Moral Truth and Ultimate Ends," *American Journal of Jurisprudence*, 58 (1987), pp. 99–151. See also R. Hittinger, *A Critique of the New Natural Law Theory* (Notre Dame: Notre Dame University Press, 1987).

[20] W.F.R. Hardie, *Aristotle's Ethical Theory*, p. 137.

Again Aristotle's desire to sketch possible answers to moral questions leads to vastly different explanations of his text.[21]

A feature of the new natural law theory is the idea of basic human goods: "There is no reason to doubt that each of the basic aspects of human well-being is worth seeking to realize. But there are many such basic forms of human good; I identified seven. And each of them can be participated in and promoted . . ."[22] Moral choices are ultimately justified by "what is intelligent to take an interest in," and intelligence indicates always the pursuit of basic goods.[23] Among such basic goods are life, knowledge, play, creativity, friendship, religious observance and loyalty. These activities are necessary for the attainment of the good life. The adherents of this theory believe that the concept of basic goods specifies the constituent elements to the Aristotelian doctrine of human happiness.[24] The proponents of the theory of natural law recognize the importance of the use of practical reason in order to determine the best application of legal and moral principles. Reason, however, has limitations since it cannot arrange hierarchically the incommensurable goods when they make conflicting demands on the moral agent. Since no basic good may be reduced, or subordinated, to another, any of them may be reasonably chosen at the expense of the other.[25] Although influenced by Aristotle and Thomas Aquinas, the proponents of natural basic goods have departed from the philosophy that inspired them. There is no doctrine of basic goods in either Aristotle or Thomas, and certainly Thomas arranges the principles of natural law in an ascending order, as is clear from the subsequent discussions.

The theory of basic goods rests upon a misunderstanding of a concomitant aspect of Aristotle's description of human goodness, which considers the self-sufficiency of an activity done for its own sake alone. Self-containment does not necessarily convey goodness to all activities done *propter se*. The idea that the nature of happiness allows for the generalization that all actions done for their own sake are always choice worthy is a

[21] In his review of the various readings of Aristotle, J. Vega rejects the presence of any invariable principles of law in the work of Aristotle. "Aristotle's Concept of Law: Beyond Positivism and Natural Law," *Journal of Ancient Philosophy*, 4 (2010), pp. 1–31.
[22] J. Finnis, *Natural Law and Natural Rights*, p. 100.
[23] J. Finnis, *Fundamentals of Ethics* (Washington, DC: Georgetown University Press, 1983), p. 63.
[24] J. Finnis, *Fundamentals of Ethics*, p. 68.
[25] J. Finnis, "Practical Reasoning, Human Goods and the End of Man," *Proceedings of the American Catholic Philosophical Association*, 58 (1984), p. 26.

serious misunderstanding of Aristotle's argument in the NE.[26] Aristotle certainly prefers a life with an activity done for its own sake as a better alternative to one devoted solely to production. But in so doing, he does not dismiss productive actions as universally inferior to operations desired for themselves alone. Production is necessary in order to attain certain human goods that contribute to the good life. The products of these actions are superior to the acts themselves (NE 1094a5–8 and 1101a14–17). Aristotle limits his praise of self-contained acts to a few activities, and especially to contemplation, which perfects human nature more than any other endeavor. For both Aristotle and Thomas Aquinas the goodness of contemplation does not arise from the action's self-sufficiency, but rather from the intellect's ability to perfect the intellectual potentiality of human beings. Self-sufficiency is merely a concomitant feature of theoretical wisdom. Aristotle and Thomas realize that there is nothing intrinsically meritorious in self-contained acts, since they stress the type of action and its contribution to the perfection of the moral agent. All actions are ultimately measured according to their ability to lead one to the state of happiness. Once again one can see how the work of Aristotle leads to various interpretations of his moral doctrine.

d Moral action theory

The medieval theory of moral actions has its origins in Aristotle's concept of right reason and Augustine's notion of free choice (*liberum arbitrium*). For Aristotle practical choices mimic the deductive process of theoretical reason in which a particular option may be deduced from a universal proposition.[27] The logically deduced conclusion combines an awareness of a universal moral principle with the recognition of a relevant particular instance. Aristotle himself refrains from providing specific examples of universal ethical imperatives, most likely because he bases his moral philosophy on human practice. His examples, however, do illustrate the

[26] R. Sokolowski, *Moral Action: A Phenomenological Study* (Bloomington: Indiana University Press, 1985), p. 102; J. Finnis, "Practical Reasoning, Human Goods and the End of Man," pp. 24–26. For a fuller critique of this reading of Aristotle, see A. Celano, "Play and the Theory of Basic Human Goods," *American Philosophical Quarterly*, 28 (1991), pp. 137–146.

[27] Aristotle's theory of moral action is not so controversial as the other doctrines discussed here. For a summary of his position and his influence on modern moral theorists see M. Homiak, "Moral Character," *The Stanford Encyclopedia of* Philosophy, ed. E. N. Zalta (Spring 2011 Edition) http://plato.stanford.edu/archives/spr2011/entries/moral-character/.

nature of practical moral reasoning, as in the rules that stagnant water is to be avoided as unhealthy, and that light meat is beneficial. In the discovery of both the universal and particular premises, experience is a fundamental requirement, since there is no a *priori* knowledge of either proposition. Only after repeated experience, reflection and teaching can one accept the truth of the statements that stagnant water is unhealthy and that this body of water is indeed stagnant. The awareness of both premises provides the basis for the judgment that one should not drink this water. The most basic formulation of universal moral principles would be that human actions should seek to produce happiness, and these actions are conducive to that end. Again experience is required to recognize those actions that produce happiness, and if the required background is operative, then the agent would always choose correctly.

Aristotle recognizes that human beings do not always follow the dictates of right reason, and he explains moral weakness as an error in the process of practical reasoning. In book VII of the NE he indicates that a weak person primarily errs with respect to the minor premise. Although Aristotle does recognize the possibility of absolute moral reprobation in intemperate persons, who believe that their evil choices are justified, he considers the problem of moral weakness (*akrasia* or *incontinentia*) to be far more common. Morally weak persons do not think that what they do is right (NE 1146b22–24), but overcome by unrestrained desires or passions, they choose to ignore the dictates of a rational moral principle (NE 1147b6–12). Unlike Socrates, who determines such a choice to be the result of faulty intellectual reasoning, Aristotle understands that a particular choice (*prohairesis*) may be made in spite of the intellectual awareness of moral principles. One may accept intellectually that drinking to excess is to be avoided, but a desire to enjoy a night out with friends may obscure the acceptance of the final term of the practical syllogism, which would command a cessation of drinking at a reasonable point.

Christian moral theory accepts the basic idea of Greek philosophy that all humans seek a single end. In Christian moral thought the single goal is perfect beatitude, which consists ultimately in the soul's union with God. Christian moralists, however, attempt to explain the decision-making process with the concept of the will, since they were convinced that the exalted faculty of reason could not be led astray by the far inferior powers of emotion and desire. Augustine, whose writings are more influential in the Middle Ages than any source other than the scriptures, was particularly important for the development a new Christian theory of moral action. Mary Clark describes his contribution as follows:

> The moral theory of Augustine was both like and unlike that of the Greek philosophers. It was like Greek moral theory in placing happiness as the end of all human striving, and it was like the Neoplatonic philosophers in relating human goodness to a choice of greater over lesser goods, with God as the true source of happiness. Unlike the Greeks, who emphasized knowledge and self-sufficiency, Augustine taught that the human person reaches union with God with God's help by loving him in response to his love . . . He emphasized right will in addition to true knowledge as the way to happiness of being united to God . . .[28]

Augustine, certainly aware of the conflicting desires that marked his early life, was particularly interested in an explanation for the human dilemma of willing what is not good as presented by Paul in *Romans* 7:19–25: "For the good which I will, I do not, but the evil which I will not, that I do . . . But I see another law in my members, fighting against the law of my mind . . ."

Augustine determines the final element in action to be the will that provides human beings with autonomy, self-determination and the ability to choose between right and wrong. Although he accepts the Stoic idea of a natural cognition of universal principles of eternal law, Augustine also recognizes the will's ability to accept or reject its dictates. Rather than attribute moral error to an intellectual failure, he explains it in terms of the will's free decision to choose between alternatives. J. Müller notes that Augustine recognizes the ancient concept of the rational striving toward a recognized good, but after the fall of Adam, reason is not strong enough to determine right action without the assistance of divine grace. Augustine introduces a new idea of decisive wanting, which ultimately directs the conflicted will toward a particular action. The human will is the crucial factor in Augustine's moral theory, providing the basis for freedom and individual responsibility.[29] The good will is the cause of "turning and adhering to" the perfect being rather than to a less than perfect one, and the evil will is a desertion or rejection of God.[30] The concept of will allows Augustine to explain how any person may freely disobey the moral law, even though one may recognize intellectually its obligatory nature.

The Latin translations of Aristotle's NE and the Greek commentaries that appeared in the late twelfth and thirteenth centuries provided an impetus for a renewed interest in, and more extensive treatment of, ethical questions. The moral theorists of this era combined the deductive process

[28] M. Clark, *Augustine* (London, New York: Continuum Press, 1994), p. 42.
[29] J. Müller, *Willenschwäche in Antike und Mittelalter. Eine Problemgeschichte von Sokrates bis zum Johannes Duns Scotus* (Leuven: Leuven University Press, 2009), p. 362.
[30] Augustine, *De civitate Dei*, XII, 9, ed. B. Dombart and A Kalb, *Corpus christianorum series latina*, 47–48 (Turnhout: Brepols, 1955).

of the rational syllogism with the eternal dictates of natural law. Early in the thirteenth century, authors such as William of Auxerre and Philip the Chancellor located the universal principles of moral reason that are identical with the eternal law in the human innate power, or habit, of *synderesis*. Every single person has an innate ability after certain experiences to recognize the infallibility and immutability of certain moral principles. The dictates of *synderesis* form the major premises of the practical syllogism in the theories on moral choice of Albert the Great and Thomas Aquinas later in the century.[31]

Thomas Aquinas develops the ideas of his former teacher, Albert the Great, when he argues that moral choice follows a judgment that functions as a conclusion in the practical syllogism. The end in all practical decisions functions as a first principle and not as a conclusion. The end insofar as it is an end does not fall within the elective process (*electio*). Just as nothing prevents a speculative principle of one science from being a conclusion in another, no end in one decision is prohibited from being ordered to a further goal. In medicine, for example, health is the end about which no doctor deliberates. The physician intuits the goal of restoring or maintaining health and selects the proper means. Bodily health, however, may be ordered to the good of the soul, and one entrusted with care of the soul may at times have to sacrifice corporeal health for a superior end.[32] No one can choose what lies beyond one's abilities or power to accomplish. The will is the bridge between the intellect and the external operation, since the intellect proposes its object to the will, which in turn is the motivating force to action. The intellect that comprehends something as good in the universal sense drives the will to action. The perfection of the voluntary action develops according to the order leading to the operation by which one strives to attain the object of desire. The voluntary act's perfection results from the performance of some good that lies within the agent's power.[33]

Both Albert and Thomas attempt to explain how reason may fail to function in a rational manner and thus produce incorrect moral action. For Albert the failure is one of reason because the agent may perceive the minor premise but does not really know its relevance due to influence of passion. The morally weak person does not intend to do wrong, and his act is not

[31] A. Celano, "*Phronesis*, Prudence and Moral Goodness in the Thirteenth Century Commentaries on the *Nicomachean Ethics*," *Mediaevalia Philosophica Polonorum*, 36 (2007), pp. 5–27.
[32] Summa theologiae (=S. th.) I–II, 13, 3. [33] S. th. I–II, 13, 5 ad 1.