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VIRTUE AND NATURE*

By Christopher W. Gowans

I. Introduction

That human beings are *rational animals* is such a platitude in so much of Western moral philosophy that it may seem unlikely that additional insight is to be gained from further reflection on the meaning and implications of this phrase. Traditionally, by and large, it has been supposed that rationality is our most important feature. In recent years, however, it has been suggested by some advocates of virtue ethics rooted in Aristotle that a renewed emphasis on, and understanding of, the fact that we are animals, as well as rational, offers a promising avenue for defending an objective justification of morality. The best-known proponents of this approach are Philippa Foot and Rosalind Hursthouse.[1] Since they each depict their position as a form of ethical naturalism, their shared outlook may be called Neo-Aristotelian Ethical Naturalism (hereafter NAEN). Many of the facts about our animal nature highlighted by Foot and Hursthouse are certainly relevant to ethical deliberation, and to this extent their new outlook is a welcome contribution. Nonetheless, my thesis in this essay is that NAEN is inadequate because, by its own standards, it does not provide a naturalistic justification of its ethical commitments.

In what sense does NAEN purport to be a form of ethical naturalism? In moral philosophy, naturalism ordinarily is taken to preclude any appeal to the supernatural (for example, to God), and Foot and Hursthouse are ethical naturalists in this respect. Beyond this, ethical naturalism usually implies that (a) there is some significant connection between moral values and natural facts, where (b) the natural facts include only facts countenanced by contemporary science (including, in particular, psychology and evolutionary biology). Proponents of NAEN certainly affirm (a). At a minimum, they believe that the justification of virtues is, in some impor-

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[1] The main sources are Philippa Foot, *Natural Goodness* (Oxford: Clarendon Press, 2001), and Rosalind Hursthouse, *On Virtue Ethics* (New York: Oxford University Press, 1999), esp. part III. Foot and Hursthouse both appeal to a crucial idea in Michael Thompson, "The Representation of Life," in Rosalind Hursthouse, Gavin Lawrence, and Warren Quinn, eds., *Virtues and Reasons* (Oxford: Clarendon Press, 1995), 247–96. For a similar position, see Alasdair MacIntyre, *Dependent Rational Animals: Why Human Beings Need the Virtues* (Chicago: Open Court, 1999), esp. 78.

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tant sense, dependent on facts about human nature and the circumstances of human life. For example, Foot says that "the grounding of a moral argument is ultimately in facts about human life."[2] Sometimes it seems to be suggested, more strongly, that some moral facts are natural facts. According to Foot, "the fact that a human action or disposition is good of its kind will be taken to be simply a fact about a given feature of a certain kind of living being."[3] With respect to (b), matters are less clear. Foot and Hursthouse make no appeal to evolutionary biology. Instead, what plays a crucial role in their arguments is a set of statements about plants and animals—and about human beings as a kind of animal—called "natural-history sentences" or "Aristotelian categoricals," which are said to be true descriptions of objective facts in the natural world.[4] This distinguishes NAEN from many other forms of ethical naturalism, and it raises a question about what kind of natural facts Foot and Hursthouse have in mind (about which I will have more to say below).

However, my critique of NAEN is not that it is inadequately scientific. Rather, my main argument is that it cannot account for the concerns of moral universalism, the view that each human being has moral worth and thus deserves significant moral consideration.[5] After explaining the main contours of NAEN (in Section II), I explore ways in which it might deal with moral universalism, and I argue that each of these ways is inadequate (in Section III). I then broaden the discussion (in Section IV) and maintain that the ends concerning other persons proposed by NAEN seriously underdetermine the virtues that are said to promote these ends. My conclusion (in Section V) is that those attracted to an Aristotelian virtue ethics would be wise to abandon its naturalism, at least beyond a minimal and fairly uncontroversial appeal to some facts about human nature and circumstances.

II. The Basic Argument of Neo-Aristotelian Ethical Naturalism

NAEN was first formulated by Foot and later developed by Hursthouse. Their positions are close, but not identical.[6] I will proceed by explaining

[2] Foot, *Natural Goodness*, 24.

[3] Ibid., 5.

[4] See ibid., 29.

[5] Foot and Hursthouse both put forward their accounts in a rather tentative spirit, and Hursthouse says that justice is a gap in her theory. Nonetheless, I believe NAEN does not have the resources to deal with the issues I raise.

[6] Hursthouse's understanding of Foot is based, not on *Natural Goodness* (which had not yet been published), but primarily on two earlier essays, "Rationality and Virtue" (1994), and "Does Moral Subjectivism Rest on a Mistake?" (1995), both reprinted in Philippa Foot, *Moral Dilemmas and Other Topics in Moral Philosophy* (Oxford: Clarendon Press, 2002), 159–74, 189–208. Hursthouse's own position is also expressed in a more recent paper, "On the Grounding of the Virtues in Human Nature," in Jan Szaif, ed., *Was ist das für den Menschen Gute? Menschliche Natur und Güterlehre* (Berlin: De Gruyter, 2004), 263–75.

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and commenting on Foot's main line of argument, noting Hursthouse's amendments along the way. In the end, however, my critique will concentrate on Hursthouse's more elaborate position. Their argument divides into three phases: a set of claims about the evaluation of living things, especially animals; application of this framework to the evaluation of human beings; and discussion of the difference human rationality makes to this application.

Phase one. Foot begins by stating that 'good' and 'bad' are "attributive adjectives" whose criteria of application depend on the noun (or noun expression) they modify.[7] This appears true in a wide variety of contexts in which 'good/bad X' is meaningful on account of some human activity, interest, or concern. However, according to Foot, there are some things that may be evaluated as good or bad, not by reference to any human perspective, but simply in virtue of the kinds of things they are. In particular, living things such as plants and animals may be evaluated on the basis of standards that are implied by the nature of their species.

Foot's explanation of this is as follows. The life cycle of a member of a species includes development, self-maintenance, and reproduction. Teleological statements (the "natural-history" statements or "Aristotelian categoricals") explain the function of something—a part, characteristic, or operation—in this life cycle. For example:

> (F) "[T]he male peacock displays its brilliant tail *in order to* attract a female during the mating season."[8]

Statements such as F are said to be neither universal nor statistical generalizations. Rather, F explains an operation by reference to its function in reproduction. It asserts that the purpose of a male peacock's raising its tail is to attract a female. This is not taken to mean that the peacock has this purpose nor that it was consciously designed for it.

Teleological statements such as F are said to be factual: they are determined by the nature and life cycle of the species (including its needs, capacities, and natural habitat). Hence, their truth-value does not depend on the needs or wants of other species, including human beings. Moreover, these statements are necessary for properly describing and understanding the natural history of a species.

According to Foot, these teleological statements imply evaluative or normative statements about individual members of the species. For example, F entails:

> (E1) An individual male peacock *needs to* or *should* be able to display its tail during the mating season.

[7] She takes this point from P. T. Geach, "Good and Evil," *Analysis* 17 (1956): 33–42.
[8] Foot, *Natural Goodness,* 31.

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And F also entails:

> (E2) An individual male peacock that is able (unable) to display its tail during the mating season is *good* (defective) in this respect.

Hence, the teleological statements provide a basis for judging natural goodness and defectiveness in living things. An individual's having the forms of goodness appropriate to its species contributes to its living a good life for a member of its species, a life of proper development, self-maintenance, and reproduction (though whether it succeeds in doing this also depends on other factors). In conclusion, Foot says at this stage of her argument, "the norms that we have been talking about so far have been explained in terms of *facts* about things belonging to the natural world."[9] There are, she says, "patterns of natural normativity."[10]

Hursthouse accepts the essentials of Foot's position in these respects, but she develops it with respect to higher social animals such as wolves and horses. Hursthouse summarizes her view as follows:

> *Teleological Framework.* A good social animal (of one of the more sophisticated species) is one that is well fitted or endowed with respect to (i) its parts, (ii) its operations, (iii) its actions, and (iv) its desires and emotions; whether it is thus well fitted or endowed is determined by whether these four aspects well serve (1) its individual survival, (2) the continuance of its species, (3) its characteristic freedom from pain and characteristic enjoyment, and (4) the good functioning of its social group—in the ways characteristic of the species.[11]

The Teleological Framework is said to provide a basis for objective evaluations of certain animals. For example, similar to E2, these animals "are defective—something is wrong with them—when they do not want to eat or reproduce" ("the continuance of its species" refers specifically to reproduction).[12]

Much of my argument below focuses on item (4) in the Teleological Framework as Hursthouse applies it to human beings. She has little to say about what constitutes a social group. The phrase is used to make a distinction between animals that live rather solitary lives, such as tigers, and those that live more social lives. The latter belong to a social group (such as a wolf pack). In the case of animals, these groups vary enormously in character across different species, and among human beings there are many different kinds of social groups. Hursthouse does not

[9] Ibid., 36–37.
[10] Ibid., 38.
[11] Hursthouse, *On Virtue Ethics,* 202. I have added the title.
[12] Ibid., 200.

discuss these differences. Presumably, she supposes that social groups are fairly small, in comparison with the species as a whole, and involve some notion of membership such that members of the group act in various ways for the well-being of other members of the group (and perhaps for "the group as a whole").[13]

An obvious worry about Foot's and Hursthouse's position arises from questions about its status vis-à-vis evolutionary biology. Foot speaks explicitly of Aristotelian categoricals and necessities, and she states that the term 'function' in her account is used in an "everyday" sense rather than in the "technical" sense of evolutionary biology.[14] Moreover, Hursthouse says that "the non-ethical evaluations of living things that I have outlined are 'Aristotelian' rather than Darwinian."[15] These comments may invite the complaint that Foot and Hursthouse are relying on an Aristotelian approach that has been refuted by Darwinian biology.[16] However, they clearly believe that teleological statements such as F, as well as evaluations such as E1 and E2, are part of the natural histories of animals as understood by contemporary science. Hursthouse says that these evaluations of living things are "scientific" and are employed in botany, zoology and ethology.[17] In fact, natural histories do contain many statements of this kind (albeit expressed in a variety of ways). Moreover, Foot and Hursthouse need not, and do not, deny that F states a scientific fact that is explained by natural selection.[18] Hence, they are best interpreted as intending to present an account that is compatible with evolutionary biology, and as hoping to avoid as much as possible engaging in debates about the proper role and understanding of concepts such as teleology, function, purpose, and design in biology.[19]

It is doubtful that a full defense of their position can avoid this engagement. Their claim is that statements such as F, E1, and E2 are intelligible and essential to properly understanding living organisms. A critic, at this stage of the argument, would need to show that statements of this kind could be eliminated without loss of descriptive or explanatory power in biology and related sciences. Foot and Hursthouse appear committed to supposing that these statements could not be eliminated by this standard. There is a sense, then, in which they think a form of evaluation is essential to understanding plants and animals, and I am willing to accept this

[13] See ibid., 201–2.

[14] Foot, *Natural Goodness,* 32 n. 10. See also ibid., 40 n. 1.

[15] Hursthouse, *On Virtue Ethics,* 257.

[16] For example, see Philip Kitcher, "Biology and Ethics," in David Copp, ed., *The Oxford Handbook of Ethical Theory* (New York: Oxford University Press, 2006), 164–65.

[17] See Hursthouse, *On Virtue Ethics,* 202, 229.

[18] See Foot, *Natural Goodness,* 92.

[19] For examples of these debates, see Colin Allen, Marc Bekoff, and George Lauder, eds., *Nature's Purposes: Analyses of Function and Design in Biology* (Cambridge, MA: The MIT Press, 1998). Hursthouse enters these discussions a bit more than Foot; she expresses doubts about whether Darwinian standards could replace Aristotelian ones (see Hursthouse, *On Virtue Ethics,* 258).

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claim here for the sake of argument. It is important to note, however, that the evaluations E1 and E2 only identify species-dependent forms of goodness and defectiveness. There is no suggestion, for example, that peacock reproduction is good simply speaking or from the standpoint of nature as such (whatever that might mean).[20] Reproduction is only a characteristic good of peacocks in virtue of the nature of the species. Foot and Hursthouse can agree with a critic who claims that, though reproduction plays a central explanatory role in evolution, there is no overall (not simply species-dependent) sense in which it is good—say, from the standpoint of nature itself, or of evolutionary theory—that an individual peacock (or indeed any peacock) reproduces. Of course, for zookeepers, animal breeders, farmers, gardeners, and the like, the reproduction of living things is sometimes a good thing (and sometimes a bad thing). But these judgments depend on their specific interests; they are not dictated by nature itself. However, given their interests, Foot and Hursthouse maintain, evaluations based on natural facts such as F take on importance.

Phase two. The next step in Foot and Hursthouse's argument asserts that evaluations of human actions and dispositions have the same conceptual structure as the aforementioned evaluations of plants and animals. The meaning of 'good' and related terms is the same in both cases. Evaluations of human beings, Foot says, including moral evaluations, "can only be understood in these terms." Hence, she regards "moral evil as 'a kind of natural defect'."[21] She acknowledges that there is a major difference: human beings, unlike plants and other animals, have a rational will and perform voluntary actions. However, she believes it is essential to start with the purported similarity. Though human good is "different from good in the world of plants or animals," she says, "there is a 'natural-history story' about how human beings achieve this good as there is about how plants and animals achieve theirs."[22]

The first part of this story is that, despite cultural diversity, there is a "quite general account of human necessities, that is, of what is quite generally needed for human good."[23] For example, these necessities include food, housing, and clothing as well as relationships of love and friendship.

The second part of the story is that we need virtues such as industriousness, loyalty, and kindness to attain these necessities. Hence, Foot says, following P. T. Geach, "virtues play a necessary part in the life of human beings as do stings in the life of bees."[24] There is thus a common structure of evaluation of all living things: teleological ("in order to") statements provide a factual basis for evaluations about what is good, needed, or should be the case. Hence, Foot appears committed to claim-

[20] See Foot, *Natural Goodness,* 50.
[21] Ibid., 5.
[22] Ibid., 51.
[23] Ibid., 43.
[24] Ibid., 35. Cf. ibid., 44.

ing that, just as F is true and implies E1 and E2, so (in an example emphasized by Foot):

(F*) A human being is trustworthy *in order to* (among other things) promote the exchange of goods needed for material well-being

is true and implies:

(E1*) A human being *needs to* or *should* be trustworthy

and:

(E2*) A human being who is trustworthy (untrustworthy) is *good* (defective) in this respect.

F* explains a characteristic of human beings by reference to the characteristic's function in self-maintenance: among human beings, given our nature and circumstances, self-maintenance typically requires the exchange of goods, and this in turn requires trustworthiness. As with F, F* is supposed to be a particular kind of factual statement—a teleological statement. It is neither a universal nor a statistical generalization. It depicts one form of being virtuous and says that the function of being virtuous in this respect is the fulfillment of certain human needs. However, though factual, F* is said to imply evaluations such as E1* and E2*. This is the conceptual parallel Foot thinks is essential to establish.

Once again, Hursthouse accepts Foot's basic argument and elaborates: since human beings are sophisticated social animals, the aforementioned Teleological Framework provides a basis for ethical evaluations of us. For example, Hursthouse says:

> Human beings who are good in so far as they are courageous defend themselves, and their young, and each other, and risk life and limb to defend and preserve worthwhile things in and about their group, thereby fostering their individual survival, the continuance of the species, their own and others' enjoyment of various good things, and the good functioning of the social group.[25]

Hursthouse thinks similar accounts can be given of other virtues such as charity, honesty, generosity, loyalty, justice, and trustworthiness.

Phase three. The final step in the argument for NAEN concerns what is distinctive about human beings. Foot does not believe that the conceptual parallel stated above means that human good is the same as the good of

[25] Hursthouse, *On Virtue Ethics,* 209.

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plants and other animals. "Human good," she says, "is *sui generis*."[26] The main difference is that human beings have a rational will: we act voluntarily for reasons. This gives rise to greater diversity and complexity. More important, this means that we have a capacity to understand and that, for any proposed action X, we can always ask, "Why should I do X?" An answer to this question purports to give us a reason for action based on what is judged to be good. According to Foot, "Kant was perfectly right in saying that moral goodness was goodness of the [rational] will." However, Kant was mistaken, she says, in not recognizing that "the evaluation of human action depends on [in addition to abstract practical reason] essential features of specifically human life."[27]

Since human beings can understand the teleological facts and their implications, we can answer the question "Why should I do what a trustworthy person would do here and now?" by appealing to, among other things, the truth of F* and the fact that F* implies E1* and E2*. More specifically, we can understand the facts about human necessities and our circumstances that warrant us in saying that "in giving a promise one makes use of a special kind of tool invented by humans for the better conduct of their lives, creating an obligation that (although not absolute) contains in its nature an obligation that harmlessness does not annul."[28] Rationality does not change the fact that human goodness is a form of natural goodness.

For Hursthouse, the fact that human beings, unlike other animals, are rational, does not modify the Teleological Framework cited earlier by way of addition or subtraction (there are the same four aspects and four ends), but it does transform the framework in ways similar to those envisioned by Foot. Rationality gives rise to greater diversity as well as to the capacity to understand the rationale of the virtues and the possibility of rationally revising the virtues we currently accept. Moreover, rationality enables us to choose whether to act virtuously or not.

Hursthouse says that "our characteristic way of going on . . . is a rational way"—that is, "any way we can rightly see as good, as something we have reason to do."[29] Nonetheless, the nature of our species imposes significant restrictions on what we have reason to do. "Human beings are ethically good," she says, "in so far as their ethically relevant aspects foster the four ends appropriate to a social animal, in the way characteristic of the species." The Teleological Framework, she adds, "really does constrain, substantially, what I can reasonably maintain is a virtue in human beings." Hence, in determining whether a character trait is a virtue, we have to consider whether it "would foster or be inimical to

[26] Foot, *Natural Goodness*, 51.
[27] Ibid., 14.
[28] Ibid., 51. I take this to mean that, for Foot, the fact that breaking a promise brings about no harm does not by itself annul the obligation to keep the promise.
[29] Hursthouse, *On Virtue Ethics*, 222. Cf. ibid., 228.

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those four ends."[30] In ethical evaluation, Hursthouse claims, "we evaluate ourselves as a natural kind, a species which is part of the natural biological order of things."[31] These comments suggest that she accepts the following criterion:

> A character trait C is a virtue only if (a) C promotes in a substantial way at least one of the four ends, and (b) C does not significantly inhibit the four ends.

With respect to (a), it seems too strong to say that C is necessary for an end or that C relates to all four ends. A virtue may be very important even if not necessary for advancing an end, and different virtues may promote different ends. What Hursthouse requires is that C furthers at least one of the ends to some substantial extent. With respect to (b), it seems too strong to say that any inhibition of the ends would prevent a character trait from being a virtue. Otherwise, courage could not be a virtue, since it can require us to risk our life. But some reference to the negative impact on ends is surely needed. Otherwise, a character trait that promoted one end, but virtually precluded all the others, would be a virtue. For example, extreme self-centeredness might promote self-preservation but seriously damage other ends. The expressions 'promotes in a substantial way' and 'does not significantly inhibit' are obviously vague and in need of interpretation, but they are sufficiently meaningful for Hursthouse's purpose and my discussion. The criterion says that (a) and (b) are necessary conditions for a character trait's being a virtue. It does not say, and I am not supposing that Hursthouse thinks, that these conditions are sufficient.

Beyond this, it seems clear that Hursthouse supposes that the Teleological Framework makes a contribution to the correct conception of the virtues. This is evident in her comment, quoted above, that people are good "in so far as their ethically relevant aspects foster the four ends," as well as in her discussion of Peter Singer (considered below). For example, suppose two competing conceptions of courage both met conditions (a) and (b), but the first promoted the ends in a more substantial way than the second, or inhibited them to a lesser extent. Surely, in this circumstance, the first conception has a better claim to be a virtue than the second, all other things being equal, because the first better fulfills conditions (a) and (b) than the second. Unless there were some special consideration not evident here (for instance, that once an end is fulfilled to a certain point, it does not matter if it is fulfilled to a greater extent), it

[30] Ibid., 224. The four ends are individual survival, continuation of the species, characteristic freedom from pain and characteristic enjoyment, and the good functioning of the social group.
[31] Ibid., 226.

would be odd to accept the criterion, but reject this consequence. Hence, it is reasonable to suppose that Hursthouse is committed to the following:

> *Teleological Criterion.* A character trait C is a virtue only if (a) C promotes in a substantial way at least one of the four ends, and (b) C does not significantly inhibit the four ends; and if two character traits, C1 and C2, in competition for the status of virtue, both meet conditions (a) and (b), but C1 promotes the ends in a more substantial way than C2, or inhibits them to a lesser extent, then, all other things being equal, there is more reason to regard C1 as a virtue than C2.

The intuitive idea of Hursthouse's version of NAEN, then, is that those character traits that best promote and least inhibit the four ends are virtues.

The Teleological Criterion provides a criterion for determining whether or not a character trait is a virtue. But which character traits fulfill this criterion? Hursthouse is also, at least tentatively, committed to the following:

> *Justification Thesis.* The standard list of virtues meets the Teleological Criterion.

According to Hursthouse, the "standard list" of virtues includes many of Aristotle's virtues (including courage, temperance, and justice), plus some non-Aristotelian virtues such as charity and benevolence. These are the virtues Hursthouse is prepared to defend. The Justification Thesis says that, for each virtue on the list, the virtue promotes in a substantial way at least one of the four ends and does not significantly inhibit the four ends (and presumably meets these conditions better than any competing conception of the virtue).

The details of Hursthouse's Teleological Framework, with its specification of four aspects and four ends, and the employment of this framework in the Teleological Criterion as well as the Justification Thesis, are more substantial than Foot's presentation of NAEN. For this reason, I will focus primarily on Hursthouse's position in the critique that follows. There is another important difference between Hursthouse and Foot. At the outset of her discussion of naturalism, Hursthouse says her aim is to show the feasibility of establishing the objectivity or rationality of neo-Aristotelian virtue ethics in accordance with John McDowell's "Neurathian procedure."[32] According to this procedure, "validation must take place

[32] Hursthouse, *On Virtue Ethics*, 165. She cites John McDowell, "Two Sorts of Naturalism," in Hursthouse et al., eds., *Virtues and Reasons*, 149–79. McDowell's view is part of a broader philosophical project expressed in several places in his work. It is unclear to what extent Hursthouse endorses this project, and I interpret her here on the basis of what she (rather than McDowell) says.

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from within an acquired ethical outlook, not from some external 'neutral' point of view."[33] The acquired outlook is that of the virtuous agent (as understood by Hursthouse). The Neurathian approach rejects the plausibility of justification on the basis of a foundation of non-ethical beliefs such as those provided by science or logic. This is taken to imply that there is no aspiration to convince "anyone whose ethical outlook or perspective is largely different from" that of the virtuous agent.[34] At the same time, the Neurathian account is not merely to re-express or rationalize the virtuous agent's perspective: it "may serve to provide rational credentials for our beliefs about which character traits are the virtues."[35] This is because, by allowing (in W. V. O. Quine's terminology) "plank-by-plank" rebuilding of our ship while at sea, there is "the possibility of *radical* ethical reflection, the critical scrutiny of one's ethical beliefs which could be genuinely revisionary."[36] In fact, it could eventually be shown that the virtuous agent's ethical outlook is completely wrong, and this possibility is said to provide us with a suitable notion of ethical objectivity. There is nothing in Foot's account resembling this Neurathian understanding of justification.

Hursthouse neither defends nor develops her Neurathian approach, and we are mostly left to speculate on its implications. The possibility of plank-by-plank rebuilding, even to the point of eventually replacing every plank, is itself no guarantee of objectivity. An arbitrary rule ("replace every seventeenth plank") repeatedly applied, or a random procedure, could have this result, but would contribute nothing to objectivity. At a minimum, rebuilding must be in response to relevant facts, and a key question is whether Hursthouse's account relies on such facts. Her main claim is that the justification of central features of her position is—or may be—epistemically available to a virtuous agent, but not necessarily to others. This should not be rejected out of hand. Loving and sympathetic persons sometimes see facts that others do not. Perhaps a case could be made for saying that virtuous persons see facts that others—for example, those who are morally corrupt, deeply egotistical, or flatly amoral—do not. However, since Hursthouse does not make this case, skeptical suspicions may be hard to suppress. As we move from the Teleological

[33] Hursthouse, *On Virtue Ethics,* 165. In light of this, David Copp and David Sobel appear mistaken in supposing that Hursthouse is relying on a "morally neutral investigation of animal nature." See their essay "Morality and Virtue: An Assessment of Some Recent Work in Virtue Ethics," *Ethics* 114 (2004): 537. However, as I note below, they do raise a legitimate question.

[34] Hursthouse, *On Virtue Ethics,* 193. It has been argued that this aspect of Hursthouse's position disqualifies it from being a significant form of ethical naturalism. See William Rehg and Darin Davis, "Conceptual Gerrymandering? The Alignment of Hursthouse's Naturalistic Virtue Ethics with Neo-Kantian Non-Naturalism," *The Southern Journal of Philosophy* 41 (2003): 583–600.

[35] Hursthouse, *On Virtue Ethics,* 193. She adds that the procedure "is *not* intended to produce motivating reasons" (194).

[36] Ibid., 165.

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Framework to the Teleological Criterion to the Justification Thesis, the perspective of the virtuous agent seems increasingly important. The Teleological Framework is based on an examination of social animals, and it would seem that, if it were correct, any sufficiently informed and impartial observer should be able to see this (as we might put it, only epistemic as opposed to ethical virtues would be necessary)—and Hursthouse appears to assume as much in her presentation of it. In contrast, accepting the Justification Thesis would seem to require a detailed knowledge of the virtues, and it might plausibly be said that only a virtuous agent could possess this knowledge. What about the Teleological Criterion? Why should the four ends be central criteria of virtue? For my purpose, this is the crucial question for Hursthouse's version of NAEN. If the purported facts supporting acceptance of the Teleological Criterion could only be apprehended by the virtuous (by her lights), then Hursthouse's defense would be plausible only on the basis of an epistemology that shows the virtuous to be in an epistemically superior position in the relevant respects. But it is not clear that this is her position. She certainly tries to render the Teleological Criterion plausible to a diverse philosophical audience that is not presumed to be fully virtuous by her standards, and in this respect her aspiration to objectivity does not differ markedly from Foot's.

III. The Challenge of Moral Universalism

Why, then, should we accept the Teleological Criterion? Even if we agree that 'good' and 'bad' are attributive adjectives whose criteria of application are fixed by the kind of thing they refer to, and even if we accept the Teleological Framework as a proper framework for evaluating social animals, we can still ask whether this framework is relevant, and indeed especially relevant, for judging human virtues. This question might be pursued from different directions. We might wonder why the facts presupposed in the Teleological Framework are the morally relevant ones insofar as there are other facts, equally scientific, that might be relevant as well (or, at least, relevant from a different moral perspective).[37] Or, beginning with the Teleological Framework and the Teleological Criterion as they are presented by Hursthouse, and reflecting on our considered moral convictions, we might ask whether we should accept the Teleological Criterion, and hence the Justification Thesis, in light of these convictions. My argument presses a particular form of this second question.[38]

The difficulty that arises for proponents of NAEN centers on the thought that each human being is morally significant. Various forms of this thought have been expressed, in diverse ways, in numerous and very different con-

[37] This is the question stressed by Copp and Sobel, "Morality and Virtue," 534–37.

[38] Much of the discussion of Foot, and especially Hursthouse, is devoted to arguing that a virtuous agent would tend to live a life of genuine happiness (*eudaimonia*). I am not concerned with this aspect of their position.

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texts. For example, the Universal Declaration of Human Rights begins with the "recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family."[39] Among philosophers, Immanuel Kant declared that "the human being and in general every rational being exists as an end in itself," and he took this to mean that every human being possesses "an inner worth" or "dignity" that entitles him or her to moral consideration.[40] In the utilitarian tradition, Jeremy Bentham declared, in the dictum cited by John Stuart Mill, "everybody to count for one, nobody for more than one."[41] These last two statements are expressions of the Enlightenment (arguably, all three are), but there are much older formulations of the idea that each human being has moral importance. For instance, the Christian command to love one another meant that we were to love all persons, as is made clear in the story of the Samaritan who helped the beaten man on the road and in Paul's statement that "there is neither Jew nor Greek."[42] Similar beliefs are also central to Buddhist traditions, especially in the aspiration of the Bodhisattva to seek enlightenment out of compassion for all beings. According to His Holiness the Dalai Lama, we should "respect and appreciate the sameness of ourselves and others as human beings."[43] In the ancient Greco-Roman world, such ideas are especially associated with the Stoics. For example, Hierocles urged us to have concern for "the whole human race."[44]

These statements do not all express the very same thesis (much less would they be supported by the same rationale). Nonetheless, there is considerable overlap among these statements, and it is this overlap, vague though it may be, that is important for my purpose. Let us say that they all agree, more or less, in affirming:

> *Moral Universalism.* Each human being has moral worth or standing, and hence deserves serious moral consideration.

Moral Universalism does not entail an impartialist morality according to which there is one and only one moral principle that states that each human being deserves the same moral consideration. Though some of the

[39] Universal Declaration of Human Rights, in United Nations Department of Public Information, ed., *The United Nations and Human Rights, 1945–1995* (New York: United Nations Reproduction Section, 1995), 153, first paragraph.

[40] Immanuel Kant, *Groundwork of the Metaphysics of Morals,* trans. Mary Gregor (Cambridge: Cambridge University Press, 1998), 428, 435 (standard Prussian Academy pagination).

[41] John Stuart Mill, *Utilitarianism,* ed. Oskar Piest (Indianapolis, IN: Bobbs-Merrill Company, 1957), 76 (chap. 5, par. 36).

[42] *Galatians* 3:28. The story of the Samaritan is in *Luke* 10:25–37.

[43] Tenzin Gyatso, The Fourteenth Dalai Lama, "Hope for the Future," in Fred Eppsteiner, ed., *The Path of Compassion: Writings on Socially Engaged Buddhism* (Berkeley, CA: Parallax Press, 1988), 3.

[44] See A. A. Long and D. N. Sedley, eds., *The Hellenistic Philosophers: Translations of the Principal Sources with Philosophical Commentary* (Cambridge: Cambridge University Press, 1987), 349.

aforementioned sources may have accepted such an impartialist morality, this is a much stronger position than Moral Universalism. An adherent of Moral Universalism need not maintain that each person deserves the very same moral consideration nor that this is the only moral principle. Nonetheless, it does make a moral difference whether or not Moral Universalism is accepted. For those who accept it, all human beings—including "strangers" with whom we have no direct or close relations, or with whom we are seriously at odds—deserve significant moral consideration in virtue of being human beings. For example, on this view, proper treatment of prisoners of war is always a moral issue. However, for those who do not accept Moral Universalism, this need not be the case. Some of these persons may think that some human beings have moral standing and others do not. This is a common view and will be the main alternative at issue here. Nonetheless, not accepting Moral Universalism may also mean thinking that no one has moral standing or not taking a position on the question, even implicitly.

It is plausible to suppose that, for many persons, Moral Universalism is a considered moral conviction. My contention is that it cannot be shown, within the framework of NAEN, that a virtuous agent would necessarily act in accord with Moral Universalism. We are told by Foot and Hursthouse that a virtuous person is just, charitable, kind, etc. I will argue that, if a person with these virtues is understood to presuppose or act in agreement with Moral Universalism, then these virtues do not meet the Teleological Criterion. Since the Justification Thesis says that these virtues do meet this criterion (they are on Hursthouse's standard list), my argument will be that this thesis is false.

Some proponents of virtue ethics in the Aristotelian tradition may grant that a virtuous agent need not act in accordance with Moral Universalism.[45] However, there is every indication that, for Foot and Hursthouse, a virtuous agent thinks that, or at least acts as if, all human beings have moral standing (though Foot and Hursthouse are not inclined to articulate general principles of this kind).[46] Foot speaks of "one who recognizes

[45] John Cottingham agrees that Moral Universalism does not naturally arise out of the perspective of Aristotelian virtue ethics. See his "Partiality and the Virtues," in Roger Crisp, ed., *How Should One Live? Essays on the Virtues* (Oxford: Oxford University Press, 1996), 68–70, 75–76.

[46] In a discussion of applied ethics, Hursthouse says we should not think about the "moral status" of a fetus in reflecting on the morality of abortion, or of animals in deliberating about the morality of eating animals. See Rosalind Hursthouse, "Applying Virtue Ethics to Our Treatment of the Other Animals," in Jennifer Welchman, ed., *The Practice of Virtue: Classic and Contemporary Readings in Virtue Ethics* (Indianapolis, IN: Hackett Publishing Company, 2006), 136–55. I am not claiming that Hursthouse or Foot would explicitly endorse Moral Universalism, but the remarks I cite in this paragraph are sufficient to show that their virtuous agent acts in accordance with this position. My argument is that the virtues, as understood in these remarks, cannot be warranted by the Teleological Criterion. In this respect, my argument could be made without bringing Moral Universalism into the picture, though I think it is important to keep it in.

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the claim of any human being to a certain kind of respect."[47] However, implicit recognition of Moral Universalism is especially true of Hursthouse's virtuous agent, and it is her position that I feature in this discussion. To see this, let us focus on charity, a virtue emphasized by the Neo-Aristotelians (though not by Aristotle) that is clearly related to issues raised by Moral Universalism. Charity involves helping other persons. But which persons? Hursthouse says, perhaps with the Samaritan in mind, that charity imposes a requirement to help a "wounded stranger" along the road.[48] More importantly, in a discussion of how racism distorts charity, she speaks of charity with respect to "our fellow human beings" and "other groups."[49] In view of these remarks, my critique is internal in this sense: the neo-Aristotelian naturalistic framework cannot provide a basis for the virtues as Foot and Hursthouse understand them.[50]

Let us suppose, then, something such as the following: A charitable person would recognize that there is a requirement (perhaps overridable by other moral considerations) to help any human being in serious need, including a stranger, when in a position to do so. According to the Teleological Criterion, charity, understood as implying this requirement, must (a) promote in a substantial way at least one of the four ends and (b) not significantly inhibit the four ends; and it must meet these conditions better than any competing virtue. Here is what Hursthouse says about the naturalistic justification of charity:

> I have read that, amongst the social animals, both wolves and elephants have patterns of action that resemble our charitable and benevolent acts, and again it seems plausible to say that the patterns play similar roles in the different forms of life. Charity directed to the young and helpless particularly serves the continuance of the species; directed more widely it serves the good functioning of the social group by fostering the individual survival, freedom from pain, and enjoyment of its members, and also by fostering its cohesion.[51]

On the model of other social animals, charity in this passage is understood to promote two ends directly: the raising of our young children (this is the meaning of continuance of the species) and, "more widely," the well-being of our social group. Hursthouse also suggests that a person's

[47] Foot, *Natural Goodness,* 103. Cf. ibid., 114.
[48] See Hursthouse, *On Virtue Ethics,* 6, 36.
[49] Ibid., 118.
[50] I focus on charity primarily because it is a virtue that is accepted by Foot and Hursthouse and is relevant to Moral Universalism. The main issue, however, is the moral standing of human beings as such. Hence, my critique could be made even with respect to a minimal form of Moral Universalism that states that a virtuous agent would recognize a prima facie requirement not to harm any human being. I am indebted to several other contributors to this volume for pointing this out.
[51] Ibid., 209.

charity promotes his or her own individual survival, but mostly in indirect ways. There is no reference in this discussion to charity directed to the well-being of human beings generally speaking. This is not surprising, since none of the four ends refers to human beings in general: the four ends involve only oneself, one's children, and one's social group.

It might be observed that charity in the broad sense, as directed toward all human beings, would nonetheless promote the four ends (since one's children and social group are included in all human beings). However, even if this were true, it would not follow that such charity could be justified by the Teleological Criterion, because charity in the narrow sense, as directed only to one's children and social group, would better serve the four ends than charity in the broad sense. This appears to be the tacit assumption in the passage quoted above, and that this is Hursthouse's assumption seems to be confirmed by her critique of Peter Singer's view that "completely impersonal benevolence" toward all sentient beings is a virtue.[52] She argues that impersonal benevolence cannot be a virtue because it would substantially interfere with the two ends featured in the justification of charity: continuance of the species (raising our own children) and the good functioning of our social group. This point is offered as an example of her claim, already quoted, that the structure of the four ends "really does constrain, substantially, what I can reasonably maintain is a virtue in human beings."[53]

It is evident that charity (or benevolence) might be construed more narrowly or more broadly as we move from one's children, to one's social group, to all human beings, and finally to all sentient beings. Hursthouse thinks, or is committed to thinking, that teleological facts about human nature dictate at least the approximate point in this sequence to which charity should extend. But there is an ambiguity in her position. She often speaks of charity as extending to all human beings, but no further. However, in her justification of charity quoted above she extends it only to one's children and one's social group. Moreover, charity in this narrower sense appears to serve the four ends much better than charity in the broader sense because it does not dilute or interfere with our concern for these ends. Hence, by the Teleological Criterion, the narrow sense of charity is more justified than the broad sense. Indeed, there is nothing explicit in the Teleological Criterion that encourages us to extend charity beyond our children and our social group, and thus there is nothing to support the idea that in some respects our charity should reach any other human beings.

It might be said, in Hursthouse's defense, that the Teleological Criterion could be interpreted or modified so as to justify charity as she usually understands it (that is, so that all human beings, and not only

[52] See ibid., 224–26.
[53] Ibid., 224.

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members of one's social group, fall within its scope). There are two general approaches that might be taken in this endeavor. One is to leave the criterion as it stands and to give an indirect argument on this basis for the broader understanding of charity. The other is to formulate the criterion so as to directly include the well-being of all other members of the human species as one of our ends. There are obstacles to both of these approaches.

Hursthouse suggests that racists and sexists often have misunderstandings about other races and sexes. The implication is that correcting these misunderstandings would provide a reason for abandoning racism and sexism. In a similar way, it might be argued, proper understanding would reveal that there are no morally relevant differences between our own social group and other social groups. Hence, since we have reason to care about our own social group, we have comparable reason to care about other groups as well. On the basis of this line of thought, we could be shown to have reason to care about all human beings, irrespective of social group.

The difficulty with this argument is that, according to the Teleological Criterion, the fact that this group is our own social group, and these others are not, is a morally relevant difference. Group membership is what counts, and it does not matter that there are other similarities. Concern for our social group is not inferred from a set of non-indexical properties possessed by the group such that, were the same properties possessed by another group, concern for that group should also be inferred. Concern for our group is said to be based on the fact that the natural ends of our species are normative and the well-being of one's specific group is one of those ends. Though the expression 'social group' is not defined by Hursthouse, it is obviously used to express the idea that human beings, like other social animals, are not solitary creatures and naturally live together in fairly small and local groups. What is morally relevant is precisely membership in some particular group. Hence, there is no basis for extending concern to all human beings in the way envisioned by this argument.

In this connection, it is worth considering a suggestion, offered as a friendly amendment to Hursthouse, that fair treatment of those outside our community could be warranted by appeal to a broader notion of community than was originally maintained in the Aristotelian tradition. According to Karen Stohr and Christopher Heath Wellman, "given the facts of economic, social, and environmental interdependence of cultures and communities in our world today, we must also think about ourselves in the context of a global community."[54] An initial difficulty with this proposal (somewhat reminiscent of Hierocles' suggestion that we extend our circles of concern to the whole human race) is that it stretches the

[54] Karen Stohr and Christopher Heath Wellman, "Recent Work on Virtue Ethics," *American Philosophical Quarterly* 39 (2002): 69.

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notion of community or group, as originally employed by Hursthouse, to the breaking point. Once all human beings become members of one's group, the distinctive features of membership in a particular group will be lost—features presupposed, for example, in Hursthouse's critique of Singer and in her discussion of loyalty. Moreover, the facts of interdependence are not sufficient to establish a community or group with normative significance. Though various forms of interdependence are presupposed by groups in Hursthouse's use of the term, much more is involved. For example, comparatively small groups often involve bonds of affection and concern that arise from a common place, history, and ensemble of mores. Indeed, it is usually thought to be an advantage of the Aristotelian tradition that these are stressed. By their nature, such bonds cannot be extended indefinitely. Hence, there is a clear qualitative difference between the local groups presupposed in Hursthouse's Teleological Criterion and any conception of a global community.

Another indirect argument is based on the claim that different social groups would all benefit from mutual cooperation. Realization of this gives each group a reason to cooperate with other groups, and a commitment to mutual cooperation provides a basis for the belief that there is reason to help any human being, irrespective of social group.

Even if this approach went some distance in addressing the concerns of Moral Universalism, it is not likely to go far enough, because it provides only a tenuous, instrumental justification of concern for human beings beyond our social group. In conflicts in which other groups are disinclined to cooperate, or worse (e.g., actively opposed to cooperation, or threatening violence), the fact that all groups would benefit from mutual cooperation does not give us a reason to cooperate. If our only primary concern is for the well-being of our own group, then in these circumstances there is no basis for concern about other groups. In general, on this approach, as reasonable expectations that other groups will cooperate decline, so too does our reason to cooperate. However, for many proponents of Moral Universalism, it is especially in circumstances of conflict and noncooperation that it is important to have a firm conviction that each human being, irrespective of group membership, deserves serious moral consideration. Given the strong propensity to protect our own group (a propensity that Hursthouse highlights), it may be said, there must be a basis for believing that each human being has moral worth or standing, regardless of social group, that does not depend on how cooperative human beings actually are. For example, many would argue that respect for human rights should persist even in warfare.

There is another difficulty with the cooperation argument. Similar arguments, based on the benefits of mutual cooperation, have been given to show why each individual, presumed to be only self-interested by nature, nonetheless has reason to have concern for other individuals. A distinctive feature of NAEN is to take a different approach than these argu-

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ments: namely, that we are social by nature and thus there is no need to show why self-interested individuals nevertheless have reason to cooperate. This is part of the point of appealing to the good functioning of social groups as one of our natural ends.[55] But if this claim is inadequate because we are, as it were, insufficiently social by nature (by nature, our concern only extends to our own group), and an appeal to the benefits of mutual cooperation needs to be made anyway, then it is unclear why we should accept this mixed approach rather than a pure mutual-cooperation approach. Either way, a mutual-cooperation argument needs to be sound, and the mixed approach has the additional burden of establishing that concern for our social group is an end we have by nature.

If an indirect approach will not work, perhaps a direct one will. It might be argued that the Teleological Criterion could be modified so as to include as an end the well-being of all members of the species (either as an additional, fifth end or as a modification of the social-group end), and that this would overcome the difficulties with the indirect approaches.

The key question here is: What is the basis, within the framework of NAEN, for understanding the Teleological Criterion in this way? In the original argument, the fact that the four ends were ends for social animals in general appeared to play a crucial role in the claim that, since we are also social animals, these are ends for us as well. But it is implausible to suppose that social animals in general are concerned about all members of their own respective species. Since they are social animals, they are concerned about the well-being of some—typically, very few—members of their species (and there is great variation in the forms this may take). But this does not mean that they are concerned with all members of their species, and there is no reason to think this is true of social animals overall. They may well be indifferent or even hostile to members of their species outside their social group. Hence, no argument of this form could be credible.

In her critique of Singer, Hursthouse seems to imply, at one point, that partiality toward or caring about members of our own species, in contrast with members of other species, is part of our biological nature.[56] However, even if this were true, it need mean only that we have concern for some members of our species—for example, our relatives, friends, and neighbors—that we do not have for members of other species. (The role of pets in many people's lives suggests that even this claim would require qualification.) Such partiality is consistent with an absence of concern for members of our species beyond those just mentioned.

[55] According to Hursthouse, "that 'man' is by nature an entirely self-centred egoist must surely be a view that could only come about through its proponents overlooking the fact that if their mothers had not cared for them for many years in their infancy they would not have survived" (*On Virtue Ethics,* 252–53). Cf. Foot, *Natural Goodness,* 16.

[56] See Hursthouse, *On Virtue Ethics,* 225–26.

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If the well-being of human beings as such were to be included among our ends, the argument for this would have to appeal to some difference between human beings and other social animals—presumably, for Foot and Hursthouse, our rationality. It would have to be shown that human beings, as rational, have as an end (among others) the well-being of all other members of their species. This claim need not go as far as Kant, for example, who argued that we should have concern for any rational being, human or otherwise (were other rational beings to exist). The proponent of NAEN would only need to show that a characteristic end for human beings as rational is the well-being of any member of their own species. The point might be put this way: Just as animals, in virtue of their distinctive nature, have ends that plants do not have, so human beings, in virtue of their distinctive nature—that is, their rationality—have an end that neither plants nor animals typically have. Unlike them, human beings have as an end the well-being of all members of their own species.

At this stage, it is not clear to what facts proponents of NAEN could appeal. In other cases—for example, self-preservation, raising children, and living in social groups—there are some evident facts about human nature that might be thought to lend prima facie plausibility to the claim that our ends should include reference to these. From what we know about human beings, it is difficult to envision a human society that is indifferent to these ends (even though particular individuals sometimes are). In this sense, it might be said, there is something "natural" about these ends. However, it is hard to see what fact about human nature could play an analogous role in an argument for the claim that our ends should include the well-being of human beings generally. It is not difficult to envision a society that is indifferent to this end (i.e., a society in which concern for the well-being of others extends only as far as relatives, friends, and neighbors). In any case, the extent to which human beings actually accept this end is not thought to be what is primarily relevant. The question is whether or not concern for all human beings is a natural end for a species of rational, social animals such as ourselves. By way of comparison, it might be maintained that communication via language is a natural part of human life in view of our nature as rational, social animals. Hence, it might be said, linguistic communication is a natural end and thus we cannot imagine a human society without language. What is needed is a similar argument that establishes that the well-being of all human beings is a natural end for rational, social animals.[57] Moreover, in order to be consistent with naturalism, rationality in such an argument would need to be seen simply as a natural fact about us, and not, for example, as something that reveals our participation in the divine or in a cosmic order (as the Stoics supposed). In short, even if it could be shown

[57] Hursthouse does not think our use of language itself has ethical significance. See ibid., 219.

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that our natural ends include the well-being of some human beings, the challenge for proponents of NAEN whose virtuous agent acts in accord with a form of Moral Universalism is to show that these ends also include the well-being of all human beings.

It might be suggested that Hursthouse's Neurathian procedure is relevant here. For it could be argued that a virtuous agent—someone who is just, charitable, etc.—comprehends that the well-being of all human beings is one of our ends even though there is no fact that the virtuous agent could point to that would show this to be true from a neutral perspective or from other ethical points of view. In effect, only the virtuous, as understood by NAEN, can perceive the relevant fact, whatever it may be.[58] However, merely to assert this is surely to succumb to the danger, adverted to by Gary Watson, that this would "no longer ground moral judgment but rather express it."[59] The point of the Teleological Criterion is explicitly to avoid this danger and provide, as Hursthouse says, "rational credentials" for the virtuous person's belief that character traits such as justice and charity (as Hursthouse understands them) are in fact virtues. To achieve this goal and remain properly naturalistic, there must be a plausible story that takes us from a version of the Teleological Criterion to the conclusion that the virtuous agent has concern for all human beings—and this story must be available to anyone with proper epistemic qualifications, however these may be understood, and not simply to those who, in effect, already accept it.

This issue may be approached in a somewhat different way. Hursthouse accepts Bernard Williams's contention that objectivity in ethics requires that ethical disagreements be rooted in factual disagreements. In particular, she supposes that, within the framework of virtue ethics and naturalism, disagreements about the virtues can be resolved by reference to facts about human nature and the circumstances of human life.[60] In view of this, let us imagine that the following dispute arises among those who accept Hursthouse's overall approach and are at least moderately virtuous (they are all on board the *H.M.S. Virtue Ethics,* we might say, and they are debating about whether and how to replace some planks). All agree with the Teleological Criterion and its general implications for virtues such as justice and charity with respect to one's own children and one's social group (henceforth, I will refer to these two together as "the local group"). What they disagree about is the implications of these virtues for human beings beyond the local group (perhaps they have only recently

[58] It might be said that Moral Universalism is a constitutive part of "the moral point of view," and that a virtuous agent, but not necessarily others, apprehends this conceptual truth. However, even if this claim could be defended, it would be a point independent of NAEN; and there is no reason to attribute it to Hursthouse or Foot.

[59] Gary Watson, "On the Primacy of Character," in Daniel Statman, ed., *Virtue Ethics: A Critical Reader* (Washington, DC: Georgetown University Press, 1997), 67.

[60] See Hursthouse, *On Virtue Ethics,* 241–42.

interacted with people outside their local group in significant ways). No one thinks there should be equal concern for all human beings; they all believe there should be some special concern for the local group. In the debate that ensues, four basic positions emerge:

(1) The *strong partialists* say there should be concern for members of the local group and no one else.
(2) The *weak partialists* say there sometimes should be concern for all human beings, but only if this concern in no way harms the well-being of the local group.
(3) The *weak universalists* say there occasionally should be concern for all human beings even though this harms the well-being of the local group.
(4) The *strong universalists* say there often should be concern for all human beings even though this harms the well-being of the local group.

These positions are vague, and, in a real debate, they would be elaborated by reference to specific sorts of concerns. Nonetheless, the range of outlooks indicated by the four positions has clear relevance to some of the different views taken in contemporary debates about issues raised by Moral Universalism vis-à-vis virtues such as charity and justice. Of course, there may be a truth about which position most humans beings overall are inclined to accept. However, no statistical fact of this kind is thought to be relevant according to proponents of NAEN.[61] Hursthouse is committed to the view that there is some teleological fact (or facts) about human nature that provides genuine guidance for resolving this controversy and shows which position across this spectrum is at least approximately correct. Moreover, this fact is available (at least) to those on board the *H.M.S. Virtue Ethics.* What is elusive, for the reasons already given, is what this fact might be. We may suppose that all parties to the disagreement acknowledge that members of the local group and other human beings are all members of the same species. Those inclined to positions 2, 3, and 4 take this similarity to have increasingly greater moral weight, while those inclined to position 1 take it to have no moral weight. Suppose, for example, that the weak-universalist understanding of charity and justice is correct. What fact establishes this that all the partialists, as well as the strong universalists, are failing to understand?

It might be said that debates such as this would be resolved, not by directly appealing to any teleological facts, but by pointing out that, for example, in some circumstances ignoring the well-being of human beings outside one's social group would be callous (or some other rather specific term from the vocabulary of the virtues and vices). Hursthouse says that

[61] See ibid., 223.

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"reasons for acting are the reasons people with the relevant character trait do, or would, give . . . *not* the fact that the character trait in question sustains any of the four ends." For example, loyal people stick by their friends because they are their friends, not because this fosters "the good functioning of the social group."[62] Nonetheless, it remains the case for Hursthouse that loyalty is a virtue (at least in part) because it promotes the well-being of the social group. Likewise, presumably, callousness is a vice because it undermines one or more of the four ends, and the question remains why, in terms of these ends, it would be callous to ignore the well-being of human beings outside one's social group. Hursthouse insists that there is no direct path from the Teleological Criterion to the determination of right actions. The Teleological Framework is said to provide a basis for determining which character traits are virtues, but it requires practical wisdom (*phronêsis*) on the part of the virtuous to determine, for example, what would be callous in a given situation. This is fair enough so far as it goes. However, in assessing NAEN, everything then depends on elaboration of the deliberations of the virtuous. If it turns out that these deliberations are largely dependent on culturally informed understandings of the virtues with no real anchor in the four ends, then the Teleological Criterion substantially underdetermines the virtues.

IV. The Normativity of Natural Ends

Let us now broaden the discussion and ask more generally to what extent the Teleological Criterion is helpful in thinking about the virtues. I have already argued that it is not helpful in reflecting on issues raised by Moral Universalism for virtues such as charity. Consider next a different issue, one that is directly discussed by Hursthouse and briefly mentioned by Foot—the morality of homosexual ways of life. Both Hursthouse and Foot believe that a virtuous agent could live an active homosexual life and not reproduce or raise children.[63] Hence, they do not think that homosexual activity as such is morally wrong. Does NAEN support their position and do so in the right way?

Hursthouse herself raises the question of whether the end of continuance of the species (that is, reproduction) implies that "practicing homosexuals" are not virtuous insofar as they fail to promote this end. In response, she claims that forms of sexuality are not themselves character

[62] Ibid., 235.

[63] See ibid., 214–15. Hursthouse's discussion of homosexuality was criticized by Brad Hooker in "The Collapse of Virtue Ethics," *Utilitas* 14 (2002): 36–37. She responded to this critique in "Virtue Ethics vs. Rule-Consequentialism: A Reply to Brad Hooker," *Utilitas* 14 (2002): 43–46. Foot mentions homosexuality in passing in *Natural Goodness,* 109, and in "Rationality and Goodness," in Anthony O'Hear, ed., *Modern Moral Philosophy: Royal Institute of Philosophy Supplement 54* (Cambridge: Cambridge University Press, 2004), 11.

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traits and that the relevant character trait for addressing this issue is temperance. Hence, those who engage in homosexual activity would not be virtuous only if they were intemperate. Naturalism itself does not imply that such persons are intemperate, she says, and she thinks there is no reason to believe they are (for example, by being "all wildly, willfully, promiscuous").[64] The fact that homosexual activity cannot result in reproduction is irrelevant.

In one respect, this is a perplexing response, at least in light of Aristotle's remark that the temperate person "finds no pleasure at all in the wrong things."[65] Many people think the pleasure produced by homosexual activity is of the wrong sort, and (leaving religious considerations aside) they often think this because they believe it is, in some sense, "contrary to nature." It might be thought that NAEN provides a rationale for this belief. After all, Hursthouse and Foot both think there are actions that are absolutely prohibited so that (at least ordinarily) a virtuous agent would not perform them.[66] Presumably, these prohibitions have their warrant in the fact that the prohibited actions in some way counter or undermine the natural ends of our species. This is what gives rise to the suspicion that NAEN could provide a basis for the aforementioned critique of homosexual activity.

In fact, however, this suspicion is misguided. Practicing homosexuals can and do reproduce and raise children. As long as they did this, they would be promoting the end of continuance of the species. The fact that they also engage in homosexual activity need not undermine this end. (Similarly, eating food that has no nutritional value need not be contrary to the end of health, so long as one also eats food that has nutritional value.) However, this is not the response Hursthouse gives, for she thinks that her outlook does not imply that each individual is required to reproduce and raise children—and Foot agrees. Moreover, they both suggest that a celibate person could be a virtuous person in some circumstances.[67] Hence, the end of continuance of the species is regarded as optional for individuals, and this acknowledgment is the feature of the discussion of homosexuality that I take to be important.

Are other ends optional as well? Hursthouse's example of a celibate contemplative implies that some enjoyment (and also freedom from pain?) might be optional. Still, individual survival could hardly be optional in this sense: Any way of life presupposes that individual survival is important (even though a virtuous person might sometimes risk his or her life, or perhaps even intentionally end it in special circumstances). What about the good functioning of one's social group? It is hard to see how a person

[64] Hursthouse, *On Virtue Ethics,* 215.

[65] Aristotle, *Nicomachean Ethics,* trans. Terence Irwin, 2d ed. (Indianapolis, IN: Hackett Publishing Company, 1999), 1119a14.

[66] See Foot, *Natural Goodness,* 49; and Hursthouse, *On Virtue Ethics,* 58.

[67] See Foot, *Natural Goodness,* 42; and Hursthouse, *On Virtue Ethics,* 215.

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who is kind, charitable, and just could fail to have this as an end, and both Foot and Hursthouse clearly think that this end is not optional in the way that reproduction is. This reveals a striking asymmetry in their account. They are both fond of saying that, even as there is something wrong with a "free-riding wolf" that enjoys the benefits of the hunt without participating in it, so there is something wrong with a human being who is not charitable or just.[68] They also think there is something wrong with animals that do not reproduce,[69] but they do not say in this case that likewise there is something wrong with human beings who choose not to reproduce. Hence, in the determination of the virtues, our natural ends as social animals are appealed to in a highly selective way. What determines the selection, pretty clearly, is an assumed ethical outlook according to which everyone is expected to be charitable and just in some respects (at least) in the sense of promoting the well-being of one's social group, but not everyone is expected to be temperate in the sense of sometimes engaging in sexual intercourse and reproducing.

When we combine this result with the earlier conclusion concerning Moral Universalism, we can see that the Teleological Framework is doing rather little work in providing a rationale for the virtues. In particular, the two ends that are other-regarding—continuance of the species, and the well-being of the social group—significantly underdetermine, if they do not undermine, virtues such as temperance, charity, and justice that are understood to relate to these ends. The Teleological Framework is not the substantial constraint Hursthouse claims it is. A straightforward application of the Teleological Criterion would suggest that virtuous human beings would have character traits that (among other things) lead them to reproduce, raise children, and promote the interests of their own social group. If we think (as many, including Foot and Hursthouse, do) that virtuous persons need not conceive and raise children, and should be concerned about human beings well beyond their social group, then we are relying on considerations that have no basis in the Teleological Framework.

This is not an isolated point: it is a persistent feature of Hursthouse's approach. Here, briefly, is a final example. Hursthouse says that in situations in which meat is produced by factory farming and is not necessary for survival, the virtuous would be vegetarians because eating meat would be callous and cruel (among other things) in light of the suffering of nonhuman animals raised for food.[70] Elsewhere, she says that "vegetarianism is required" in many circumstances by the "virtues of temperance

[68] See Foot, *Natural Goodness,* 16; and Hursthouse, *On Virtue Ethics,* 196. Hursthouse says that a virtuous contemplative need not live a life that is social (see ibid., 228), but that is different from having the good functioning of one's social group as an end, as a charitable person presumably does.

[69] See Foot, *Natural Goodness,* 29–30; and Hursthouse, *On Virtue Ethics,* 200.

[70] See Hursthouse, "Applying Virtue Ethics," 141–43.

and compassion."[71] There is no reference to the Teleological Criterion in arguments for these claims, and, indeed, there appears to be no connection at all between these vices and virtues, *taken to have this implication* (concern for the suffering of nonhuman animals), and the four ends, which make no reference to nonhuman animals. Hursthouse says that her argument relies on an "ordinary understanding" of these virtue and vice terms. But this only brings out the significant gap between the very thin sense of the virtues that plausibly could be sustained by the Teleological Criterion and the very thick sense that is assumed in particular discussions such as this.

V. Conclusion: Minimal Naturalism

We need not suppose, in light of this critique, that the facts of human nature adduced by Foot and Hursthouse are irrelevant to our ethical outlook. But their relevance is much more limited and indirect than Foot and Hursthouse envision. There are clearly some facts about us, rooted in our animal nature and our circumstances in the physical world, as well as in our capacity for rational reflection, that are important for ethical deliberation. For example, there are facts about our basic needs and vulnerabilities (physical and mental), our interdependence (on one another as well as on our physical environment), our tendencies toward conflict and capacities for cooperation, our sexuality, reproduction, and development from birth to maturity, and our forms of social relations and kinds of enjoyments. Some of these facts pertain to virtually every human being. In other cases, the relevant facts concern ranges of "typical" needs, capacities, and the like. At some elementary level, these facts are obvious and virtually beyond controversy. No one would deny that human beings need to eat and are vulnerable to a variety of physical ailments. Of course, ethical reflection requires a great deal more detail than this, and, in more specific accounts, controversies are likely to ensue. However, this need not mean that there are no relevant facts about which people disagree nor that there is no prospect of a more or less objective understanding of these facts.

These facts about human nature sometimes have great ethical significance. For example, the need for nutrition is a presupposition of ethical issues concerning hunger. To a large extent, however, the importance of such facts is to help give shape to the ethical issues that confront us. As such, in some ways these facts do constrain what acceptable resolutions to these issues could be like. An adequate ethical theory needs to take into account the facts of human nature that give rise to our ethical concerns. To this extent, an adequate ethical theory needs to be, as we might put it,

[71] Hursthouse, "Virtue Ethics vs. Rule-Consequentialism," 48. Cf. Hursthouse, *On Virtue Ethics*, 227.

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minimally naturalistic. This is not to say that every theory currently on offer adequately meets this criterion. Nonetheless, even Kant—who might be thought problematic in this regard—accepts the criterion (on the evidence of discussions in *The Metaphysics of Morals*), though his success in properly applying it is rather mixed.[72]

One of the dangers of even this minimal naturalism is that there is a strong propensity to assign to various purported features of human beings the status of "natural," with the suggestion that what is natural is fixed or part of an order we must respect, when in fact beliefs about the features in question reflect mere convention or prejudice. Appeals to nature have an unfortunate history of disguising, for example, an unreflective acceptance of the status quo, or a complacent acquiescence to the thought that we human beings are too limited or weak or sinful to live up to ethical demands or aspirations that we might otherwise have good reason to accept. There is need to take into account what really are facts of human nature, but there is also need to exercise great care in ascertaining just what these facts are. Minimal naturalism is but one fallible element in ethical reflection.[73]

The proponents of NAEN obviously aim to be minimally naturalistic, and to this extent their efforts are to be applauded. But in their claim that there are teleological features of human nature that significantly constrain what the virtues are, their ambitions clearly go beyond minimal naturalism. Though Foot and Hursthouse allow for considerable diversity among virtuous agents, they both think that the teleological features they identify establish rather definite contours for the virtuous life. This is certainly the main purport of Hursthouse's Teleological Criterion. In this they have the precedent of Aristotle, whose function argument is evident in the not-too-distant background of their discussions.[74] But this precedent has little inherent weight. In view of the issues I have raised here, those attracted to a virtue theory, even one that is Aristotelian in some familiar respects, are not well-advised to follow Aristotle's naturalism beyond what minimal naturalism implies. The main problem is not that Aristotle relies on an outmoded teleological biology that has been replaced by evolutionary biology. The difficulty is that the relevant facts of human nature are too sparse, and the diversity and richness of actual ethical practices are too substantial, for us to suppose that an understanding of

[72] For example, Kant refers to "our need to be loved (helped in case of need) by others" in an argument for the conclusion that "the happiness of others is . . . an end that is also a duty." See Immanuel Kant, *The Metaphysics of Morals,* trans. Mary Gregor (Cambridge: Cambridge University Press, 1991), 393 (standard Prussian Academy pagination).

[73] In some respects, though not all, minimal naturalism is closer to what Julia Annas calls, somewhat oddly, "a stronger form of naturalism" in Annas, "Virtue Ethics: What Kind of Naturalism?" in Stephen M. Gardiner, ed., *Virtue Ethics, Old and New* (Ithaca, NY: Cornell University Press, 2005), 22–29.

[74] See Aristotle, *Nicomachean Ethics,* I.7. The function argument purports to establish that the human good is a life of virtue on the basis of the fact that the distinctive function (*ergon*) of the human species is to live in accordance with reason.

these facts could do the main work, and oftentimes even significant work, in providing an objective rationale for one specific ethical outlook.

The concerns raised by Moral Universalism might be, and have been, addressed in a variety of ways. I have argued that the Teleological Criterion is unhelpful in addressing these concerns and that it provides little support for Foot's and Hursthouse's own understanding of virtues such as charity and justice. The claim that human beings are social animals no doubt expresses a biological truth, but this truth is too blunt an instrument to provide an effective criterion for understanding the virtues. Hursthouse has suggested that she would give up her naturalism before she would give up her understanding of the virtues.[75] Since her understanding of the virtues is generally more sound than her version of naturalism, she would be better off seeking a different approach to justifying the virtues.

What, then, is the alternative? A virtue theory that draws on Aristotle—for example, by emphasizing his understanding of character, happiness, emotions, friendship, and the like—might be compatible with a number of metaethical outlooks (though probably not all). Insofar as proponents of such a position are committed to rejecting non-objective accounts of morality, as Foot and Hursthouse are, such proponents might turn in the direction of intuitionism, or perhaps a reflective-equilibrium account, and make their case for objectivity on those grounds. Some of Hursthouse's comments on the Neurathian model might be understood in these terms. A different approach would be to follow Aristotle in important respects, but abandon the claim that the basic commitments of a virtuous agent admit of objective justification. Perhaps a form of relativism could be embraced instead. Yet another approach would be to combine an objective account with some relativist elements, as Foot herself, many years ago, suggested might be possible.[76] Whatever approach is taken, many of the purported advantages of an Aristotelian virtue theory might well be retained without any appeal to naturalism in the form of the Teleological Criterion or a close approximation of it.

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[75] See Hursthouse, *On Virtue Ethics,* 211; and Hursthouse, "Virtue Ethics vs. Rule-Consequentialism," 52. In the article, a response to criticism of the book, Hursthouse appears to downplay and modify the importance of the Teleological Criterion. She continues to be impressed by the purported similarities between ethical evaluations and evaluations of social animals. But she says that, in view of her Neurathian outlook, the Teleological Criterion "is 'justificatory' only in a pretty thin sense" ("Virtue Ethics vs. Rule-Consequentialism," 50), and that "it would be better to think of it as an explanatory, in contrast to a justificatory," principle (ibid., 52). In the book, the criterion is clearly offered as the central element in a justification project (see *On Virtue Ethics,* 164, 166, 193–94).

[76] See Foot, "Morality and Art" (1970), and "Moral Relativism" (1979), reprinted in her *Moral Dilemmas,* 5–19, 20–36. In the introduction to this volume, Foot said she was reprinting these essays "only hesitantly" in view of her current acceptance of NAEN (ibid., 2). Cf. Foot, *Natural Goodness,* 23–24. In this connection, see David B. Wong, *Natural Moralities: A Defense of Pluralistic Relativism* (New York: Oxford University Press, 2006), esp. chap. 2.

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