

AQUINAS AND THE
NICOMACHEAN ETHICS

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13.4 Conclusion

I have twice compared a passage in Aquinas's *Ethics* commentary and an article of the *Summa theologiae*. Both articles introduce an Augustinian element that is not present in the *Ethics* commentary. *ST* 1–2.32.2 argues that change is pleasurable to us, not just on the Aristotelian grounds that our nature is changeable, and that an object of our pleasure may become excessive in relation to our natural state and therefore painful, but also on the Augustinian ground that it is sometimes our pleasure to know a whole, such as a composition of words, whose parts must give way to one another in time, in order for us to come to know the whole. *ST* 1–2.33.4 completes the Aristotelian thought that pleasure perfects action as a supervenient end by adding the Augustinian thought that this further good that is pleasure is a repose of appetite. On the subject of pleasure, as on many others, Aquinas the Aristotelian is finally inseparable from Aquinas the Augustinian.

CHAPTER FOURTEEN

Aristotle, Aquinas, Anscombe, and the new virtue ethics

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Analytic philosophy divides itself into theoretical and practical regions, the boundaries of which are rooted in Immanuel Kant's critical philosophy. Traditionally, analytic philosophy analyzes thought rather than being, where thought is distinguished from actual psychological states or processes, and analysis of thought is accomplished through abstract analysis of language. Although almost no philosophical work that calls itself "analytic" adheres to these strictures nowadays, in this chapter I will focus on one strand that sometimes *does*: analytic virtue ethics.¹

Contemporary analytic work on virtue covers a wide range of views, relying upon divergent historical sources, and has spawned several regions of lively disputation. I will concentrate on work that understands itself as responsive to Elizabeth Anscombe's call for a return to Aristotle, using both Aristotle and Aquinas, with no express explicit commitment to a body of revealed doctrine.² I will use Anscombe's writings as anchor points throughout.

¹ A note on terminology: "practical philosophy" covers ethics, action theory, value theory, work on practical reason, and some political philosophy. The contrast term is "theoretical philosophy," which includes metaphysics and epistemology, philosophy of language, logic, and philosophy of science, as well as some kinds of work in philosophy of mind. Virtue ethics is one of three large areas in analytic practical philosophy. The other two are neo-Humean practical philosophy and neo-Kantian practical philosophy. Philosophers used to use "deontology" and "consequentialism" to denote different approaches to work in ethics. Newer work does not fit these categories. Most neo-Humeans are not consequentialists: they do not focus on outcomes (expected, unexpected; foreseeable, unforeseeable) of actions or policies. What unites them is the view that foundational questions in ethics are best answered with reference to moral psychology or custom. Most neo-Kantians are not deontologists: their work is not centered on questions about which acts are morally required, which are morally permitted, and which are morally impermissible. What unites them is the view that foundational questions in ethics are best answered with reference to reason and standards of rationality. Neo-Aristotelian virtue ethics, instead, holds that foundational questions in ethics are best answered in terms of an account of human nature. In all three cases the "neo" marks a retreat from the metaphysics associated with the historical source.

² Accordingly, I will not consider Martha Nussbaum's path-breaking work *The Fragility of Goodness* (1986) as she neither draws directly from Aquinas nor is indebted to Anscombe. I will not address work that expressly parts company with Aristotle and ignores Aquinas (e.g., Slote 2003), and I will leave to the side many other writings in contemporary virtue ethics that are not expressly indebted

Anscombean neo-Aristotelians draw from Aquinas. I will begin by laying out Anscombe's challenge and then discuss the kind of engagement with Aquinas that came in its wake. Analytic practical philosophers distinguish work in ethics from work on action and practical reason, and I will discuss the sense in which analytic neo-Aristotelians think that thought about good and bad is nevertheless crucial to work on action and practical reason. I will then focus on the centerpiece of Anscombe's challenge: the claim that mainstream Anglophone moral philosophy no longer understood moral prohibitions, and that this prevented philosophers from making progress in ethics. Finally, I will consider some ways that analytic neo-Aristotelianism might treat moral prohibitions.

14.1 Anscombe's call

In her 1958 essay, "Modern Moral Philosophy," Anscombe argued that analytic philosophers in search of an account of morality had reached a dead end. She suggested that philosophers interested in morality might start fresh by returning to Aristotle's work on action, practical reason, and virtue, with special emphasis on individual justice. Nothing happened for a long time. But the youth took notice, started reading Aristotle, and eventually launched analytic virtue ethics.

Anscombe was a Thomist. It is very hard to say what kind of Thomist she was. Mary Geach recalls:

Anscombe drew upon [Aquinas] to an unknowable extent: she said to me that it aroused prejudice in people to tell them that a thought came from him: to my sister she said that to ascribe a thought to him made people boringly ignore the interest of it, whether they were for Aquinas or against him. (Mary Geach 2011, xix)

Although Peter Geach is more likely than Anscombe to name Aquinas as a source, work with Aquinas informs Anscombe's writings in practical philosophy. And work with Aquinas began to inform analytic Aristotelian virtue ethics as well. Partly through Anscombe's influence and Geach's, Philippa Foot, Rosalind Hursthouse, and their students, intent on developing the called-for neo-Aristotelian practical philosophy, began reading some Aquinas. (Anthony Kenny, Alasdair MacIntyre, and Anselm Müller have a deeper relation to Aquinas.)

to Anscombe, Aristotle, and Aquinas. There are many ways of being neo-Aristotelian. The analytic neo-Aristotelians who draw from Aquinas work under Anscombe's influence, which is why some adhere to traditional strictures in analytic philosophy as well.

Almost all of the philosophers who turn to Aquinas as part of their work developing new Aristotelian practical philosophy focus on *Summa theologiae* 1–2 qq. 1–21 and 49–62. They are especially interested in Aquinas's discussions of acquired virtues. In Aquinas they find a more detailed, more focused, and in some ways more systematic treatment of acquired virtue than they find in Aristotle. In this spirit, Foot writes:

By and large Aquinas followed Aristotle – sometimes even heroically – where Aristotle gave an opinion, and where St. Thomas is on his own, as in developing the doctrine of the theological virtues of faith, hope, and charity, and in his theocentric doctrine of happiness, he still uses an Aristotelian framework where he can: as for instance in speaking of happiness as man's last end. However there are different emphases and new elements in Aquinas's ethics: often he works things out in far more detail than Aristotle did, and it is possible to learn a great deal from Aquinas that one could not have got from Aristotle. It is my opinion that the *Summa Theologica* is one of the best sources we have for moral philosophy, and moreover that St. Thomas's ethical writings are as useful to the atheist as to the Catholic or other Christian believer. (Foot 1978, 1–2)

In short, looking to Aristotle for guidance came to include looking to Aquinas.

It is not immediately obvious why philosophers turning to Aristotle would turn to Aquinas at the same time. On the face of it, there are profound differences between the two. Although both Aquinas and Aristotle understand contemplation of the divine as the highest good for human beings, Aristotle's god is not the almighty creator of Aquinas's theology, Aristotle certainly did not hold that this highest good was best identified with beatific union with God in a resurrected life, and Aristotle did not think that the virtues were best understood as giving more specific direction to a human reason bound by natural law, understood in the broader context of divine or eternal law. Whatever one makes of the place of law in Aristotle's ethics, Aristotle does not have a divine law approach to ethics in any ordinary sense, whereas thought about law and a divine legislator provides the framework for discussion of ethics in Aquinas.³ Virtuous action *cannot* be the ultimate end for human beings in Aquinas's understanding of practical reason. On some readings, virtuous action *might* have this status for Aristotle, if happiness as the ultimate end is understood as essentially

³ Much ink has been spilled over this question, partly because, in "Modern moral philosophy," Anscombe insisted that Aristotle had no concept corresponding to the divine law understanding of moral obligation. For a balanced and thoughtful treatment of the controversy that partly vindicates Anscombe, see O'Brien 2011, ch. 2.

connected with virtue. On standard readings of Aristotle, the fully rational, fully virtuous, practically wise person will rarely have occasion to regret his actions, passions, or judgment. Practical wisdom and virtue do not obviate the frequent need to go to confession in Aquinas. For these and other reasons, there are questions about the extent to which Aquinas's practical philosophy is Aristotelian.⁴

Lively, scholarly debate on these matters has had very little impact on analytic virtue ethics. For the most part analytic neo-Aristotelians are neither scholars of medieval philosophy nor Latinists, do not identify themselves as Christians, and are more concerned with moving contemporary moral philosophy forward than they are with the history of their subject. Many follow Foot in finding part of the *Summa theologiae* useful.⁵ If they read more widely in Aquinas, this is not marked in footnotes or bibliographic materials. It is easiest to think of my target group as a band of contemporary analytic neo-Aristotelians inspired by Anscombe who conduct periodic raids on portions of the *Summa theologiae* in search of wisdom.

They share the view that right action is action from and for the sake of virtue and that right practical reasoning is virtuous practical reasoning. Relatedly, all hold that practical reason is the defining mark of the human being,⁶ and that virtue and practical wisdom are the highest expression of practical reason.⁷ Virtues pattern right choice, right action, appropriate emotions, and developed sensitivities to ethical salience. Further, the virtues make the adult good *qua* human being. Philosophers in my target group find significant common ground between what they take from Aquinas and Aristotle on these points.

In practice, Anscombean virtue ethics often seems to operate with the sensibility expressed in *Summa theologiae* 1.1.1 arg. 1:

It seems that, besides philosophical science, we have no need of any further knowledge. For man should not seek to know what is above reason . . . But whatever is not above reason is fully treated of in philosophical science. Therefore any other knowledge besides philosophical science is superfluous.⁸

⁴ See, for example, Kluxen 1998 and Bradley 1997.

⁵ Foot moves easily between Aristotle and Aquinas. In Foot 2003, see: "Moral relativism," pp. 20–36; "Von Wright on virtue," pp. 105–16; "Nietzsche's immoralism," pp. 144–58; and "Moral dilemmas revisited," pp. 175–88.

⁶ The best discussion of the relevant stress on rationality is in Matthew Boyle's "Additive theories of rationality" and "Essentially rational animals." Both are manuscripts that are in wide circulation.

⁷ Foot takes her conviction on this matter from Warren S. Quinn's work; see Quinn 1993, 228–57 ("Putting rationality in its place") and pp. 210–27 ("Rationality and the human good"). His expressed debt to Aquinas is to be found in his discussion of double effect; see Quinn 1989.

⁸ All quotations from the *ST* are from Aquinas 1947–48.

Aquinas responds that although philosophy would seem entirely adequate in its methods (disciplined, systematic reasoning) and its subject matter (being), it cannot provide adequate understanding of the nature of human happiness. For this, we need knowledge about God. Very talented philosophers, given adequate time for reflection, might develop some cognition of God, but the philosophical view will be slow in coming and come mixed with error. We need God's self-revelation to understand our ultimate end, and we need a true account of our ultimate end if we are to orient our lives appropriately.

Does it matter that my target ethicists seem to have never read the beginning of the *Summa theologiae*? Not necessarily. Just as there are many places where Aquinas and Aristotle seem to diverge, there are many places where new Aristotelian virtue ethics diverges from both Aquinas and Aristotle. For example, Aristotle and Aquinas took it that ethics required a general understanding of human good but was ultimately aimed at guiding conduct. Analytic practical philosophy does not purport to guide conduct. Then too, Aristotle and Aquinas took it that not every human being could be expected to be virtuous and practically wise – practical wisdom is more rare than practical knowledge. Both seem to have held that practical wisdom required uncommon intellectual capacities, and that acquiring virtue was a daunting task.⁹ Aquinas, however, held that human nature as we know it is postlapsarian human nature in which the intellect is not necessarily subjected to God, the lower powers are not necessarily subjected to the higher powers, and the will is accordingly disordered; the loss to our nature is at once a loss of governance and a loss of the appropriate directedness of natural inclinations toward the highest good possible for us.¹⁰ Virtues are meant to help to reintegrate – or at least foster appropriate relations among – our appetitive and intellectual powers. In this sense, acquired virtue helps to reorder human nature and so dispose us for the grace that fits intellectual creatures for their ultimate end. The human as such, however muddled, is so directed, even though almost no one will have all the benefits of acquired virtue. All varieties of analytic virtue ethics, on the other hand, are more egalitarian than Aristotle, and most are more egalitarian than Aquinas as well. Finally, analytic virtue ethics distances itself from the thought that there *is* a single ultimate end in human life – a thought crucial to both Aristotle and Aquinas.

⁹ For an account of the kind of intellectual achievement at issue, see Porter 1992.

¹⁰ For discussion of the effects of original sin, see De Letter 1954.

Aquinas's picture of why we need sacred doctrine is based on an account of ethics as fundamentally practical, of practical wisdom as an extraordinary achievement, of human life as having a single ultimate end (an end that is beyond our reach unless we are given gratuitous divine assistance), and of acquired, cultivated virtue as at best a partial means to that end. Aquinas's ambitions do not intersect with the ambitions of analytic virtue ethics at any of these points. Accordingly, we should not expect seamlessly to weave Aquinas's work on virtue and practical reason into the fabric of analytic virtue ethics. Of course, Aristotle's work on virtue and practical reason fails to be of a piece with analytic virtue ethics as well.¹¹

I have mentioned various junctures where Aquinas apparently parts company with Aristotle, and various points at which both Aristotle and Aquinas seem to be at odds with the ambitions of analytic virtue ethics. In the remainder of this chapter, I will look at one place in which Aristotle and Aquinas seem to share a view crucial to Anscombe's call for new research that has been largely ignored by those who have taken up her challenge.

14.2 Anscombe's Complaint

My target neo-Aristotelians understand themselves as, in part, responding to Anscombe's 1958 call for a return to Aristotle. In her essay, Anscombe claims that the landscape in Anglophone moral philosophy went perfectly flat in the twentieth century because English philosophers – like Englishmen and North Americans more generally – no longer understood moral prohibitions.

Both Aristotle and Aquinas hold that there are moral prohibitions. According to Aristotle, envy, spite and shamelessness are always bad passions and must be dealt with in whatever way one deals with bad passions; murder, theft, and adultery are always bad acts and must not be done; he tells us that the names of such actions and passions imply badness (*EN* 2.6.1107a8–17). It is, however, possible to hold that there are no such things as moral prohibitions. MacIntyre (2009, 8–9) treats dispute over whether there are any as one of five varieties of apparently intractable moral disagreement, which he understands as a dispute over means to an ultimate end. If those who think that there are moral prohibitions are on the side of truth in the dispute, then prohibition attaches to things that it is in one's power to do simply in virtue of the fact that the action, or action-in-prospect, is of a determinate kind.

¹¹ For a summary of this point, see Hursthouse 1999, 8–16.

Anscombe's work on practical reason always concerned determinate kinds of intentional action – what analytic philosophers came to call “act-types.” The closest equivalent to act-types in Aquinas is the *obiectum* – the object or objective of the act (*Summa theologiae* 1–2.18.2). The *obiectum* establishes the species of the act for Aquinas. It seems likely that Anscombe had Aquinas's *obiectum* in mind when introducing act-types into analytic philosophy.¹² The analytic philosophical act-type, however, is distinct from Aquinas's *obiectum*. An act-type is just any isolable, determinately describable aspect of an exterior act done on purpose, such that the agent can answer a question about what he's doing couched in terms of that description.¹³ In Donald Davidson's example, “writing the letter *a*” counts as an act-type, as does “writing the word *action*,” and “writing an essay about actions,” even though one is writing out the word *action* in the course of writing the essay.¹⁴ In Anscombe's famous example, “moving one's arm up and down,” “pumping,” “replenishing the house water-supply,” and “poisoning the inhabitants of the house” all count as act-types (Anscombe 2000, § 23). Analytic philosophical practice designates act-types with capital letters drawn from the beginning of the alphabet. Anscombe's act-types take their sense from the proximate end of the action in question (as do the act-types at issue in subsequent analytic philosophical action theory). This is part of the way in which she appears to be drawing from Aquinas.

Although Anscombe gives us many benign examples of act-types (doodling, heading off to market to buy cattle), she also gives extended treatment of examples involving morally prohibited act-types: murdering the inhabitants of a house (the example that she uses to introduce the means-end structure of intentional action and practical reason), murdering Jewish children (*ibid.*, § 38), and suicide (Anscombe 1995, 7).

When addressing her fellow Catholics, Anscombe followed Aquinas in holding that no particular act is morally indifferent, and that an act is good just in case it is not bad in its species, its circumstances, or its end.¹⁵

¹² In *Intention* (and elsewhere), she uses the phrase “under a description” to mark this feature of practical reason, intention, and action. See Anscombe 2000, §§ 4–6, 16–18, 21–6; see also Anscombe 1979.

¹³ The closest that analytic neo-Aristotelianism comes to giving an account of an act-type is to be found in Michael Thompson's account of actions unfolding over time (2008, 85–148: “Naïve action theory”). For Thompson, an intentional action is an actual token of an act-type that might be deployed in a larger intentional action. At the limit, this analysis can lead to the conclusion that crossing the street involves tokens of continuum-many act-types, since one can produce an account of moving halfway across, and halve that again, and again, and again, and so on until one has a Zeno-paradoxical description of crossing the street.

¹⁴ Davidson 1980, 88. Davidson read both Aristotle and Aquinas.

¹⁵ Particular acts with indifferent act-descriptions will be good or bad in light of their circumstances and end. See Anscombe, 1982.

“Chewing on a piece of straw,” like “stroking one’s beard,” is an intentional act-type with an indifferent description. A token of such a type need not count as an *actus humanus*. Aquinas distinguishes acts that count from those that don’t in terms of the combined acts of intellect and will at issue in an *actus humanus*. Analytic philosophy is inherently unfriendly to acts of intellect or acts of will: it is predicated upon distancing itself from focus on actual psychological processes and would require a suitably de-psychologized account of intellect and will in order to figure out how to make use of Aquinas on this point. Anscombe’s treatment of Aristotle’s practical syllogism provides a kind of model: she treats the syllogism as articulating the rational anatomy, as it were, of the action-in-prospect rather than as an argument one rehearses to oneself in advance of acting (Anscombe 2000, §§ 33–5).

The challenge for analytic philosophers will be to offer a similar account of Aquinas’s more elaborate characterization of the paired work of reason and will in the human act.¹⁶ In spite of the distance between analytic philosophy and Aquinas over the analysis of particular human acts, the two will intersect at this point: moral prohibition attaches to a type or species of intentional action that will count as a specifically bad *actus humanus* that is bad in its species.¹⁷ Anscombe’s colleagues had lost the ability to comprehend prohibited kinds of act as such. Complaining about this, she remarks:

It is noticeable that none of these philosophers displays any consciousness that there is such an ethic, which he is contradicting: it is pretty well taken for obvious among them all that a prohibition such as that on murder does not operate in face of some consequences. But of course the strictness of the prohibition has as its point that *you are not to be tempted by fear or hope of consequences*. (Anscombe 1958, 10)

That is the doctrine. It comes into play whenever we are inclined to calculate the likelihood that doing something specifically bad (bad in its kind, bad because of the kind of action that it is) will result in getting something good, or in preventing something worse.

In coining the term “consequentialism,” Anscombe highlighted the philosophical source of the loss of an ability to comprehend moral prohibitions. Anscombe’s term drew attention to accounts of good, bad, right,

¹⁶ For interpretation and discussion of scholarly controversy over Aquinas’s account of human action, see Westberg 1994a, 119–35.

¹⁷ For discussion of *obiectum* in Aquinas, see Westberg 2002. For discussion of the determinacy and objectivity of morally prohibited species of acts in Aquinas, see Porter 1989.

and wrong that focused on expected outcomes of actions (the part that became the standard definition of “consequentialism”) and obliterated the distinction between intended and merely foreseen expected outcomes of an action (the part that was ignored by most of her followers). Consequentialists did *both*, she thought, and the latter was the more serious issue. Only a subset of the outcomes I expect are intended, and we need to be able to track intention in action in order to so much as *pick out* the particular act I do (in the sense of “particular act” at issue for Aquinas and Aristotle). For analytic philosophers, an intentional action is a kind of event describable in indefinitely many ways. Some of those descriptions will be descriptions under which the act is intentional. Others will not. For example, suppose that I walk to campus to hold office hours. In doing so, I do many things: I alter the traffic pattern by hitting the signal at the crosswalk and crossing the street, I startle a cat that was stalking a bird in the yard, I wear down the soles of my shoes, I think about my students, my family, and the day ahead, I nod to my neighbors, and so on. Many of these consequences are foreseen (startling the cat is not foreseen when I leave home, but becomes a foreseen consequence when I notice the cat and what it is up to and how it responds to me). The foreseen consequences are also events that will have consequences of their own. Suppose that a consequentialist joins me on my walk. Since my companion cannot register the distinction between foreseen and intended consequences of my act, “impeding the progress of drivers” and “startling a cat” are, for him, accounts of what I am doing that are of the *same sort* as the account that focuses on walking to school in order to hold office hours. Accordingly, my companion’s assessment of my act could just as well focus on the cat’s future, or the drivers’, as on my office hours. Unlike me, *he* has no reason to prefer focus on analysis of the consequences of holding office hours to focus on analysis of the consequences of disrupting drivers. The consequentialist thinks of me as a sort of causal force moving through the world initiating many chains of events each time I do anything on purpose, and so will have to see walking to school as rather like knocking down the first domino in the indefinitely many different stacks of dominos that have their points of efficient causal origin along my path through the neighborhood. A cat’s future and the future of its targeted prey lie along one subsequently branching causal chain. Each driver’s future might take off from the single point of stopping at the pedestrian light that I triggered by pressing a button. Of course scaring a cat and impeding some drivers do not belong to the calculative order of my act: walking to school is not my (tremendously inefficient) means to the end of interfering with traffic and cats. And so the

consequentialist cannot accurately say *what* my intentional action *was* – what I intentionally did, and to what end. In this sense, the consequentialist cannot correctly isolate and describe those aspects of what happened that belonged to my intentional action from the aspects that were merely the act's foreseen consequences. Obviously, if analytic philosophy has lost the capacity correctly to isolate and describe – in this sense, to *apprehend* – particular acts because it has embraced consequentialism, it cannot possibly give appropriate consideration to the consequences of particular acts.

Much of Anscombe's work in her monograph on intention is devoted to providing the analytic philosophical equipment needed to identify particular acts, as part of the work required before analytic philosophy can turn to ethics (Anscombe 2000). Reaching a point where analytic philosophy can cope with moral prohibitions was crucial for Anscombe and figures as the basis for the puzzle about justice that Michael Thompson traces in a recent essay.¹⁸ A genuine rejection of consequentialism in Anscombe's sense of the term is bound up with recognition of moral prohibitions. This makes it especially surprising that analytic virtue ethics inspired by her call has devoted so little attention to the topic.

14.3 Good is to be pursued and bad is to be avoided

Although most analytic philosophers of action treat Anscombe's *Intention* as the first work in analytic action theory, almost all of them think that we can develop a philosophically sound account of action without drawing in thought about good and bad. My target ethicists take from Aquinas and Aristotle the thought that the first principle of practical reason tells us that good is to be pursued and bad avoided. Since this is a controversial claim in analytic action theory, they have had to argue that the intelligibility of intentional action as such is bound up with thought about good and bad.¹⁹ In being asked questions like "Why are you doing that?" or "What's the point?" or "What are you up to?" we are being asked to address the sense in which *A*-ing, say, seems like a good sort of thing to do. There is a lot of work by analytic neo-Aristotelians arguing that we cannot so much as apprehend intentional actions without seeing them as undertaken *sub specie boni*. However, since they take themselves to be following Anscombe in supposing that concern over ethical good and bad need not belong to action theory or work on practical reason, they have worked to come up

with an account of practical good and bad remote from ethics.²⁰ Rather than argue that thought about ethical good and bad are required for apprehending action and understanding practical reason, my target virtue ethicists have pursued the study of virtue as a distinctive enterprise that draws from Anscombean action theory, but is not a part of basic work on action or practical reason. Perhaps because of this, moral evaluation of kinds of acts – the sort at issue in moral prohibition – is not a part of most work in analytic virtue ethics. In this section, I will explain how my target philosophers understand the sort of good and bad at issue in apprehending intentional action, and why this seems separate from work in ethics.

Analytic virtue theorists draw from Anscombe in urging that the most basic orientation to good involved in intentional action attaches to the means–end structure of the act and establishes what is *supposed* to happen next. This "supposed to" has normative force in two directions: understanding what is supposed to happen next allows us to see what is being done and to what end (this is the sense in which it is crucial for understanding particular acts), and by exactly the same token, it shows what the agent has in mind in doing what she is doing (the immediate point or sense or good of her action), and so opens the possibility of rational criticism of what she does. I do *A* in order to do *B*, *B* in order to do *C*, and so on.²¹ Intentional action, that is, has a calculative, means–end structure. That structure makes it possible to identify success, failure, obstacles, and interruptions. Without some way of identifying these, we don't have a concept of intentional action at all. We lose track of the kind of process at issue when people do things on purpose. Call this the "low form" of orientation to good and bad in action.

The things ruled out by this feature of intentional action – the things that will signal some sort of intellectual or appetitive problem – are such things as attempting to do things that it is manifestly not in your power to do (for instance, leap across a highway in a single bound), attempting to combine pursuits that cannot be combined (like read a newspaper while swimming), failing to stop doing what you are doing in order to attain some end when you already have successfully attained your end (having already edited, revised, and submitted the page proofs, you keep pulling up the file with some thought about working on the page proofs), continuing to deploy means to an end having ascertained that the means will not

¹⁸ Thompson 2004; Anscombe 1958 and 2008.

¹⁹ See, e.g., Boyle and Lavin 2010.

²⁰ See, e.g., Vogler 2002, 26–52, Thompson 2008, 24–84, and Ford 2011.

²¹ See Anscombe 2000, §§ 17–26, 38–40. For work drawing on Anscombe, see Vogler 2002, 126–46.

work (you already have emptied your bag completely in search of lost keys and keep returning to look for the keys in your bag) – these kinds of problems can be identified *as problems* in light of the low, calculative form of orientation to good and bad in action.

We are as yet at some distance from ethics. You can see that ethical orientation appears to be at a distance when you notice that egregiously bad actions can be undertaken as effective means to various ends.

In an undated typescript published in 2008 and addressed to an audience of her fellow Catholics, Anscombe begins to address specifically ethical practical reason by way of considering how a practical orientation takes shape (Anscombe 2008). Pre-ethical practical orientations concern how to move about and get along in a human society and normally include “raw material” for the ethical, she thinks:

Moral action descriptions are not natural event descriptions. But it is part of the natural history of mankind that the human young acquire concepts corresponding to them, or in some cases, at least concepts in which they are rooted, as adultery is in that of marriage, or stealing in that of property. Some notion of property will be picked up by anyone in the course of his upbringing, and almost certainly some notion of stealing in its train. Quite generally: to grow up as a child of normal intelligence in a human society is *eo ipso* to be equipped with a range of concepts which form the raw material for moral action descriptions, and in many cases to acquire these as well, at least in a rough inchoate form. (Anscombe 2008, 225)

Given this sort of rough-and-ready cognitive basis for an ethical practical orientation, it is possible to make some distinctions. There is, on the one side, volition, appetite, and emotion (Anscombe 2008, 226). On the other, there is justification, judgment of right and wrong, accusation, excuse, condemnation, and the like. Anscombe thinks that it is possible to separate these because it is possible to have one without the other. She writes:

I am imagining someone who does not seek to be justified or ask others to justify themselves. He is not defective in his grasp of language. He functions mentally as a jurymen, who can say what has been done: never as a judge, who condemns or discharges the accused person. (Anscombe 2008, 226)

Such a person can correctly understand a moral code and deploy the relevant action-descriptions. He never seeks to condemn or to exonerate, to accuse or to excuse, on this basis. He never seeks this from others. He never asks it of himself. The relevant region of ethics involves *seeking*

ethical justification, and standing prepared to accuse, excuse, condemn, or exonerate on ethical grounds.²²

Notice that, with respect to the plainest calculative form of orientation to good and bad in action, it is hard to conceive the position of Anscombe’s jurymen – the fellow who understands and can correctly track the calculative relation in action but does not hold himself or anyone else accountable to basic standards of calculative practical reason. He knows that he must put one foot in front of the other in order to walk across the street but does not ask this of himself when setting out to walk across the street. He knows that the mechanic must do various things in order to change the oil in his car, but he would not dream of accusing her of some error, or demanding that she explain herself, if she failed to do those things when he left his car with her, having asked that she change the oil. In this sense it seems that, in the operation of plain calculative practical reason, it is *not* possible to separate appetite and emotion from the apparatuses of justification. Nevertheless, where nothing but accountability to standards of calculative practical reason is at issue, the apparatus of justification is stripped of some of its force. It would be odd to conceive a strictly calculative sense of duty, for example, and embarrassment – more than guilt – would appear the appropriate response to failures of pre-ethical calculative practical reason.

Prima facie, in advancing to the ethical, then, the sense in which intentional action has the intelligibility of good shifts. (The going metaphor for this shift is always one of rising, perhaps because the calculative order is a kind of lowest common denominator in understanding what people are up to and why.) The formal constraint – one should pursue good and avoid bad – remains constant when we shift from the bland calculative concern to ethics; the practical specification of good and of bad changes. It’s no longer enough to seek adequate means to intelligible ends, as I might in settling upon using blackmail to increase my wealth. Substantive questions of right and wrong enter into the framework for assessing what’s done.

The first thing to say about what one gets when one has an ethically sensitive practical orientation is this: a person with a practical orientation alive to the ethical is prepared to accuse, excuse, justify, or condemn what’s done on ethical grounds, and this stance informs such a person’s self-understanding and relations with others.

The second thing to say is that tendencies to seek justification establish a strong theme of right and wrong, obligation and guilt, accusation and

²² Some philosophers have held that I cannot understand a moral code without holding myself accountable to it. Anscombe here attempts to urge that the view is false.

justification, at the core of a practical orientation. They involve a particularly high form of orientation to good and bad.

The third thing to say is that the *substance* of an ethically alert practical orientation comes from the *content* of the ethical system at issue, and there is no guarantee that it will be sound. Anscombe writes:

a sense of duty must of course be accompanied by *some* way of conceiving something as your duty. Thus it can be filled out with a notion of party loyalty, military obligation to obedience, or of acting for the best consequences, and in all these cases leads to very evil actions. Only if it is combined with truth in the moral code can it be trusted to lead to good actions. Similarly, someone who "always tries to do what is right," but has not got such truth, will not succeed in acting well. (Anscombe 2008, 230)

In the absence of a sound ethical framework, any exercise of reason – speculative thought about ethics, moral theory, general philosophical reflection, or action on the basis of practical deliberation – will misconstrue the whole apparatus of ethically directed practical justification that forms the core of an ethically alert practical orientation.

14.4 Negative moral precepts; positive moral precepts

Although Aristotle and Aquinas share the view that some species of acts are never right and always wrong, neither seems to hold that some species of acts are always right and never wrong. This is, I take it, the actual insight that underlies analytic virtue ethicists' excitement over the claim that virtue is uncodifiable.²³ You cannot produce a complete, comprehensive, and exhaustive code (or manual or what have you) that will tell you what, under any conceivable circumstance, will count as a right thing to do.

There are familiar Wittgensteinian routes to this conclusion having to do with the impossibility of setting out the rules that will determine in advance how to apply existing rules. Commenting on Aristotle, Denis J. M. Bradley describes the traditional position this way:

A fixed moral principle is one that is universally true or exceptionless, it covers every member of a class of actions. Aristotle means to distinguish (though not always unhesitatingly) between fixed negative and fixed positive principles. His treatment of universal negative precepts rests on generic considerations of actions. There are exceptionless universal *prohibitions* that

²³ John McDowell was the first contemporary neo-Aristotelian writing about virtue to stress this point. See the essays reprinted in McDowell 1998, especially "Virtue and reason," 50–73, "Values and secondary qualities," 131–50, and "Non-cognitivism and rule-following," 198–218.

fixedly forbid, even at the price of terrible death, certain action-types, no matter what the extenuating circumstances of their action-tokens. (Bradley 1997, 190)

Bradley continues with the contrast:

a general [positive] moral principle is too inexact to be applied truthfully to those actions that are exceptions to the principle. A particular action as particular is contingently determinate. Of course, both universal and general moral principles can be given further and further specification. But the process of specifying narrower and narrower moral principles, by making morally relevant subdivisions among the members of a larger class of actions, is endless... Since general positive moral principles, however usually correct, cannot secure the knowledge of the moral character of singular actions, ethics, which above all is a practical science aimed at enabling agents to act, can best be put in outline form. (Bradley 1997, 192–3)

In short, the *only universal moral principles geared to kinds/species of act* are the negative ones that tell us *never to do* acts of such-and-such a kind.²⁴

Anscombe might put the point this way: we are always in the ethical; the only way to ensure that a kind of act will be good to do here and now will be to screen out the world in such a way that it cannot obtrude and make what is ordinarily good bad; it is not in our power to stop the world from interfering in this way.²⁵ For example, it is usually good to fix breakfast for one's children before they leave home in the morning, but not if the house is on fire. Philosophers err when they extend the idea that some kinds of act that are usually wrong (e.g., pulling one's children out of their beds and rushing them into the street in their nightclothes) can be right *under the circumstances* (e.g., the house is on fire) to specifically wrong acts.

There are various things to be said about the importance of recognizing specifically wrong acts. First, it is clear that these are among the moral act descriptions that are part and parcel of ordinary ethical life and conduct. Anscombe's juryman needs to understand moral prohibitions in order correctly to deploy moral action descriptions and to understand the special weight of some kinds of accusation.

Second, it is hard to see how anyone could receive a moral education without acquiring a rough and ready understanding that some kinds of acts are specifically bad. Children come into accountability for their acts

²⁴ For discussion of Aristotle's understanding of the kind of generality we can expect from ethics, see Anagnostopoulos 1994.

²⁵ Aquinas makes this point in his discussion of sins of omission: praising God is usually good, but if I am praising God when I ought instead to be honoring my father and mother, then I sin (*QDM* 2.1 ad 7).

by being told what not to do – the usual starting points involve a mixture of prohibitions that belong to etiquette (e.g., injunctions not to stare or shout), to concern over safety (e.g., injunctions not to run into the street, climb some things, jump off other things), and to ethics (e.g., injunctions not to hit, lie, or take what doesn't belong to them).

Third, it is very hard to see how there could be such a thing as an ethically alert practical orientation without an understanding that some acts are specifically wrong. Framing someone for a capital criminal offense, rape, vivisectioning the children in the local daycare center – *none* of these are ruled out as such in advance if there are no moral prohibitions. It is one thing to argue that some acts that have been regarded as specifically wrong are not, actually, specifically wrong. It is quite another to hold that there are no such things as specifically wrong acts – as though the sphere of kinds of act that it might be good to do here and now were entirely unbounded.

14.5 Moral prohibition and analytic virtue ethics

Most analytic virtue ethicists do not discuss moral prohibition. Peter Geach urged that virtue ethics pursued in the absence of a theological framework could not adequately ground moral prohibitions. Imagining the contemporary Aristotelian faced with a question about the status of moral prohibitions, Geach writes:

[Somebody] might very well admit that not only is there something bad about certain acts, but also it is desirable to become the sort of person who needs to act in the contrary way; and yet *not* admit that such acts are to be avoided in all circumstances and at any price. To be sure, a virtuous person cannot be ready in advance to do such acts; and if he does do them they will damage his virtuous habits and perhaps irreparably wreck his hard-won integrity of soul. But at this point someone may protest "Are you the only person to be considered? Suppose the price of your precious integrity is a most fearful disaster! Haven't you got a hand to burn for your country (or mankind) and your friends?" This sort of appeal has not, I think, been adequately answered on Aristotelian lines, either by Aristotle or by Mrs. Foot. (Peter Geach 1978, 123)

It is fairly clear from the context that Geach means to point to the kind of example ordinarily given in support of doing a bad sort of thing for the sake of securing great good or avoiding catastrophe. In such examples we normally are invited to imagine an agent who is very nearly uniquely positioned to do the bad act in question and are being asked to consider

the particular bad act in isolation from that agent's ordinary practical orientation.

It is helpful in this connection to consider Thomas More facing a choice between falsely swearing an oath and going to prison. The example has various things to recommend it. Unlike examples in which we are asked to imagine a virtuous person being asked to do a kind of act that it would be very difficult for a virtuous person even to know how to do – like torture a prisoner – few things are easier for a lawyer, a judge, and a former holder of high political office than signing his name to an official document. The kind of act at issue requires no addition to the agent's established practical repertoire. Then too, More was sensitive to the reversals of fortune that his family suffered because of his dispute with Henry VIII. Finally, it is reasonable to think that the King was going to do what he was going to do anyway; More could not compel a change in circumstances. In short, in this example things in fact appear to net down to a question about the hard-won integrity of a man being asked to perform an act that only he can perform under the circumstances.

In conversation, Hursthouse urges that analytic neo-Aristotelians ought to treat the More example as of a piece with examples in which the courageous person faces death in battle: More stands to the Church as Aristotle's soldier stands to the City. The two may seem to come apart because More was isolated in martyrdom, whereas soldiers are engaged in joint defense, but More had to understand himself in relation to the larger community of the Church in order to make the choice that he made. There was a question of a common good at issue. In general, Hursthouse accepts that some kinds of acts, as such, are avoidance-worthy: she takes seriously Aristotle's suggestion that some kinds of acts are such that the very description of the act-type – the name of the kind of act in question – "connotes depravity," and she is willing to urge that such acts are appropriate subjects of moral prohibition.²⁶ It is unclear how this view is to be grounded apart from general consideration of character – which is the line of defense Geach imagines for analytic Aristotelians.

Analytic Aristotelians also could appeal to the *telos* of More's act. More hoped for beatific union with God; although this end is not attainable by human means, a life lived in obedience to Church authority *is* the available means for directing one's life to God. Officially endorsing the King's claim required defying the Church. More was prepared neither to embrace the

²⁶ Hursthouse 1999, 83–7; see also Hursthouse 1984.

new church the King had made, nor to swear an oath that he recognized the King's authority to remake the Church.²⁷

Geach will find appeal to More's end as suspicious as appeal to his character. Geach takes it that the believer has two things to say that are closed to non-theist virtue ethics. First, the believer understands that he will need to account for his acts before God, and signing was, for More, tantamount to defying God. Second, faith provides assurance that, ultimately, no good can come of wrongdoing. God makes it such that we are always in error if we think that we can secure great good, or avoid great evil, through wrongdoing.²⁸

There has been scholarly controversy over Aquinas's work on moral prohibition.²⁹ The prohibition at issue for More was the prohibition on lying and, in this case, on an act of lying that would count as a mortal sin.³⁰ It is a lie about God and the authority of the Church, invited by a King who was actively turning away from God in order to secure temporal advantage, and can be contrasted with a lie about contingent matters that harms no neighbor. As such, it is a lie directed at More's relation to God and at More's right relation to the King, packaged as perjury. There is no sense in which such a lie can be other than a mortal sin. Refusing to sign is not merely a matter of preserving personal integrity or pursuing one of any private ends. It is a matter of siding with knowledge of one's nature, one's right relations with others, and the relation between humans and God. Whether or not Geach has fastened upon the right aspects of the relevant order – fear of judgment, faith in the understanding that no good can come of mortal sin – the appropriate context for understanding More's refusal is theological understanding of relations between humans and between humans and God.

I think that it is hard to avoid the sense that attention to theological context provides the more satisfying account of the prohibition. The analytic neo-Aristotelian could respond that being unable to face oneself, or being unable to face fellow members of one's community, or one's children, is a very serious matter, adding that, without the fixed points provided by moral prohibition, we cannot give an adequate account of virtue. Then too, the analytic philosopher could suggest that centuries of Christian influence

²⁷ I am grateful to Gabriel Lear for this suggestion.

²⁸ O'Brien 2011 considers Geach's view in detail. See chapter 3: "The authority of morality."

²⁹ For a good survey of the scholarship, see Dedek 1979.

³⁰ For discussion of these matters, see Dewan 1997.

in practical philosophy inspires the expectation that there is more to be said on behalf of respecting moral prohibitions than non-theists can say.³¹

14.6 Conclusion

I have canvassed various aspects of analytic virtue ethics produced in response to Anscombe's call – work that draws from both Aristotle and Aquinas. In so doing, I have pointed to a number of places where Aquinas seems to be at odds with Aristotle, and where both Aquinas and Aristotle seem to be at odds with analytic Aristotelianism. I gave special attention to questions about moral prohibitions, stressing that moral prohibitions provide the few specific fixed points for ethical deliberation for both Aquinas and Aristotle.

Although moral prohibitions offer genuine fixed points for ethical practical deliberation and may in fact be indispensable for ethics, having a sound system of moral prohibitions in place does not exhaust ethics. Anscombe makes the point this way:

A morality which consisted solely of absolute prohibitions on fairly definitely described actions would leave you free to do anything else whatsoever. Such in fact is not our morality; we have absolute prohibitions indeed, but you would not be guaranteed to do no wrong purely by abstaining from what they positively prohibited. Take lying. If you are not to lie, that doesn't tell you what you are to do in a particular situation: tell the truth? Mislead in some other way? Turn the subject? Make a joke? Say nothing? Lose your temper? Or whatever else might be a good course of action. Nor is it always clear what committing the offending action is. (Anscombe 2008, 231)

Still, Anscombe took it that developing an account of moral prohibition was crucial for analytic ethics, and it seems that much of the work is yet to be done.

³¹ Hursthouse and I considered this possibility in conversation.