Concluding Comments

Kenny begins with a bit of biography and perhaps I can end on the same note. The first task set us in our course in metaphysics some thirty years ago was to write a short paper on the topic '*Esse* is not a form'. This was the first stage in introducing us to what we knew we were not to think of as a concept, to something that became available only in the judgement (syntactically, perhaps, to use Kenny's term), to something which might at times seem like the thinnest of predicates but which at other times might help us to appreciate the intimate dependence of all things on God for their being. What we came to talk about was a meaning of *esse* that, I think, is not to be found among the twelve senses listed by Kenny. It is something like sense 6, 'actual being', except that it names not a transition from potentiality to actuality but the difference between there being nothing and there being anything. It indicates not just the fact of this difference but the act that establishes the difference. It indicates not so much J.L. Austin's 'breathing, only quieter' as the Psalmist's roaring waters, only louder.

From Head-trip to the Virtues

Jordan Bishop

The modern tradition in ethics has been under attack since the publication of Alasdair MacIntyre's *After Virtue*.[1] One of the more fascinating aspects of all this is that the demise of virtue ethics, in the sense discussed by Professor MacIntyre, had relegated ethics to a peripheral question discussed by Aristotle in Book VII of the *Nicomachean Ethics*.

It is there that Aristotle considers what most translators have rendered as "continence" and "incontinence", *enkrateia* and *akrasia*, although one can also describe the *enkratic* man as *disciplined*. Mostly applied to question of temperance, *enkrateia* involves imposing the judgement of reason on unruly passions. Aristotle notes "we must now discuss incontinence and softness (or effeminacy) and continence and endurance; for we must treat each of the two neither as identical with virtue or wickedness, nor as a different genus." (Bk. VII, Ch. 1: 1145a35). If we are tempted, as people used to say, to do something

https://doi.org/10.1111/j.1741-2005.2003.tb06324.x Published online by Cambridge University Press

foolish or wicked, but realize that it is foolish or wicked and overcome the impulse by the imposition of reason, we are enkratic. Reason has prevailed. Yet this is not, according to Aristotle, a question of virtue. It is something less.

For an age which is now engaged in rediscovering the virtues, Book VII raises some interesting questions. Aristotle goes on to raise Socrates's question as to whether *akrasia* is possible. If one knows something is wrong, how can one do it?

> Now we may ask, how a man who judges rightly can behave incontinently. That he should behave so when he has knowledge, some say is impossible; for it would be strange—so Socrates thought—if when knowledge was in a man something else could master it and drag it about like a slave. (*ibid:* 1145b22).

But the virtues, for Aristotle, involve more than knowledge. They involve what Alasdair MacIntyre has described as "éducation sentimentale.":

> Virtues are dispositions not only to act in particular ways, but also to feel in particular ways. To act virtuously is not, as Kant was later to think, to act against inclination; it is to act from inclination formed by the cultivation of the virtues. Moral education is an 'éducation sentimentale.'[2]

Now this, as MacIntyre suggests, is an idea which on the whole is foreign to the ethics of the Enlightenment. Kant is not alone here. The model of ethical decision common to the period, and still prevalent, is in fact very close to Aristotle's model of the *enkratic man. Enkrateia*, or discipline, is as good as we can get. The classical idea of the virtues had disappeared from the discourse. Rather than involving rational decision supported by habit, so that acting properly is *easy*, it is assumed, with Kant, that it is always difficult. The corollary of this is that *every decision* is *one-off*, isolated, individual, alone. Each time we make a decision we start from zero, and if experience counts for anything, it is only a matter of memory, not of the formation of a habit of good decision-making. We are dealing with an *intellectualizing* of the process of human decision-making, with what the sixties called a "head-trip."

In part, this comes from Socrates's tendency to equate knowledge with virtue, and in part, from a law-based ethics. That is to say, a way of thinking about ethics that uses the imaginative construct of *law* as its basis. This is, I think, a different kind of thing than the law-centred ethics of the Bible, although these would have had some impact. What we have in the Enlightenment is something that grew out of the later

https://doi.org/10.1111/j.1741-2005.2003.tb06324.x Published online by Cambridge University Press

middle ages, perhaps partly under the influence of nominalism and the vision of divine law as totally arbitrary. There is in addition the persistent influence of Stoicism. MacIntyre notes:

> when teleology, whether Aristotelian or Christian, is abandoned, there is always a tendency to substitute for it some version of Stoicism. The virtues are not now to be practised for the sake of some good or other, more than the practice of the virtues itself. Virtue is, indeed has to be, its own end, its own reward and its own motive. It is central to this Stoic tendency to believe that there is a single standard of virtue and that moral achievement lies simply in total compliance with it.[3]

In any event, by 1580 Medina had seen the need for a system such as *probabilism*. Instead of a search for the best, casuistry comes to be seen as determining "how far can I go?", "Am I bound by this law or not?" We are dealing with the application of *rules* to human conduct, and this, as it were, is a "top-down" affair. In one way or another, this favours an authoritarian approach to ethics.[4] And here again, it almost necessarily involves a certain *intellectualizing* of human decision. Definition is a key element, and the ethical dilemmas posed are defined in terms of freedom from the law vs. obligation to it.

Here it is useful to look at Aquinas, for whom the virtues are *intrinsic* principles or sources of human action (*Summa Theologiae* la2ae, qu. 49, introd.). In this scheme, *law* is an *extrinsic* principle of human action (la2ae, qu.90, introd.)[5]. From this perspective, it is important to note that an ethics centred on the virtues is necessarily *contextual*, precisely because, as an *intrinsic* principle of action, the subject is immersed, as it were, in the *circumstantiae* (cfr. I a2ae, qu. 7) of these actions. That is to say, no action can be undertaken without an awareness of the *context*. When the acting subject makes a decision, the context, with its attendant circumstances, can hardly be ignored. It is, as it were, like a small animal crawling out of a hole in the ground. The animal is right there, surrounded by the concrete reality of his environment. The animal does not consult a map to see where it will go. It goes where it will, and if some obstacle appears, it has to deal with it. If there are dangers involved, it must perceive them and take appropriate action, and it is unlikely that such dangers would be indicated on a map. Obviously, such an analogy is limited. The animal does not refer his instinctive choices to principles. But human beings, in questions of practical judgement, do not *begin* with abstract principles before deciding to act. When ethics is conceived of in terms of law, one is dealing with a *standard* which is necessarily abstract, of universal application. One is above all the messiness of the concrete, so that it is

https://doi.org/10.1111/j.1741-2005.2003.tb06324.x Published online by Cambridge University Press

easy to abstract from circumstances, and to think of the action in terms of the application of general rules to a particular instance.

Now much has been written about "contextual", or "situation" ethics, and all of it appears to assume the law-based ethics of the Enlightenment. It is perhaps only here that the question makes any sense, or is needed, since in a law-based ethics one can conceivably abstract from all context, all circumstances, any situation. We may note here Hannah Arendt's remarks on Kant:

> Kant argued that an absolute exists, the duty of the categorical imperative which stands above men, is decisive in all human affairs, and cannot be infringed even for the sake of humanity in every sense of that word. Critics of the Kantian ethic have frequently denounced this thesis as altogether inhuman and unmerciful. Whatever the merits of their arguments, the inhumanity of Kant's moral philosophy is undeniable. And this is so because the categorical imperative is postulated as absolute and in its absoluteness introduces into the interhuman realm—which by its nature consists of relationships — something that runs counter to its fundamental relativity.[6]

Could we lay Hannah Arendt's charge at Aristotle's *enkrateia*? As an hypothesis at least, there is a case to be made for the idea that the Kantian ethic is precisely *enkrateia*, which for Aristotle is something less than virtue. Is it Arendt's imposition of the absolute?

In Aristotle's text, we read: "We must now discuss incontinence and softness (or effeminacy), and continence and endurance.." (1145a3 5) Most translations of Aristotle's text here translate *karteria* as "endurance". One contemporary translation has felt the need to translate *karteria* as "fortitude and endurance."[7] And yet another French version renders it as *dureté*, hardness. A romp through a dictionary adds a suggestion of *obstinance*. Now it is perhaps too much to imply that Hannah Arendt' s critique is already present in Aristotle, that *karteria* implies not only fortitude and endurance, but perhaps *hardness, obstinance, inflexibility*, that *enkrateia* is something less than virtue because it allows no room for relationships, for context, for the contingency of circumstance. Aristotle was apparently concerned in general with the shortcomings of *enkrateia* compared to virtue. He was more concerned with Socrates's tendency to equate knowledge and virtue. So in a sense our own concern with the limits of *enkrateia*, and of ethics defined in these terms, may be just that, a concern not anticipated by Aristotle. It is nonetheless a real concern. In short, *discipline* may tend to the imposition of an absolute, of a hard and fast rule, on an individual case to the detriment of its individuality. Aristotle's *discipline* or

https://doi.org/10.1111/j.1741-2005.2003.tb06324.x Published online by Cambridge University Press

continence is not quite virtue because the passions are not educated. The *enkratic* action is *difficult*—as Kant thought moral actions should be—because the action comes from a dictate of abstract reason imposed on a recalcitrant subject. There is another problem with this, what A.N. Whitehead, speaking in another context (the physical sciences) called "the fallacy of misplaced concreteness."[8] In an Aristotelian perspective, that of virtue as an intrinsic principle of human action, a human act is never "considered merely so far as it exemplifies certain categories of thought", or rules. To do so is typically modern, so that even one of the most modern of the medievals, Ignatius of Loyola, "tacitly presupposes a philosophy of human existence in which a moral decision in its individuality is not merely an instance of general ethical principles."[9] Even if one is to think in terms of a law-based ethics, of the application of rules to individual cases, there is no escape from casuistry, or if one wants to carry the analogy with human law further, from jurisprudence. The difficulty with this in ethical decision is that of losing the individuality, in Whitehead' s felicitous expression, of "neglecting the degree of abstraction involved when an actual entity is considered merely so far as it exemplifies certain categories of thought."[10] Hannah Arendt is preoccupied "because the categorical imperative is postulated as absolute and in its absoluteness introduces into the interhuman realm—which by its nature consists of relationships—something that runs counter to its fundamental relativity.[11] And relationships, in the terminology of Aristotle and Aquinas, are *circumstances*. Does this imply *moral relativity*? I think not. What is does imply is that when relationships, which are among the most important of *circumstances*, are taken into account, different decisions may be taken. The difficulty with some contemporary attempts at "situational" ethics is that they still assume a law-based ethics, an attempt to apply—or not to apply—*general ethical principles,* as it were from the top down. This can easily result in a straight-jacket mentality. With Aristotle and Aquinas the whole thing is set on its head: instead of beginning with *general ethical principles* and their application to particular cases, the acting subject *begins with the particular case*. He or she makes his or her decision *from a context, from a concrete situation, from the perspective of relationships, of circumstances*. They *cannot not be aware of these*. True, such an affirmation is made with some trepidation. It seems so basic, so obvious, that only the armchair casuist could ignore it. We do of course hear stories, or perhaps meet people, who deliberately set aside the consideration of relationships "to act out of principle." And is where the question of *karteria*, of *hardness, inflexibility, obstinance* may well enter the picture. And it is precisely here that abstraction can betray one. *Hardness* is defined as *fortitude*, or

https://doi.org/10.1111/j.1741-2005.2003.tb06324.x Published online by Cambridge University Press

endurance, so that it becomes a "good thing" to avoid the very consideration of circumstances, of relationships.

To return to Aristotle's text, he has no difficulty in affirming that *enkrateia* or continence may not be good. Here he is quite explicit:

> Further, if continence involves having strong and bad appetites, the temperate man will not be continent, nor the continent man temperate; for a temperate man will have neither excessive nor bad appetites. But the continent man must; for if the appetites are good, the state of character that restrains us from following them is bad, so that not all continence will be good ....(*Ethics*, ch. 2: 1146a9)

In other words, Kant's model of the good, the dominance of a principle, or of a rule, can, in Aristotle's view, be opposed to the good. It can, under certain circumstances, be simply obstinance, or hardness, or pig-headedness. It is perhaps here that Aristotle and Hannah Arendt are in agreement. And Aristotle also notes that the dominance of a principle can involve *opinion* rather than *knowledge*:

> As for the suggestion that it is true opinion and not knowledge against which we act incontinently, that makes no difference to the argument; for some people when in a state of opinion do not hesitate, but think they know exactly. If then, the notion is that owing to their weak conviction those who have opinion are more likely to act against their judgement than those who know, we answer that there need be no difference between knowledge and opinion in this respect; for some men are no less convinced of what they think than others of what they know... (*ibid* ch. 3. 1146b24).

It is interesting that in what one might call "intellectual stereotypes", men, as opposed to women, are often assumed to be "more logical", more consistent, that is to say, more likely to consider the individual decision simply as an application of general principles. Women, on the other hand, find it harder to abstract from relationships, from the impact of decision on others. This is a dimension that has been explored in some depth by Carol Gilligan.[12] Women are often considered to be "more emotional", less logical, more influenced by "subjective" considerations. Another way of putting this is that women may well be more realistic, holistic, more aware of relationships, and less given to riding roughshod over the consideration of others. *Principles* can, as history often shows us, easily become an instrument of domination, in international and domestic politics, as well as in interpersonal relationships. They can also at times justify, or attempt to justify, a real hardness in human relationships.

There are many examples, but I recall one in particular, from nearly

https://doi.org/10.1111/j.1741-2005.2003.tb06324.x Published online by Cambridge University Press

fifty years ago. Gerald Vann had written a brief article in *Blackfriars* in which he explored the dimensions of pastoral activity with Catholics who had divorced and remarried.[13] At one point he suggested that such people, even though living in a relationship that was, as far as the official Church was concerned, an "invalid marriage", might have definite responsibilities, obligations, with respect to children and to the partner in such a union. Fr. Vann was subjected to ferocious attacks from many who started from a principle: *this is not a valid marriage* and concluded that there could be no obligation vis-à-vis partners or children. As the controversy unfolded, it became evident that we were in fact dealing with a case of *misplaced concreteness*. Fr. Vann had dared to put in writing what most pastors would follow in practice, perhaps even then, and was met with the *l*, the hardness, the real tyranny of a "principle" that in fact excluded real human relationships from consideration, *that considered the individual situation only as exemplified by a certain category of thought*. No other considerations were allowed to intrude. This in the face of a moral tradition that affirmed, with such luminaries as Thomas Aquinas and Alfonso Liguori, that justice demanded that a person pay for the illicit, but real services of a prostitute.[14]

In the article itself, before the storm of criticism was unleashed, Fr. Vann had raised this question in terms that *included* the real circumstances of such cases:

> ... the essential fact we have to face is that the situation is one to which there is no perfect solution. To continue in it is to sin; but to abandon it may also be to sin. This is most obvious if there are children: who, having been brought into the world, have a right to their parents' love and care, to a home and family life. But even apart from that, a contract has been entered into, which is none the less a contract because in the eyes of the Church it is not a matrimonial contract. True, there have been moralists who have not shrunk from asserting that a contract which is immoral is therefore invalid, not binding: a supremely abhorrent example of the kind of abstract theorizing which pays no attention to the human realities of a human situation, and so falsifies the situation. Contract or no contract, the fact is that one human being has taken upon himself the care and responsibility for another human being, has profoundly changed another human life, and another human heart; and he cannot now simply shuffle out of his responsibilities or pretend that all this never really happened at all.[15]

Today we are perhaps more aware of the holistic approach of virtue ethics, and of the dangers of imposing abstract definitions on a complex human reality. Perhaps it is here that Hannah Arendt and Fr. Vann come together in rejecting the very real limitations of what we might, in Aristotle's language, call an ethics of *enkrateia*, of discipline, although

https://doi.org/10.1111/j.1741-2005.2003.tb06324.x Published online by Cambridge University Press

to put things in this way is perhaps unfair to an ethics of discipline in the Aristotelian sense, since it is, for Aristotle, a stage in the development of virtue, decisions made towards the virtuous life, and which, while "top-down", would not necessarily have to ignore the concrete reality. But we must also note that Aristotle himself may have been aware of this problem, as he argued that *enkrateia*, as a kind of "pig-headedness", could in fact override healthy or good passions and thus arrive at less than virtuous acts. The problem is that this kind of action makes it easier to ignore concrete relationships, easier to indulge in misplaced concreteness, easier to consider ethical decision as a kind of self-righteous head-trip. This can be especially pernicious, for example, in questions of military action. One need only recall what is often justified in the name of "collateral damage."[16] Granted that in this case there is also a danger of bad faith, of an appeal to a "principle" which is not in any way justified. But even assuming good faith, with *enkrateia* there is a danger of this kind of abstraction, a danger which does not exist in actions involving real virtue as opposed to mere rule-keeping. It is not so much a question of an opposition to ethics seen as rule-keeping, but of a recognition of the fact that rule-keeping is not enough, that in fact rule-keeping should occupy a subordinate place to the action of virtue in human decision-making. Hume, for example, saw the virtue of justice as "nothing but a disposition to obey the rules of justice."[17] A state of virtue as understood by Aristotle and Aquinas, may well lead to the formulation of rules, particularly in areas such as justice, where rules may facilitate the definition of what is just in given situations, or where what is just may even be determined by positive law. But we should argue that the effectiveness of such rules in fact *presupposes* virtue, and in practice *are subordinate to the reality of virtue*. This in fact is the rationale for *epieikeia*, which recognises the limits of formal rules and the need to go beyond them. And even without invoking the idea of *epieikeia*, the importance of jurisprudence in any legal system also underlines the limits inherent in abstract formulation of rules. It is no accident that Napoleon's fabled search for laws so clear as to put an end to the quibbling of lawyers has as its context the Enlightenment. It did not work. It does not work in law and it does not work in ethics. Definition alone, especially abstract definition, is not enough. And perhaps fortunately, *on the ground*, most people may act *in context* out of a respect for concrete circumstances, for relationships. In practice, most people may well be closer to Hannah Arendt—and we should maintain, to Aristotle and Aquinas—than to Kant and the "head-trippers" of the Enlightenment. Never mind that for Aristotle and Aquinas "most people" may not actually be virtuous. But they do not

https://doi.org/10.1111/j.1741-2005.2003.tb06324.x Published online by Cambridge University Press

begin with *principles*. That assumption can easily be as bad—or worse—than *akrasia*. The starting point is always that of concrete circumstances, of an acting subject conscious of a variety of relationships, making concrete, contingent decisions within the context of real life, of the real world. This is fundamental to the way of *virtue*, and fundamental to those who undertake the useful, even necessary, but limited *discipline* of *enkrateia*. The path to virtue must transcend these limitations, and in denial of them, virtue itself may be frustrated.

1 Notre Dame, Indiana, University of Notre Dame Press, 1982.
2 Ibid., p. 140.
3 Ibid., p. 217)
4 In certain circles, the authority of the Church (or churches) was replaced by the authority of university professors. It did not thereby become less authoritarian.
5 See my "Natural law and ethics: some second thoughts" in *New Blackfriars*, vol. 77 (September 1996, 381-389).
6 Hannah Arendt, *Men in Dark Times*, New York, Harcourt Brace Jovanovich, 1968, p. 27.
7 Aristotle, *Ethics*, translated by J.A.K. Thomson, Harmondsworth, Penguin Classics, 1955, p. 1994
8 "neglecting the degree of abstraction involved when an actual entity is considered merely so far as it exemplifies certain categories of thought" (*Process and Reality: An Essay in Cosmology*, New York, 1929, p. 11)
9 Karl Rahner, *The Dynamic Element in the Church,* Freiburg, Herder/Montreal, Palm Publishers, 1964, p. 110.
10 *Loc. cit.*
11 Hannah Arendt, op,. cit.
12 Cfr. *In a Different Voice*, Cambridge/London, Harvard University Press, 1982, *passim*.
13 Gerald Vann, O.P. "Moral Dilemmas. I. The Muddled Marriage" in Blackfriars vol. 35 (1954, pp. 374-380).
14 Cfr. *Summa theologiae, 2a2ae, qu. 62, art. 5, ad 2.*
15 Vann, *art. cit.*, p. 375-376.
16 Cfr. for example *FOR Witness*, May 2002, on military action in Jenin: "...bulldozers had deliberately been used to break the surface of the asphalt of streets and rupture sewer and water pipes below. Our delegation members were clear that such destruction went beyond incidental damage in a hunt for terrorists, and into the area of collective punishment for what are believed to be the criminal acts of some within it." (West Nyack, New York, p.1–2).
17 MacIntyre, *After Virtue,* p. 216. For a thorough discussion of Hume on the question of justice see MacIntyre, *Whose Justice? Which Rationality?* (Notre Dame, 1988), pp. 300–325. Rawls holds a similar position (See *After Virtue*, p. 216.)

https://doi.org/10.1111/j.1741-2005.2003.tb06324.x Published online by Cambridge University Press