Revisiting Modern Moral Philosophy

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Abstract
This essay revisits Elizabeth Anscombe's 'Modern Moral Philosophy' with two goals in mind. The first is to recover and reclaim its radical vision, by setting forth a unified account of its three guiding theses. On the interpretation advanced here, Anscombe's three theses are not independently intelligible; their underlying unity is the perceived necessity of absolute prohibitions for any sound account of practical reason. The second goal is to show that Anscombe allows for a thoroughly unmodern sense of 'moral' that applies to human actions; the paper concludes with some reasons to think that this unmodern sense of 'moral' is worthy of further philosophical attention and defense.

1. Introduction

In 1958 the journal *Philosophy* published an essay by Elizabeth Anscombe, who was then a fellow of Somerville College, Oxford, titled, 'Modern Moral Philosophy'.[1] MMP has the distinction of being one of the most widely read and cited essays of Anglo-American analytic philosophy; its publication is often hailed as a watershed event. However, while Anscombe's influence is undeniably wide it has not obviously been deep. Surveying the landscape of contemporary ethical theory, one searches in vain to find a dominant strand of it that is even alive to the central problems she highlights in her essay, let alone explicitly working to resolve them.

Anscombe's essay calls for radical change. She does not ask her readers to rearrange the furniture of moral philosophy more decorously but to burn down the house; notoriously, she asks us to stop doing moral philosophy altogether. But Anscombe's radical vision was either actively resisted, or worse, co-opted in order to advance the very same ends she herself adamantly opposed. For instance, Anscombe's suggestion that we try to

[1] *Philosophy 53* (1958) 1–19 (hereafter, 'MMP'). Reprinted in *Human Life, Action and Ethics: Essays by G.E.M. Anscombe*, eds., Mary Geach and Luke Gormally (Charlottesville, Va: Imprint Academic) 169–194 (hereafter 'HLAE').

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recover the concept of virtue grounded in an account of human flourishing was incorporated into the very same mode of doing moral philosophy that was her principal target, thereby losing its revolutionary character and value.

In this essay, I seek to revisit MMP with two goals in mind. My first task is to try to recover and reclaim its radical vision, and I will attempt to do this by giving a unified account of its three guiding theses. On the interpretation I advance here, Anscombe's three theses are not intelligible independently of each other. There is an underlying concern that unites them: the failure of modern moral philosophy to recognize absolute prohibitions against intrinsically evil acts. As her public opposition to Harry Truman attests,[2] she was all too familiar with our tendency to justify wicked acts such as murder when some great good is at stake. Her complaint against modern moral philosophy in all of its guises is that it has made it either enormously difficult or downright impossible to articulate the thought that murder is intrinsically unjust and must never be done for that reason.

My second task in this essay is to show that Anscombe does allow for an altogether different sense of 'moral' as applied to human actions. Drawing on some of her later essays, I discuss this sense of moral and give some reasons to think it is worthy of further exploration.

2. Anscombe's three theses revisited

Anscombe's essay begins by stating three theses.

(1) It is not profitable for us at present to do moral philosophy; that should be laid aside at any rate until we have an *adequate philosophy of psychology*, in which we are conspicuously lacking.

(2) The concepts of obligation and duty – *moral* obligation and *moral* duty, that is to say – and of what is *morally* right and wrong, and of the *moral* sense of 'ought', ought to be jettisoned if this is psychologically possible; because they are survivals, or derivatives from survivals, from an earlier conception of ethics which no longer generally survives, and are only harmful without it.

[2] For her arguments that President Harry Truman is a mass murderer, see 'Mr. Truman's Degree' in *The Collected Philosophical Papers of Elizabeth Anscombe Volume III: Ethics, Religion and Politics* (Oxford: Basil Blackwell, 1981) 51–71 (hereafter, 'TD')

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(3) The differences between well-known English writers on moral philosophy from Sidgwick to the present day are of little importance.[3]

In what follows, I will argue that the third thesis points us to the reasons for adopting the first and second. So, it is the widespread lack of recognition of absolute prohibitions – against, say, murder or the judicial condemnation of the innocent – that explains why she thinks we need to stop doing moral philosophy until we have a sound philosophy of psychology, and also the reason why talk of 'moral' right, 'moral' wrong, and 'moral' obligation is harmful and best jettisoned. More specifically, the harm done by such uses of 'moral' is the explicit recommendation, approval, or even rational command of acts that are intrinsically wicked or unjust. Anscombe holds that such acts must never even be entertained in deliberation, let alone intended and realized in some set of circumstances; such acts are in their essence incompatible with human flourishing.

Anscombe begins her argument by directing our attention to the difference between modern moral philosophizing and the sort of ethical reflection one finds in Aristotle. She notes that Aristotle doesn't foreground the question of what obligation is, and that his use of 'moral' simply marks a contrast within the space of virtue. Moreover, she notes that for Aristotle the concepts of praise and blame do not track the modern use of *moral*, since Aristotle held that simple miscalculation about the means to one's end is blameworthy. Should one read Aristotle with the modern use of 'moral' in mind, one should feel 'like someone whose jaws have somehow got out of alignment'.[4]

Since we cannot look to Aristotle for any understanding of the modern way of speaking of *moral* goodness or obligation, she considers 'all the best-known writers on ethics in modern times' for help: Butler, Mill, Hume, Kant, and Bentham. She raises a host of complaints against these modern moralists, all of which center around the ways that our ability to evaluate particular actions in particular circumstances as *truly* good or bad is made more difficult by some aspect of the moral philosophy of each one of them. It is clear that this bit of argument is not at all intended to be exhaustive; rather, it is a minor preamble to the real problem, which is that 'in present-day philosophy an explanation is required how an unjust man is a bad man, or an unjust action a bad one'.[5] Anscombe

[3] Op. cit. note 1, MMP, 169.
[4] Op. cit. note 1, MMP, 170.
[5] Op. cit. note 1, MMP, 174.

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insinuates that the tradition of modern moral philosophy more generally is at least partly to blame for this sorry state of affairs.

Anscombe realizes that the solution to the problem isn't simple or straightforward; it is impossible to return to Aristotle as if we are not all modern now in our language and thought. In order to begin the difficult task of doing moral philosophy in a radically different way, she argues that we would first need to develop a 'sound philosophy of psychology', which we presently lack. We cannot speak of justice as a virtue until we first know what *type of characteristic* a virtue is or how such a characteristic relates to the actions in which it is instanced. But for this, she argues, 'we certainly need an account at least of what a human action is at all, and how its description as ''doing-such-and-such'' is affected by its motive and by the intention or intentions in it; and for this an account of such concepts is required'.[6] On these matters, Anscombe does not think that Aristotle will be of much use to us, since he 'did not succeed' in making these concepts sufficiently clear.[7]

Given that we lack the requisite philosophical psychology, Anscombe recommends '*banishing ethics totally from our minds*' until we can give an account of concepts such as 'action', 'intention', 'pleasure', and 'wanting'.[8] Getting clear about these concepts, she remarks, is a matter of 'conceptual analysis' or 'the philosophy of psychology' rather than ethical theory. But we cannot even begin to think about virtue, let alone justice, until we have an account of them.

Did readers of MMP take Anscombe's first thesis to heart? It is true that non-ethical attention to these concepts – especially action and intention – flowered in the wake of MMP, but this was largely due to the publication of Anscombe's monograph *Intention*, which has been standardly read and interpreted as if it had no connection with the main claims of MMP.[9] As a result, post *Intention* action theory was

[6] Op. cit. note 1, MMP, 174.

[7] In 'Thought and Action in Aristotle' in *The Collected Philosophical Papers of G.E.M. Anscombe, Volume I: From Parmenides to Wittgenstein* (Oxford: Basil Blackwell, 1981) 71–72, Anscombe argues that Aristotle could not account for cases of deliberate akrasia or malice; for this, she argues, we would need recourse to a concept of intention, which Aristotle lacks.

[8] Op. cit. note 1, MMP, 188, emphasis in original.

[9] *Intention* (Cambridge, Mass.: Harvard University Press, 2000) was originally published one year prior to MMP. For interpretations of *Intention* that pay due attention to its connection with both MMP see Jennifer A. Frey, 'Elizabeth Anscombe on Practical Knowlede and the Good' forthcoming *Ergo*, John Schwenkler, *Anscombe's Intention: A Guide*, Rachael Wiseman, *Routledge Philosophy Guidebook to Anscombe's Intention* (Oxford: Routledge, 2016).

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not undertaken by those principally concerned with erecting a proper foundation for an account of justice as a virtue; rather, it was undertaken by those interested in language and mind, or an account of rational agency *tout court*. These philosophers busied themselves with the project of identifying a restricted sense of action – usually by way of appealing to our intuitions about a few examples – into a special class of events, in order to inquire into what intentions are and how they relate to this special class of events. The dominant view within this project – the causal theory – is that intentions are some kind of mental state that causes actions. Not surprisingly, the analytic action-theoretic project doesn't seem to yield anything of foundational importance for moral philosophy generally, let alone our thought about virtue, and one strains to find normative or meta-ethical theorists (including virtue ethicists) seriously engaged in this literature.

Is the current state of affairs in analytic action theory what Anscombe was after when she suggested 'banishing ethics totally from our minds' until we have an account of concepts like 'action' and 'intention'? No. But one crucial element of the story about why things turned out this way is the separation or compartmentalization of Anscombe's first thesis from her second and third. This separation is a mistake, because thesis one is a mere *assertion* shrouded in mystery when considered independent of its relation to thesis two and three. Moreover, shorn of the ethical concerns that animate it, thesis one seems to give its blessing to the current theoretical divorce between action theory and ethics. Although Anscombe is clear that work in the philosophy of psychology and action is not yet ethical theory properly so called, we should not infer from this that she thought these investigations should proceed in isolation from each other. After all, she states rather plainly that one should be theorized as the proper foundation for the other.[10]

So, let us now turn to the second thesis, which is the suggestion that we should jettison use of 'moral' when used adjectivally to qualify ought, obligation, right, and wrong, because in such usage, moral is 'just a word containing no intelligible thought: a word retaining the suggestion of force, and apt to have a strong psychological effect, but which no longer signifies a real concept at all'.[11] The

[10] For an excellent discussion of the divorce between theories of action and ethics since the publication of MMP, see Constantine Sandis, 'Modern Moral Philosophy Before and After Anscombe' Constantine Sandis, forthcoming in *Enrohanar* eds., Sofia Miguens and Dolores Garcia-Arnaldos.

[11] Op. cit. note 1, MMP, 179. For a recent and provocative discussion of this passage, see James Doyle *No Morality, No Self: Anscombe's Radical Skepticism* (Cambridge, Mass.: Harvard University Press, 2018).

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concept 'moral', as deployed adjectivally by modern moral philosophers, connotes something like an 'absolute verdict' on one's action. Anscombe argues that the term came to acquire this sense due to the centuries long influence of the Christian divine law account of ethics upon European thought. Although modern moral philosophers no longer ground morality in some explicit conception of divine law, they have retained its central concepts of being bound or obliged and incurring guilt. This modern use of 'moral', Anscombe argues, is a mere survival, something that continues 'outside the framework of thought that made it a really intelligible one'.[12] Since it 'has no reasonable sense', Anscombe recommends that we 'drop it'; once we do this, we might notice that ethics is possible without it (see, for example, Aristotle). She implores her readers to take seriously the thought that:

> 'It would be a great improvement if, instead of 'morally wrong', one always named a genus such as 'untruthful', 'unchaste', 'unjust'. We should no longer ask whether doing something was 'wrong', passing directly from some description of an action to this notion; we should ask ether, e.g., it was unjust; and the answer would sometimes be clear at once.'[13]

Anscombe offers several alternatives to our modern morality talk, including the search for norms in human virtues. Arguments about the norms of virtue would be grounded in the shared knowledge of our own 'species', where this is understood, 'from the *point of view of the activity of thought and choice in regard to the various departments of life*'.[14] To construct such a theory, Anscombe argues, would mark a decisive turn away from 'a law conception of ethics' towards something supposedly quite different – viz. Aristotelian ethical naturalism.[15]

Anscombe's rough sketch of how the ethical naturalist could reason about good and bad human action is as follows:

> 'Since justice is a virtue, and injustice a vice, and virtues and vices are built up by the performances of the action in which they are instanced, an act of injustice will tend to make a man bad; and

[12] Op. cit. note 1, MMP, 177.
[13] Op. cit. note 1, MMP, 180.
[14] Op. cit. note 1, MMP, 188, emphasis in original.
[15] For a discussion of ethical naturalism as a development within the natural law tradition, see Jennifer A. Frey 'Neo-Aristotelian Ethical Naturalism' in *The Cambridge Companion to Natural Law Ethics*, ed., by Tom Angier (Cambridge: Cambridge University Press) 92–108.

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> essentially the flourishing of man *qua* man consists in his being good (e.g., in virtues); but for any X to which such terms apply, X *needs* what makes it flourish, so a man *needs*, or *ought* to perform, only virtuous actions; and even if, as it must be admitted may happen, he flourishes less, or not at all, in inessentials, by avoiding injustice, his life is spoiled in essentials by not avoiding injustice – so he still needs to perform only just actions.[16]

Here, Anscombe notes, we find a use of 'ought' and 'needs' that isn't *moral* in the modern sense and relates to ordinary, hum drum uses of 'good' and 'bad'; for example, the good of some piece of machinery depends on oil, so it is true that this machinery needs oil, and so should or ought to be oiled, since running without oil is bad for it, or it will run badly without oil.[17] Again, however, she notes that we cannot return to this *unmodern* way of thinking about human good and bad until we have a sound philosophy of psychology, without which there is no license to avail ourselves of any talk of virtues or human flourishing.

This passage from MMP was one of the principal sources and inspiration for a theoretical movement within normative moral theory we now call 'virtue ethics'. In virtue ethics, there is much talk of the virtues as necessary for the realization of a good human life. But virtue ethics argues in this way independent of any prior investigation into action or intention and virtue ethics is replete with the modern usage of the term moral.[18] For instance, Rosalind Hursthouse, whose influential book, *On Virtue Ethics*, is hailed by Simon Blackburn as 'the defining exposition of the view,' advances the following 'specification' of 'morally' right action:

> An action is right iff it is what a virtuous agent would characteristically do in the circumstances.[19]

[16] Op. cit. note 1, MMP, 193.

[17] Op. cit. note 1, MMP, 174.

[18] It is true that virtue ethics has been concerned to give an account of *moral* psychology, in particular, a search for a proper account of *moral* motivation (as opposed to other kinds, including merely *prudential* considerations). But Anscombe is opposed to the use of moral in this sense, even with respect to motivation. See her discussion in 'Good and Bad Human Action' (Op. cit. note 1, HLAE, 195–201).

[19] Rosalind Hursthouse, *On Virtue Ethics* (Oxford: Oxford University Press, 1999) 28 (hereafter, 'VE'). See back cover for full endorsement by Blackburn.

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This account, Hursthouse assures her reader, has a structure that 'closely resembles those of act utilitarianism and many simple forms of deontology'.[20] Hursthouse stresses this because, like its utilitarian and deontic counterparts, she takes virtue ethics to be in the business of giving an account of what it is 'morally' right to do.

It seems important to Hursthouse that virtue ethics be considered 'a genuine rival' to the two dominant strains of contemporary moral philosophy.[21] For this reason, she is anxious to establish that the virtue ethicist is playing the same game as her principal opponents. But MMP does not ask its readers to beat modern moral philosophers at their own game or on their own terms. Anscombe's position is far more radical: she asks us – implores us – to stop playing the game altogether.

One may wonder what, if anything, is really at stake in the choice between radical virtue ethics and its more well established routine counterparts.[22] One consequence of choosing to play the same game (but now with an emphasis on virtue!) is that we end up facing the very problem Anscombe originally laid at the feet of modern moral philosophy: the inability to make the argument that an unjust man is a bad man or an unjust action a bad action.

In order to spell this out more clearly, let us return to Anscombe's concern for the recognition of absolute prohibitions. Human actions such as murder or rape are absolutely ruled out just in virtue of being described as such-and-such actions because they are intrinsically unjust actions; to rape or murder *someone* is to *wrong* them, and this is so regardless of the further intentions with which such acts are carried out by the agent, or any good or bad consequences that might come from their performance in a specific set of circumstances. In order to recognize the force of such prohibitions, we would need a theory of action that provides an account of the intentional descriptions of what one does – that one acts intentionally under such-and-such descriptions – and that can make a principled distinction between the intentions with which one acts and one's further intentions or motives.

[20] Op. cit. note 19, VE, 29.

[21] Op. cit. note 19, VE, 26.

[22] I take the distinction between radical and routine virtue ethics from Solomon, 2003. 'Virtue Ethics: Radical or Routine?' in eds., Linda Zagzebski and Michael DePaul, *Intellectual Virtue: Perspectives from Ethics and Epistemology* (New York City: Oxford University Press, 2003) 57–80.

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Hursthouse's own discussion of intrinsically wicked acts falls far short of the mark, and this is due to her inattention to such matters. Her example of an action no virtuous person would ever perform is the sexual abuse of a child for one's own pleasure; the description of the act itself, she writes, 'connotes depravity'.[23]

What's interesting about Hursthouse's discussion is that she does not put forward an instance of what she sets out to discuss: a description of an act of a certain specifiable kind. Rather, she puts forward a description of an act of a specifiable kind *plus* its motive or the further intention with which it is performed (for the sake of pleasure).[24] An act of sexual abuse performed on a child might be done from any number of different motives and for an infinite number of instrumental reasons; it may please the agent or he may find it repugnant. But it is the nature of an *absolute* prohibition that the beautiful (or ugly) motives or further intentions with which they might be carried out are absolutely immaterial to the question of whether the act ought to be entertained or performed. Rather, we know that the act is ruled out just in case it can be described as *such-and-such* an act. If all that is ruled out is raping a child *for the sake of pleasure*, then this leaves open whether raping a child for the sake of saving the human race, appeasing a murderous tyrant, or winning a disastrous and bloody war are still live options for us.[25] For all that Hursthouse

[23] Op. cit. note 19, VE, 87. Other prominent virtue ethicists and put forward theories that seem fairly obviously opposed to the existence of intrinsically wicked acts. This usually comes by way of emphasizing the fundamental importance of motive for the specification of the *morally right* action, or by emphasizing the diversity and holism of the right making properties of action. For the former strategy, see Michael Slote, 'Agent Based Virtue Ethics' in *Moral Concepts: Midwest Studies in Philosophy* 20, eds., Perter A. French, Theordore E. Uehling, Jr., and Howard K. Wettstein (1996) 83–101; for the latter strategy, see Christine Swanton, *Virtue Ethics* (Oxford: Oxford University Press) 242.

[24] The distinctions between motives, the intention with which someone acts, and the further intentions for the sake of which someone acts is central to Anscombe's account of action in *Intention*, and also figures in her analysis of Truman as a mass murderer unworthy of honors in TD.

[25] This problem is noted in Christopher Miles Coope 2006, 'Modern Virtue Ethics' in T. D. J. Chappell (ed.), Values and Virtues: Aristotelianism in Contemporary Ethics. Oxford: Oxford University Press, 51-52. Henceforth 'MVE'. All this is not to deny that motives matter to the goodness or badness of a human action (a particular performance in a particular circumstance). But prohibitions are general, so they attach to human action descriptions or action concepts first and foremost.

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has told us, these may be things a virtuous person a virtuous person might do.

Attention to Hursthouse's discussion of intrinsically bad actions shows us the need for the sort of *philosophy of psychology* outlined in MMP. More specifically, we see that we need a principled account of the intentional descriptions under which a person acts, and a principled distinction between the thing one does intentionally (or the intention with which one acts) and the further intentions and motives with which one acts. We are unable to think clearly about absolute prohibitions and sound practical deliberation without these distinctions in hand. Therefore, it is a mistake to take some conception of action for granted, as Hursthouse does in her book, and cast about for a virtue centered approach for picking out *morally* right action. Such an account is a recipe for marginalizing the virtue of justice, because it lets what Anscombe calls 'consequentialism' in through the back door.[26]

To isolate this concern more sharply, we need to turn to the third, final, and central thesis of MMP; Anscombe contends that all the supposedly notable differences amongst British moral theorists since Sidgwick are superficial, since they are all united in one deeply salient respect: each 'has put out a philosophy according to which, e.g., it is not possible to hold that it cannot be right to kill the innocent as a means to any end whatsoever and that someone who thinks otherwise is in error'.[27] The explanation of this unity is their commitment – explicit or merely implicit – to *consequentialism*. Although Anscombe coins the term consequentialism in MMP, her original sense does not track contemporary usage within normative moral theory or meta-ethics. In his encyclopedia article on consequentialism, Walter Sinnot-Armstrong defines consequentialism as a theory that takes normative properties generally (including the moral rightness of acts) as depending on its consequences alone; notably, he does not even mention Anscombe's original discussion of it.[28] Clearly, if we define consequentialism in this way, then Anscombe's insistence that all British moral theorists since Sidgwick are consequentialists is false. But this is not what she meant when she coined the term.

[26] For a discussion of the marginalization of justice in virtue ethics, see MVE.

[27] Op. cit. note 1, MMP, 181.

[28] Walter Sinnot-Armstrong, 'Consequentialism' in *The Stanford Encyclopedia of Philosophy* (Summer 2019 Edition), ed., Edward N. Zalta https://plato.stanford.edu/archives/sum2019/entries/consequentialism.

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For Anscombe, consequentialism picks out the denial of any significant distinction between what one does intentionally and what one merely foresees one will bring about by what one does intentionally. She writes that it is 'an ethical thesis' that can be described in the following way: 'it does not make any difference to a man's responsibility for something that he foresaw, that he felt no desire for it, either as an end or as a means to an end'; or, using the language of intention, 'it does not make any difference to a man's responsibility for an effect of his action which he can foresee, that he does not intend it'.[29]

Of course, contemporary consequentialists will be committed to this denial as well, but this denial is not a claim about the status of normative properties generally, nor does it settle questions about the supposed 'moral rightness' of acts. For Anscombe, consequentialism is a claim about the sphere of an agent's personal responsibility. Consequentialism greatly expands this sphere in such a way that it renders the very concept of absolute prohibitions senseless.

An example will suffice to show this. Let us imagine the rule of a wicked tyrant. One day he sends a military officer to a prominent judge with the following order: either condemn an innocent man to life in prison or you will be sent to the newly formed labor camps. The judge clearly foresees that if he is sent to the camps, he will almost certainly die and that, even if he lives, his son will suffer tremendous harms as a result. Now, suppose that he refuses to condemn an innocent man, and great harms befall his child just as he had foreseen. Is he responsible for what happens to his child? Is his action (the deliberative refusal to abuse his office by committing a grave injustice) blameworthy on account of these foreseen harms? In MMP Anscombe clearly wants to say no; she claims that 'a man is responsible for the bad consequences of his bad actions but gets no credit for the good ones; and contrariwise is not responsible for the bad consequences of good actions'.[30]

Let us contrast this unfortunate judge with a man who decides to withdraw support from his child for some reason (suppose, for example, he wants to spend the money on humanitarian aid or he wants to force his ex-wife's hand in a heated custody battle). For the consequentialist as she defines it, there is no essential difference between these two cases of 'withdrawing maintenance for the child,' since the result in either case is the same – viz., that the child is knowingly harmed. The consequentialist believes that, when it comes to

[29] Op. cit. note 1, MMP, 183.
[30] Op. cit. note 1, MMP, 184.

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determining the sphere of an agent's responsibility, the foreseen consequences of his action are equivalent to the intended consequences. This greatly expands the sphere of an agent's responsibility – it means that *anything* he foresees will happen as a result of his decision is something for which he is responsible. For Anscombe, this is the critical move that leads one down the royal road to the rejection of absolute prohibitions and the obliteration of justice, since 'the just man is a man who habitually refuses to commit or participate in any unjust actions for fear of any consequences, or to obtain any advantage, for himself or for anyone else'.[31] She wants to rule out any philosophy that forces us to draw the conclusion characteristic of modern moral philosophy: that the 'morally right' thing to do is to commit an act of injustice against another. This conclusion, which presents itself as inevitable, rests on an *unsound philosophical psychology*, a corrupt account of our concepts of 'intention' and 'action.'

Another inevitable result of the embrace of consequentialism is it forces us to focus our attention away from the action itself – what is done, under intentional descriptions, here and now – and towards what happens as a result of its performance. In order to resist this move, we need an account of what falls under the scope of intention proper and what is outside of it; only then can we say that a deliberative refusal to act (which is a kind of intentional action) can have unintended side effects for which the agent is not necessarily responsible. For, without a principled distinction between intention and side effects, we will have to admit that it is always an open question whether one may, for instance, deliberately plan the death of innocent people as a means to achieving a good end.[32] For the whole point of drawing the distinction was to respect two apparent truths at once: (1) there are some actions that are intrinsically unchoiceworthy just in virtue of their description as such-and-such an action; and (2) not everything an agent knowingly causes is part of her sphere of responsibility.[33]

Anscombe sees clearly that if the second is not true then the first is either incoherent or profoundly unstable. For if any general prohibition is defeasible in cases where it brings about a preponderance of

[31] Op. cit. note 1, MMP, 190.

[32] This is exactly what is at stake in her analysis of Truman's decision to drop atomic bombs on civilian targets (see TD).

[33] As Anselm Mueller has pointed out in 'Radical Subjectivity: Morality versus Utilitarianism' *Ratio* 19 (1977) 115–132, these points are also necessary in order to formulate the Socratic maxim that it is better to suffer wrong than to inflict it upon another.

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good over evil results, then it is plain that what really matters, in the final analysis, is the results or effects of action rather than the deed itself. And if that is the case, then practical deliberation will inevitably become a matter of weighing up good and bad consequences – the hard cases will prove a decisive point about the nature of practical reason and what it ultimately demands. Now, if practical reason demands that we try to bring about the best results, then 'acting well' isn't about a 'good life', but rather 'good results.' The measure of good action would then be something external to the agent, just as a product is external to its producer. In that case, producing the best results will be what 'morality' demands, or what one 'morally' ought to do, or what is 'morally' right. On such an account of practical reason, there is in principle no limit to what it might demand one do: murder, rape, torture, condemnation of the innocent, treason, and so on.

I conclude that attention to the character and necessity of absolute prohibitions is key to understanding how Anscombe's three theses are fundamentally united; moreover, it helps to isolate the core respect in which her preferred account of virtue is radical by contrast to what is, by the standards of contemporary normative theory, routine.[34]

3. Moral in a resolutely unmodern sense

I have been arguing that Anscombe's central concern in MMP is the need to recognize the centrality of the virtue of justice to a good human life and the importance of absolute prohibitions against intrinsically unjust acts. Her recommendation that we jettison the peculiarly modern usage of the word 'moral' as both senseless and harmful is rooted in this need. But this leaves open the possibility that there is a pre-modern use of 'moral' that Anscombe might not oppose. And if there is such a sense, how would our recovery of

[34] It is clear that Anscombe, like Aquinas and Aristotle, thinks of absolute prohibitions as first principles of practical reason; they tell us the sort of actions we must always avoid because they are evil (taking for granted that practical reason, quite generally, is thought about what goods to pursue and what evils to avoid). There are very few such acts but our knowledge of them as evil is unsophisticated and pre-theoretical. This knowledge structures our sense of what constitutes sound practical deliberation prior to engaging in it; as evil acts, we know that good reasoning will never be in the service of realizing them. If she did not think of absolute prohibitions in this way, then it is very difficult to understand her account of murder.

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it depend upon a proper philosophy of psychology? It is to these considerations that I now turn.

Given the centrality of the intention/side effect distinction for an ethics of absolute prohibitions, it is no surprise that when Anscombe's turns her attention to the application of the so-called 'doctrine of double effect' in a later essay, 'Action, Intention, and Double Effect',[35] she begins with an account of what a human action is and how it relates to human action descriptions, or what is the same, general human action concepts. On Anscombe's view, the doctrine of double effect – or what she calls the principle of side effects – is not a guide to what is morally permissible or a principle of sound practical deliberation. Rather, the work it does is to show that some actions that can be truly described as causing death, where the death is not intended but foreseen, does not necessarily incur guilt. What is central to Anscombe's discussion of various cases of unintended but foreseen death is this: the fact that the death is unintentional creates a context in which we might reasonably look for exonerating circumstances.

However, while the principle of side effects demonstrates that the search for excuses is warranted, it tells us nothing about what specific circumstances or needs might excuse an unintended killing or causing of death and carries with it no guarantee that an excuse will be found. Although there is much of interest here, for our purposes what is most salient is the fact that the account of human action and human action descriptions she relies on in her discussion of this principle is characterized as 'moral'. This use of 'moral' raises the question of whether Anscombe is refusing to take her own advice by adopting the very term she told us to abandon, or whether she is using the word in a completely different sense. In order to address this, let us now turn to her account.

Anscombe begins her analysis with an observation about action theory. She notes that the majority of analytic philosophers of action are after a restricted sense of action in their theories, but, following Davidson, they go about this by attempting to isolate a special class of events. She is firmly opposed to this method. When we think about human action, we should not be concerned with the project of sorting out special classes of events by way of identifying their special features or distinguishing properties.[36]

[35] Op. cit. note 1, HLAE, 207–226.

[36] See *Intention*, 28–30; op. cit. note 1, HLAE, 209–210. For discussion of the importance of this point for an understanding of Anscombe's theory of the intentionality of both action and perception, see Christopher Frey and

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Anscombe's starting point is different. If we want to restrict our notion of action, then we can simply note that human actions are those '*under the command of reason*', and other acts of a human being – like digesting food, pumping blood, or idly stroking one's head – are merely acts of a human being in so far as they are not under the command of reason.[37] She suggests that we might say that human action is voluntary action, but only insofar as we recognize that it should not include what is voluntary in a merely physiological sense, and should include omissions and sudden impulsive actions. Moreover, we must recognize that what is voluntary includes cases where this is no act of will, no formation of an intention or any deliberative decision. For 'what you were able to do and it was needful you should do, if you omit it in forgetfulness or sloth, falling asleep perhaps and sleeping through the time when you should have been doing it – your omission of it is voluntary'.[38] Anscombe also insists that one demonstrates their consent by 'not taking care when you could have and, in the nature of the case as available to your understanding, you needed to'.[39]

In her discussion of the voluntary character of omissions and negligence, we see a certain restricted sense of possibility and necessity, and these two conditions seem inseparable. So, what is possible for you to do in a set of circumstances conditions what we say it is necessary for you to do; but at the same time, what it is necessary for you to do in a set of circumstances also conditions what we say it is possible for you to do. The sense of necessity is that upon which some good depends, a sense of practical necessity that Anscombe connects with sound practical deliberation about the means to one's intended ends. And the sense of possibility is that which is tied to our practical agency – of what we know how to do and so stand ready to do in the circumstances. There may be cases where we don't know how to do what it is needful that we do. In such cases, Anscombe thinks that we are negligent – we could have and should have possessed such practical knowledge. An example of this might be a parent who never learned basic first aid. Such a parent is truly unable to help her child in a life-threatening emergency, but her lack of this basic parenting skill *does not excuse*. Here the lack of knowledge has a

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Jennifer A. Frey, 'Anscombe on the Analogical Unity of Intention in Action and Perception' *Analytic Philosophy* 58:3 (2017) 202–247.

[37] Op. cit. note 1, 208.

[38] Op. cit. note 1, 208.

[39] Op. cit. note 1, 209.

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voluntary character because it concerns a sphere of life that the agent, *qua* parent, has responsibility for regarding the care of the child, and this is the ground of the necessity for the parent to develop specific practical competencies vis-à-vis the child. The good of the child is what grounds the necessity on the part of the parent.

It is clear from Anscombe's very brief remarks about the voluntary character of omissions and cases of negligence more generally that she thinks of the sort of practical knowledge characteristic of human action and agency generally in normative terms; there can be no account of it that is severed from an agent's general conception of what is good and bad in human life generally.[40]

It follows that we cannot understand human action as being under the command of reason apart from some conception of the good or bad human life. Anscombe makes this clear when she puts forward the following thesis:

> **All human action is moral action. It is either good or bad (it may be both)**.[41]

Before she explains her thesis, she notes some of its important implications. First, 'moral' does not pick out a special feature or property that some human actions have that others lack. The search for any such "extra ingredient" that qualifies certain human actions is absolutely ruled out by her thesis, which states that 'human' and 'moral' are equivalent in content – they are two descriptions of one and the same reality. A moral action is a human action, and vice versa. For Anscombe, the importance of this is that nothing is added by saying of something identified as a human action that it is *morally* good or bad, since "the 'moral' goodness of an action is nothing but its specific goodness as a human action. I mean: the goodness with which it is a good action."

But how can she say this? Were we not supposed to put talk of 'moral' on the Index? No, we were only supposed to put talk of *moral obligation, duty, oughts, and rights or wrongs* on the Index. Talk of the sort of specific goodness characteristic of human action – that which is under the command of reason, or what is the same, goodness of actions, passions, and habits of action and feeling – is perfectly licit. It can be given a plain sense, unlike the 'moral' of modern moral philosophy, which cannot.

[40] For a more detailed discussion of the connection between practical knowledge and the good, see Jennifer A. Frey, 'Anscombe on Practical Knowledge and the Good', forthcoming in *Ergo*.

[41] Op. cit. note 1, HLAE, 209, emphasis added.

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However, we cannot make sense of Anscombe's thesis unless we have a clear distinction between actions – particular performances by particular agents in particular circumstances – and act types, or what is the same, action concepts or action descriptions. For Anscombe, human actions are always performed *under a description* and thereby characterized as either voluntary or intentional. On the account she gives in *Intention*, action descriptions are those associated with a 'special sense of the question 'Why?''. If an agent acknowledges that the 'Why?' question applies to his performance under a certain description, and gives a sincere response, this response is the agent's reason or intention in acting under that description. What gives the response its reasonableness is its connection to the agent's practical deliberation – i.e, his calculative thought about how what he is presently up to realizes his intention in so acting. Anscombe's theory of the intentionality of action just is an account of action as 'under the command of reason.'

Although the agent's practical knowledge of what he is doing under a description is essential to the specification of an action into a general kind, Anscombe also notes that observers can also see what someone else is doing intentionally. If I walk into the room and see you sitting at the table with a bowl of food and a fork you are raising to your mouth, I am justified in my belief that you are eating. 'Eating' is a human action description or human action concept. I can apply such concepts in my practical thought and deliberation, or I can apply them to what I see others doing in the world.

It is noteworthy that, in *Intention*, Anscombe calls such descriptions 'vital descriptions' and notes that they are not identified by any 'extra property which a philosopher must try to describe' but rather '*a form* of description of events'.[42] Thus, she argues, we can speak of a form of description, human actions, and of the descriptions that can occur under this form. Such a form always looks to the wider context of the life form, or the specific manner of living in which such descriptions typically figure.[43]

Human action concepts or human action descriptions are acquired and deployed within the wider context of human life and its characteristic activities and goods. For this reason, these action concepts are already evaluatively colored: some are positive simply in virtue of being described as *such and such* a human action; some are negative

[42] *Intention*, op. cit. note 9.

[43] For a careful discussion of how many activities are life form dependent, see Michael Thompson, Life and Action (Cambridge, Mass.: Harvard University Press), chapter one.

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simply in virtue of being so described; others are neutral or indifferent. But, that you can truthfully say you are performing an action that is intentional or voluntary under a positive human action description, like 'eating' or 'giving alms', does not suffice to determine whether your performance is good or bad *simpliciter*, as a human act. The same is true if you are performing an action that is intentional or voluntary under a negative human action description, like 'amputating.' Although 'amputating a limb' connotes harm, and therefore has a kind of negative moral charge to it, one can act well in 'amputating a limb'. A doctor is 'acting well' – performing a good human action – when he 'amputates a limb' for the sake of the health of his patient, who would die otherwise. It is the fact that the patient would die that renders the amputation *needful* and good. Likewise, a Christian is not acting well if she is 'giving alms' to a woman in distress in order to impress her boss. All that a moral action description does is show that it is good, *unless some aspect of it is bad*, or bad, *unless some aspect of it excuses one from fault, or some justification renders it not wicked or specifically good*.

Anscombe's more controversial claim is that some human action descriptions are not positively or negatively charged just in virtue of being described as such and such an action; these action descriptions are not moral in her sense – relating to goodness or badness of human life generally – but neutral or indifferent. Examples she provides are: 'chucking a pebble into the sea,' 'picking a flower,' or 'walking.' Such action descriptions do not suggest any specific goodness or badness to them.

Anscombe cautions her reader not to infer from this that there are indifferent or neutral human actions. This inference betrays a fundamental misunderstanding of her thesis. The claim that all human action is moral means that every particular human action is always either good or bad *qua* human action. Any specific act of walking done in a certain way, at a certain time, by a certain person, can always either be truthfully described as living well or not.

Anscombe's thesis further allows that in the evaluation of human action, we can recognize respects in which it is good, and still judge that the action is bad. Here we must keep in mind two points. First, that it is good if it is in no way bad. Second, that something can be described as good in some respect and yet still be defective as a human action. What makes an action good *tout court* is whether it can be truthfully described as living well. In order to make sense of this, Anscombe needs to recognize levels of action descriptions. For instance, 'poisoning the inhabitants of the house' can also be described as 'murder' which can also be described as 'unjust.' It is

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entailed by Anscombe's thesis that all human action can be truthfully characterized, at the highest level of human action description, as 'living well' or as 'not living well.'[44]

Anscombe also discusses cases that are structurally similar to those that figure in the literature on moral luck.[45] In cases where there is not complete exoneration, she argues, we may say his action was bad as needing excuse and therefore pardon. Insofar as there was a minor bit of negligence on the agent's part – a moment of inattention, say – then the action was bad. For if the agent had taken more care, which he could have and should have done, the bad upshot could be avoided. And yet 'the result was not one that, as we say, "was to be expected in the nature of the case"'.[46] And for this reason the action is 'mixed'; it has goodness to it when described intentionally. Moreover, it lacks the defect of being a wicked action, since a bad accidental result does not render it wicked; however, it still has something of badness in it, 'that makes it seem to need pardon'.[47] Here we may avail ourselves of some sort of distinction between exoneration and excuse.

One final point Anscombe makes with regard to her thesis is that sometimes action descriptions are inadequate to the task of evaluation in light of what it means for a human life to be good or bad on the whole. It follows that a true intentional action description, which bears the appearance of neutrality or indifference, such as 'writing his name on a bit of paper,' is not yet a specifying description of what the agent does – e.g., 'signing a contract.' We know from her analysis in *Intention* that there is a specifying description of an action that 'swallows up' the other true intentional descriptions.[48] In her original example, a man intentionally 'moves his arm up and down' 'pumps water into a cistern' and 'replenishes the house water supply', but he performs these actions for the sake of 'poisoning the inhabitants of the house,' whom he is intent on killing. In this example, 'moving his arm up and down' just is the first stage of a 'poisoning'; on its own, 'moving my arm up and down' is an inadequate description of what the man is up to. We need an adequate concept of

[44] For this point, see her essay, 'Practical Truth' in HLAE, op. cit. note 1, 149–158.

[45] For context, see Thomas Nagel, 'Moral Luck' in *Mortal Questions* (New York: Cambridge University Press).

[46] Op. cit. note 1, HLAE, 213.

[47] Op. cit. note 1, HLAE, 207–226.

[48] *Intention*, 46–47.

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'intention', one understood as essentially connected to the agent's practical thought and will, in order to make this point clearly.

Another route to the thought that human action descriptions are formally 'vital descriptions' that necessitate a look to the wider context of human life is the contrast between skilled action and human action, and the different senses of praise and blame we use in regard to each. This is a point she underscores in another essay, 'Good and Bad Human Action'.[49]

In this essay Anscombe begins with Kant's notion of a uniquely *moral* motive – acting from duty – as opposed to prudential motives, acting in self-interest. For Kant, she notes, the moral ought is the only proper motive of a rational will. On this view, there is an opposition between moral and prudential motives, or between duty and mere interest. She contrasts Kant's view with what she finds in Aristotle. On Aristotle's view we can say that a human needs to develop good practical judgment – cultivate practical wisdom – and that failure to cultivate this is blameworthy. But there is no thought in Aristotle expressed by the proposition 'there is a moral obligation to have intellectual virtue'. Kant's use of 'moral' doesn't fit into Aristotle's framework. The sense of 'ought' as it figures in the statement, 'human beings ought to have practical wisdom' is this: the human needs practical wisdom in order to live well on the whole – to realize the characteristic goods internal to human life.

Now, for Aristotle it is true that someone may be blameworthy for lacking intellectual virtue, if the lack is voluntary (he had the ability and opportunity to develop it, and the necessity to develop it belongs to him in virtue of being human). But one might also be blameworthy for a mistake in skill rather than virtue, and here the notion of blame seems to be of a different sort. A skilled chef may make a bad pasta – he carelessly forgets a step in the process – and he may be blamed for this. But this seems different than the sort of blame we assign to the father who carelessly forgets the child in the back of the car on a hot summer day, which causes the child's death. So, there seems to be a difference between mistakes of skill and what we might call mistakes in human action. But how do we mark this difference in a principled way? In order to make the case we need to avail ourselves of concepts like 'habit,' 'disposition,' 'practical knowledge' and 'practical reasoning'.

Within the Aristotelian tradition, we could give the following sort of account. A skill involves the possession of a unified body of

[49] Op. cit. note 1, HLAE, 195–206.

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practical knowledge. Skill is an intellectual habit, and a habit is a stable disposition or settled state that makes one ready to act in ways that are ordered to the realization of the ends internal to the skill.[50] A skilled cook knows how to attain the end internal to the practice of cooking, and he is disposed to exercise his skill when decision calls for this. The actions of the skilled agent are informed by the rules of the skilled practice. An expert of Italian cuisine knows how to prepare a variety of specific dishes without difficulty. A mistake is blameworthy as a bit of Italian cooking if it is a misapplication of the general rules of Italian cuisine that frustrates the goal of preparing delicious Italian food.

But Anscombe also notes that a skilled person can make mistakes on purpose and this may not be blameworthy in the deeper sense. A skilled cook can purposefully make a mistake in order to teach her students to learn to cook properly: 'don't do this', she says, as she runs the pasta through the machine too many times the wrong way. 'See how it turns out badly?' she asks. In these cases, the bad cooking acts are not blameworthy, because they are performed from the knowledge internal to the skill and for the sake of a good end: transmitting the skill to another person. But what about a skilled cook who intentionally ruins his pasta in order to humiliate his patrons (he wants the food they serve to their guests to taste terrible so they will be humiliated and lose their social standing). He too acts from the knowledge internal to the skill, but he puts this knowledge to use for a bad end. This too is a bad act of cooking but is also a bad human action, and therefore blameworthy in a deeper way.

In order to account for this deeper sense of what is blameworthy, we need to recognize a further dimension of failure: the cook is not simply failing to create a delicious meal but failing to act well simpliciter. The assessment of skilled action is always *qualified* – it is always relative to the ends that define and measure the skill itself. But the chef is not merely a chef who performs skilled acts, but also a human who performs human actions. And every chef act is also a human action. The chef's actions are ordered to ends whose intelligibility goes beyond those specified by his skill; he is also ordered to the ends of human life more generally. The skilled chef can err *qua* chef, but he is also a man, and he can fail *qua* man. Because skillful actions are intentional, they are always subject to this wider context of assessment.

[50] By ready to act, I mean the person is constituted so as to be able to perform the action skillfully and without difficulty.

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Therefore, in order to answer Anscombe's question – When is a mistake in skill blameworthy as a human action? – we have to look to the wider context of the life in which the bad act is performed. To do this would be to make the move from a merely technical form of reasoning – habitual deliberation and judgement about how to produce the results internal to skilled practice – to practical reasoning unqualified. The former is more restricted than the latter, but both are ultimately governed by the same end or measure.

If we distinguish between merely technical reasoning and prudence, then we can say that an action is good as a human action even though it is bad as a bit of cooking. And here we have a notion of moral goodness which simply connotes the specific goodness proper to human action as such. Anscombe writes:

> 'What has now become, now, of the notion of the *morally* good or *morally* bad as applied to human actions? They have become equivalent to 'good and bad' as applied to human actions as such. I mean, 'That was a morally good action' is equivalent to 'Qua human action, that was good' or 'That was a good human action', and 'That was a morally bad human action' is equivalent to 'Qua human action, that was bad' or 'That was a bad human action'.'[51]

What is the measure of a bad human action? Or what is the same, what determines the specific goodness that attaches to human actions *qua* human actions? Although I cannot defend it here, the answer that recommends itself is plain: whether the action constitutes or contributes to 'living well' or 'living a good human life'. In order to defend this recommendation, we would need an account of the role of the capacities of reason and will in the determination of both intentional and voluntary action descriptions, and an account of practical deliberation as intrinsically in service of the goal of realizing what is universally good for man. Elsewhere, I have argued that Anscombe gives us such an account in *Intention*.[52] There, she argues that *formal* goal of practical reason is to realize the good, but she does not give a substantive account of what this good consists in. What is truly good, or what belongs essentially to any true conception of a good human life, is a topic for ethical reflection proper. Reflection upon intentional action shows us only that one must operate under some general conception of 'living well' in order to act for reasons at all; the deployment of such a conception in practical thought is part of the account of how human actions come under the

[51] Op cit. note 1, HLAE, 203.
[52] Op cit note 3.

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command of practical reason and are thereby *essentially* moral in Anscombe's non-modern sense.

4. Conclusion

In this paper, I have argued that we have failed to take the full measure of Anscombe's radical call to action in MMP, because we have failed to see that her third thesis points us to the reason why she put forward the first and the second. On my view, attention to the character and necessity of absolute prohibitions as the core of the virtue of justice is the key to a unified account of her three guiding theses; it also isolates the core respect in which an account of virtue might be radical rather than routine.

In the second half of this paper I have tried to recover a resolutely *unmodern* sense of 'moral', which figures in an account of human action as *moral* action. On this view, there is a standard internal to human life and action that both defines and measures it as an action. Obviously, the argument is incomplete and stands in need of further detail and defense. But there are good reasons to pursue it further. First, it is a view according to which actions are explained by principles internal to the agents who intentionally bring them into being, and the general account of these principles will provide the formal, defining measure of human action as such. Such an account of action locates the source and the measure of actions in human nature or human psychology, where this is cashed out in terms of the characteristic powers and operations of the human person as they operate for the sake of a single, natural, unifying end: the universal good, or living well, or the good life for a man.

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