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Virtues and Their Vices

EDITED BY
KEVIN TIMPE AND CRAIG A. BOYD

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To the philosophy department at Saint Louis University—which instantiates many of the qualities that make a community flourish, and by whom we have been shaped. In particular, we'd like to thank Fr Ted Vitali for his godfather-like leadership, Eleonore Stump for being an exemplar of a devoted scholar, and Jack Doyle for his meticulous ability to master the text.

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As with any project this size, we have benefitted greatly from the hard work and expertise of numerous people. The idea for this volume came from one of us (Kevin Timpe) teaching a course entitled 'Virtues and Vices' at the University of San Diego. It has taken numerous years to come to completion, and was delayed by the unfortunate death of an original contributor, for whom we had to secure a replacement. We'd like to express our gratitude to the staff at Oxford University Press—especially Tom Perridge, Lizzie Robottom, and Cathryn Steele—for their never-failing support, encouragement, and patience. Nathan Maddix and Audra Jenson provided valuable editorial assistance in preparing the final volume. Earlier versions of some of the material in this volume helped form the body of a 2012 summer seminar that Timpe co-directed with Christina Van Dyke at Calvin College. We'd also like to express our gratitude to our universities, Saint Louis University and Northwest Nazarene University, for their support of our research.

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Introduction

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RESURGENCE OF THE VIRTUES

The recent revival of philosophical work devoted to virtue ethics, and virtue theory more generally, is well documented. Though there is always something rather artificial to drawing temporal and intellectual boundaries of this sort, this resurgence can perhaps be seen as beginning in 1958 with G. E. M. Anscombe's 'Modern Moral Philosophy.'[1] In her article, Anscombe criticizes the dominant deontological and consequentialist approaches to the ethics of her day. One key problem, Anscombe claims, is that they wrongly focus on legalistic notions of obligations and rules. The language these theories employ appeals to an outdated moral context—a context that assumed a divine law-giver as the one who established the order of the world or at least a context that assumed a fairly stable human nature. She suggests that ethics would benefit from an adequate moral psychology, such as that found in ancient Greek ethics where one can 'look for "norms" in human virtues':

> [J]ust as *man* has so many teeth, which is certainly not the average number of teeth men have, but is the number of teeth for the species, so perhaps the species *man*, regarded not just biologically, but from the point of view of the activity of thought and choice in regard to the various departments of life—powers and faculties and use of things needed—'has' such-and-such virtues: and this 'man' with the complete set of virtues is the 'norm', as 'man' with, e.g., a complete set of teeth is a norm. But in *this* sense 'norm' has ceased to be roughly equivalent to 'law'.[2]

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[1] Anscombe (1958). Speaking of the impact of Anscombe's article on contemporary philosophical reflection on the virtues, Crisp and Slote write that 'Anscombe's article anticipates much of the recent development of virtue ethics in large part through having *influenced* that development. But many present-day ethicists—including both defenders and opponents of virtue ethics—would question some of Anscombe's main assumptions in "Modern Moral Philosophy."' (Crisp and Slote (1997), 4).

[2] Anscombe (1958), 14f.

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According to Anscombe, only a return to a virtue approach to ethics and the notions of human flourishing and well-being that underscore such an approach will be able to provide for the future flourishing of ethics.[3]

  Anscombe's article didn't initially receive much attention. However, in the coming decades her critique of modern ethics would be continued, among other places, in the work of Philippa Foot and Alasdair MacIntyre. Foot begins her article 'Virtues and Vices' with a criticism of the modern ethical landscape that is reminiscent of Anscombe:

> For many years the subject of the virtues and vices was strangely neglected by moralists working within the school of analytic philosophy. The tacitly accepted opinion was that study of the topic would form no part of the fundamental work of ethics. . . . During the past few decades several philosophers have turned their attention to the subject.[4]

Foot then goes on to express the linguistic difficulty that such a rapprochement would face, which she describes as

> a lack of coincidence between their terminology and our own. For when we talk about the virtues we are not taking as our subject everything to which Aristotle gave the name *aretē* or Aquinas *virtus*, and consequently not everything called a virtue in translations of these authors. 'The virtues' to us are the moral virtues whereas *aretē* and *virtus* refer also to arts, and even to excellences of the speculative intellect whose domain is theory rather than practice.[5]

As shall become clear below, this volume's approach to the virtues is broad, including not only the moral virtues but also (following Aristotle, among others) intellectual virtues and (following Aquinas, among others) theological virtues.

  MacIntyre's influential book *After Virtue* examines the historical roots of thinking about virtue, diagnoses the reasons for its absence from the majority of contemporary moral theorizing, and offers a proposal for its recovery. In this work, he asks his audience to

> Imagine that the natural sciences were to suffer the effects of a catastrophe. A series of environmental disasters are blamed by the general public on the scientists. Widespread riots occur, laboratories are burnt down, physicists are lynched, books and instruments destroyed. Finally a Know-Nothing political movement takes power and successfully abolishes science teaching in schools

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[3] A number of the main critiques Anscombe gives in 'Modern Moral Philosophy' were anticipated in Schopenhauer (1841). Robert Adams notes that it is a 'curious feature of Anscombe's paper that at the substantive, as distinct from the metaethical level, she seems much more concerned with the ethics of actions than the ethics of traits of character. Concepts of virtue are to provide the terminology of moral assessment, but it is *actions* that she seems absorbingly interested in identifying as "untruthful," "unchaste," or "unjust"' (Adams 2006, 5). He also raises a similar criticism regarding MacIntyre's *After Virtue*, which we discuss below.

[4] Foot (1997), 163.   [5] Foot (1997), 164.

and universities, imprisoning and executing the remaining scientists. Later still, there is a reaction against this destructive movement and enlightened people seek to revive science, although they have largely forgotten what it was. But all they possess are fragments: a knowledge of experiments detached from any knowledge of the theoretical context which gave them significance.[6]

This dystopia is a world in which scientific terms have been radically altered from their original context even though they appear to function in a scientific way. People think that they are engaged in the practices of the sciences. But since they have no coherent method to form their practices what they do is more closely related to alchemy rather than genuine science. In a similar way, the language of ethics, devoid of a coherent narrative of its practices as grounded in moral psychology and the virtues, devolves into a series of incommensurable language games. But MacIntyre was not advocating a return to the virtue ethics of a previous era, for both the concepts of narrative unity and practice have been lost.[7] Those 'practices' are what primarily constitute specific virtues.

In subsequent years, much of what Anscombe and Foot advocated for has come to pass, and virtue theory has seen a resurgence. But this trend has also been shaped by MacIntyre's vision regarding the loss of narrative unity. Our aim in this work is both to document this trend and to contribute to it. Merely parroting the work of Aristotle, Aquinas, or some other historically important figure in virtue ethics does not advance research. In this volume, like MacIntyre we aim not to be slavishly beholden to the past. However, unlike some recent books on virtue (you will hopefully forgive us if we fail to name names), it is equally problematic to write on the virtues as if they have no historical context. The treatment of the virtues in the subsequent chapters aims to be sensitive to the historical heritage of the virtues, including their theological heritage, without being beholden to this tradition. In what follows, we intentionally engage contemporary philosophical scholarship as well as relevant scholarship from related disciplines.

Contemporary Reflection on the Virtues

Largely as a result of the above developments, contemporary work on virtue and virtue ethics more broadly is flourishing. It is, as David Solomon recently put it, 'an embarrassment of riches.'[8] But it would be wrong to describe contemporary philosophical reflection on the virtues as monolithic. It's simply not the case that there is a single, unified account of virtue theory, or even the nature of the virtues themselves. Although there is a strong tradition of

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[6] MacIntyre (1981), 3.   [7] MacIntyre (1981), 226.   [8] D. Solomon (2003), 58.

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reflection on the virtues running from Plato and Aristotle through Augustine
and Aquinas down to contemporary thinkers such as Anscombe, Foot, and
MacIntyre, even within this tradition there is an on-going conversation about
the exact content and extent of that account. Furthermore, philosophical
reflection on the virtues isn't restricted to this tradition. Christian Miller
notes this breadth in his recent *The Philosophy and Psychology of Moral
Character*:

> Virtue ethical positions take the virtues to be among the central ethical concepts
> and typically use them to ground an account of morally right actions. But even
> consequentialists, Kantians, moral pluralists, and advocates of other competing
> views have realized the importance that the virtues should play in their overall
> normative ethical theories, even if it is not at the foundational or grounding
> level.[9]

Nancy Sherman's *Making a Necessity of Virtue: Aristotle and Kant on Virtue*,
for instance, explores Kant's ethical writings on the virtues, with an eye
towards how his thought depends on ancient philosophy, including Aristotle
but most notable the Stoics. As she notes there, 'Kant was self-aware of his
historical predecessors and in sympathy with important parts of the ancient
tradition of virtue. His own distinctive contributions cannot be underesti-
mated, but by his own telling, the account of virtues [he develops] owes clear
debts to "the ancient moral philosophers, who pretty well exhausted all that
can be said upon virtue".'[10] Other voices contributing to reflection on the
virtues include John Stuart Mill and select other consequentialists,[11] Humeans
and other sentimentalists,[12] and even iconoclasts such as Nietzsche.[13] All of
these voices—to some extent—represent the language of virtue.

  According to David Solomon, even within virtue ethics there are 'disagree-
ments that are as deep, and sometimes as divisive, as those that arise across
normative theories.'[14] For example, many virtue ethicists seek to follow
Aristotle quite closely, while Rosalind Hursthouse's *On Virtue Ethics* is a neo-
Aristotelian approach and Julia Annas' *The Morality of Happiness* draws more
on the Stoics. Solomon outlines two divergent ways one might pursue virtue
ethics, which he characterizes as 'routine' and 'radical.'[15] Routine virtue ethics
sees the revival of virtue in contemporary ethics as being fairly continuous with
much of nineteenth and twentieth century analytic ethics. It emphasizes 'the
virtues while working comfortably within the conventions of contemporary

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  [9] Miller (2013), 23.   [10] Sherman (1997), 3.
  [11] Mill's account of the virtues is developed in Semmel (1984). See also Kagan (1989) and
Driver (2001).
  [12] See, for instance, Dees (1997) and Taylor (2002).
  [13] Here see Hunt (1991) and R. Solomon (2001).   [14] D. Solomon (2003), 58.
  [15] Hookway suggests that a similar difference between the routine and the radical can be
found in virtue epistemology as well; see Hookway (2003), 185.

ethical theory.'[16] In contrast, radical virtue ethics involves a much greater break with most of nineteenth and twentieth century analytic ethics. 'Here the question is not how to locate the concept of virtue within the local economy of practical life, but rather how to accommodate certain fundamental commitments of classical ethical theory within the relatively restricted—and restricting—agenda of modern moral philosophy. . . . [On this second approach] there is a much grander conflict between the ambitions and agenda of modern ethics—and its classical opponents.'[17] What marks an approach to virtue as routine, according to Solomon, is that it 'attempt[s] to reduce the difference between an ethics of virtue and its contemporary alternatives to a single, crucial issue—the place of the notion of virtue in the overall justificatory structure of a theory.'[18] As examples of such approaches, he mentions those modern neo-Kantian and consequentialist theories—some of which were mentioned above—which attempt to accommodate the virtues within a preexisting normative system. On such approaches, 'virtue has been invited into the house of contemporary normative theory, but told to stay in its place—typically some subordinate or secondary place within the overall structure of the theory.'[19] Despite this contrast, Solomon also points out that one can conceive of a spectrum of approaches to virtue ethics, some of which are more routine or radical than others, and some of which may be intermediate between the two.

  The essays that follow illustrate the multiplicity of approaches to virtue mentioned above. Short of imposing a single tradition on all the essays (which, we think, would lead to a narrower and less interesting work), we do not see a way of eliminating this diversity from the volume. As a result, the essays that follow contain a range of considerations and assumptions about the best way to approach the virtues. Despite this breadth, however, the main thrust of the majority of the essays is best understood as working within the general tradition beginning with Aristotle, continuing through Aquinas and any number of other medieval philosophers and theologians, and represented in contemporary philosophy by Anscombe, Foot, MacIntyre, and Solomon, among others. We want it to be clear that in this volume we neither develop nor presuppose a particular account of virtue ethics. A crucial reason for this is that the present volume focuses more on particular virtues than virtue theory in general. But even here, it is not our aim to develop a theory of the nature of

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[16] D. Solomon (2003), 66. For this reason, Solomon is willing to include 'routine virtue ethics' to include those deontologists and consequentialists who seek to find a place for virtue within their own theories. At other times in this article, however, Solomon seems to exclude this approach from the umbrella of 'routine' approaches, instead seeing it as a third approach altogether.
[17] D. Solomon (2003), 76–7.   [18] D. Solomon (2003), 69.
[19] D. Solomon (2003), 70. In addition to using the language of such approaches 'subordinating' virtue to their normative frameworks, he also describes these views as 'condescending to the virtues.'

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the virtues.[20] Instead, our primary aim in this collection has been to bring together treatments of particular virtues and, in many cases, the primary vices opposed to them.

The Nature of the Virtues

As mentioned above, it is not the case that all work on the virtues and vices reflects a single account of what they are. Aristotle's discussion of moral character, and virtue in particular, is the historically most influential treatment of such issues. For this reason, his discussion will be used as a beginning point. The Greek word used by Aristotle and most commonly translated as virtue is *aretē*, which is perhaps better translated as 'goodness' or 'excellence.'[21] In general, an excellence is a quality that makes an individual a good member of its kind. For example, it is an excellence of an axe if it is able to cut wood efficiently and effectively. An excellence, therefore, is a property whereby its possessor operates well or fulfills its function. Aristotle, for instance, sometimes speaks of a good moral character as 'human excellence' or an 'excellence of soul' (*Nicomachean Ethics* I.13). The idea here is the same as with the axe—having a good moral character helps its possessor operate well and live up to her potential, thereby fulfilling her nature.

Those approaches to the virtues that are heavily indebted to Aristotle's conception have been referred to as 'the Traditional View of Moral Character,' or the *Traditional View* for short.[22] Different theories within the Traditional View will, of course, fill out the details in diverse ways. So it will be helpful to think of the Traditional View as a family of similar and related views, rather than a fully developed and determinate view itself. Despite this variation, the Traditional View holds that virtues are relatively stable, fixed, and reliable dispositions of action and affect that ought to be rationally informed. Since virtues are relatively stable and reliable dispositions, they should be reasonably good predictors over time of an agent's behavior if that agent is in a trait-relevant situation. This does not mean, however, that such traits must be exceptionless. For example, a single case of dishonesty need not mean that an individual lacks a generally honest character. Thus, the dispositions should be understood as involving a particular level of probability. Furthermore, while such traits are malleable—individuals can change their moral character over time—such changes are usually not immediate, taking both time and effort.

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[20] For two recent worthwhile attempts to construct a theory of virtue, see Annas (2011) and Adams (2006). More on their views in 'The Nature of the Virtues.'

[21] The term '*aretaic*' ethics has become more popular recently because it is a translation from the Greek for 'excellence.' The English word 'virtue' comes from the Latin '*vir*' and means 'manly.' Some object to this on the grounds of a kind of linguistic gender exclusion.

[22] See Timpe (2008).

Moral character traits are not just dispositions to engage in certain outward behaviors; they can also be dispositions to have certain emotions or affections. For example, justice is often understood as the disposition to treat others as they are due, while courage is the disposition to feel the appropriate amount of fear called for by a situation. But in both cases one should feel the appropriate kind of emotion (e.g. fear or anger) to the appropriate degree. Additionally, insofar as they are dispositions, an individual can have a particular virtue and not currently be manifesting trait-relevant behavior or affect. An individual may be generous in her giving to charity, even if she is not engaged presently in any charitable action. Finally, in order for a moral character trait to be a virtue, it must not only be in accord with the relevant moral norms, but the disposition must also be informed by proper reasoning about the matter at hand. This is so because the virtues are excellences of character insofar as they are the best exercise of reason. This connection between practical reasoning and the other virtues is one that comes up repeatedly in the pages that follow.

Proponents of the Traditional View also tend to endorse three further claims about the virtues: the Robustness Claim, the Stability Claim, and the Interconnection Claim.[23] The first two are claims about the nature of the virtues, while the third is a claim about the relationship among the virtues within a particular individual. According to the Robustness Claim, an individual with a particular virtue will exhibit trait-relevant behavior across a broad spectrum of trait-relevant situations. It is for this reason that virtues are said to be 'robust' traits. Given that the virtues, as mentioned above, need not be exceptionless, a single counter-instance doesn't rule out an individual's possession of a particular trait and doesn't contradict the Robustness Claim. According to the Stability Claim, moral character traits are relatively stable over time. The Stability Claim doesn't preclude the possibility of an individual changing his moral character over time. Rather, it holds that such changes take time. A soldier who has courageously proven himself in battle situations over the course of numerous years will not cease to be courageous overnight. If the soldier does act non-courageously in a particular battle, the Stability Claim suggests that we should still think of the soldier as possessing the virtue of courage unless the soldier behaves non-courageously for a significant period of time. Finally, according to the Interconnection Claim there is a probabilistic correlation between having one virtue and having other virtues. We explore this aspect of the Traditional View in greater detail in the next section.

Even within those who endorse a version of the Traditional View, there are often important differences between exactly how the virtues are understood. As evidence of this variety, consider what we think are two of the leading

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[23] All three of these claims find support in Gordon Allport's work on the 'psychology of virtue.' See, for instance, Allport (1960).

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accounts of virtue, those developed and defended by Julia Annas and Robert
Adams. A virtue, for Annas, is an active, developing, persisting, and reliable
disposition to act, feel, or respond in certain ways. These dispositions are
'deep' and 'characteristic' features of the person—'that is, the virtuous (or
vicious) person is acting in and from character. . . . A virtue is a disposition
which is central to the person, to whom he or she is, a way we standardly think
of character.'[24] According to Annas, what is distinctive about her account of
virtue are two ideas:

> One is that exercising a virtue involves practical reasoning of a kind that can
> illuminatingly be compared to the kind of reasoning we find in someone exercis-
> ing a practical skill. . . . The other idea is that virtue is part of the agent's happiness
> or flourishing, and that it is plausible to see virtue as actively constituting (wholly
> or in part) that happiness.[25]

Many of these aspects of Annas' account can also be found in other neo-
Aristotelian approaches.

 In contrast, Adams' account is decidedly less Aristotelian. He defines a
moral virtue as a 'persisting excellence in being for the good. . . . A virtuous
person, a morally good person, will of course be for good things and against
bad things—and not in just any way, but excellently.'[26] Furthermore, he
understands being for the good to involve a disposition to favor the good in
action, desire, emotion, and feeling. While the central idea that a virtue is a
disposition towards excellence is one which 'has never been seriously ques-
tioned,'[27] Adams understands the excellence in question quite differently than
does Annas. One difference is that, unlike Annas, he doesn't define a virtue in
terms of its being instrumental in promoting human flourishing or happiness.
His is an 'excellence-based theory,' according to which the virtues are worth
having primarily for their own sake. Although he doesn't deny that a virtue
can contribute to flourishing or well-being, virtue is not to be measured by the
level of flourishing or well-being achieved. In fact, he defines what it means for
something to be an excellence in terms of intrinsic value: 'excellence is the
objective and non-instrumental goodness of that which is worthy to be
honored, loved, admired, or (in the extreme case) worshiped, for its own
sake.'[28] Second, Adams also rejects the unifying role of practical wisdom
among the virtues. (More on this issue in the next section.) A third difference
between their accounts illustrates another point of contention among virtue
ethicists: Annas seeks to develop her theory of virtue in a way that is largely

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[24] Annas (2011), 9.   [25] Annas (2011), 1.
[26] Adams (2006), 15.   [27] Zagzebski (1996), 85.
[28] Adams (2006), 24. The reader should also keep in mind that Adams differentiates the
'ethics of virtue' from 'virtue ethics.' The latter attempts to reduce the conception of rightness (or
obligation) to goodness as involving virtue; he intends his work only to be the former. See Adams
(2006), 6.

independent from a theory of human nature, and Adams is less optimistic that this can be done.

It is not our goal in this section to adjudicate between these (or any) conceptions of what a virtue *is*; nor have we imposed a single understanding on the chapters which follow. But it is important to keep in mind that exactly *how* a person understands the nature of a virtue will have an impact on not only what virtues she thinks there are, but how individual virtues should best be understood.

The Interconnection of the Virtues

Most virtue theorists have thought that there is a connection between having one virtue and having others. The strongest form of this connection is the unity of the virtues thesis, sometimes also called the 'identity of the virtues thesis,'[29] which holds that all of the apparently different virtues are really just one single thing overarching virtue. Plato is sometimes interpreted as endorsing the unity of the virtues in the *Protagoras*, where the single virtue is 'knowledge of good and evil.'[30] Gary Watson writes that 'nowadays the unity thesis is mostly ridiculed or ignored.'[31] Not only does this thesis conflate the plausible distinction between the moral and the intellectual virtues, it just seems implausible on empirical grounds. For one, it would rule out cases of weakness of will where the agent has the relevant practical wisdom about what should be done yet fails to do it. Second, it appears to many that an individual could have the virtue of, say, temperance, while not also having the virtue of magnanimity.[32] Peter Geach thinks the unity thesis is obviously problematic for this kind of reason:

> if a man is manifestly affected with one vice, then any virtue he may seem to have is only spurious, and really he is vicious in this respect too. . . . The world would present a very terrible aspect if we had to think that any-one who is morally faulty by reason of one habitual grave defect must be totally devoid of virtue; that any virtues such faulty people seem to have are worthless; that any-one who is morally faulty by reason of one habitual grave defect must be totally devoid of virtue; that any virtues such faulty people seem to have are worthless shams.[33]

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[29] See Devereux (2006), 325.

[30] See, for instance, Penner (1973). For a different interpretation, see Vlastos (1972) and Kremm (2009). Plato's discussion of the cardinal virtues in the *Republic*, however, seems to be in conflict with the unity of the virtues thesis.

[31] Watson (1984), 57.

[32] For an argument for the rejection of the unity of the virtues thesis, see Adams (2006), 172–5.

[33] Geach (1969), 163.

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A slightly weaker claim than the unity of the virtues thesis is the reciprocity thesis; according to this thesis, while there are multiple virtues, they come as a necessary package.[34] Raymond Devettere, for example, endorses this view:

> If you have one virtue, you have them all. . . . Virtues cannot be separated—a person lacking the virtue of temperance also lacks the virtues of justice, love, and so forth. At first, this thesis appears counterintuitive, but once the central role of practical wisdom in each and every moral virtue is understood, the unity of the virtues emerges as inevitable.[35]

But even here, one might think this is too strong, for it certainly seems possible that a particular individual could be temperate in her desires but not courageous. One might even think that the having of one virtue, such as magnanimity, might in fact disincline an individual toward having another virtue, such as humility. Though we don't have the space to pursue adequately these worries here, these concerns over the unity of the virtues and reciprocity theses seem fundamentally right to us.

One could reject the reciprocity thesis and yet still think that the virtues are interconnected. Julia Annas, for example, gives the following reason to think the virtues are interconnected:

> Another important indication of the nature of virtue comes from the point that we can't teach the virtues in isolation, one by one, since they can't be learned that way. Generosity gives us a good example here. A child doesn't learn to be generous by just giving her things away, or sharing things whether they belong to her or not. Generosity involves considerations of fairness and justice. For, as Aristotle points out, generosity requires taking from the right sources as well as giving to the right people in the right way. And 'giving in the right way' involves a great deal. Giving a gift which is indifferent to what the recipient wants is not generous. Generosity requires intelligence about what people both need and want, and also about appropriate ways, times, and manners of giving, avoiding obtrusiveness and condescension. Generosity thus requires, at the least, benevolence, a real interest in other people, their needs, and their wants.[36]

Annas raises another reason to think that the vices are interconnected, this one built on the role of practical wisdom. Annas thinks that it is obvious that practical wisdom is unified over a person's entire moral life; there are not independent practical wisdoms each of which governs a distinct virtue or

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[34] Adams refers to this as 'the *mutual entailment* of the virtues' (2006), 171 and Devereux calls it 'the inseparability view' (2006) 325.

[35] Devettere (2002), 64. See also McDowell (1979).

[36] Annas (2011), 84. To be clear, Annas herself thinks these considerations favor the reciprocity thesis, as is made clear by the context of the quotation. Adams rejects even this unifying notion of practical wisdom in his (2006), 184–9. MacIntyre (1999) seems to subscribe to a version similar to Annas when he claims that in order for us to find another person 'trustworthy' there are a number of qualities that converge for us to make such a judgment.

virtue cluster. Such a view would, she writes, fail to 'produce an integrated view of the values in a person's life as a whole.'[37] Gary Watson, on the other hand, thinks that the sensitivity that comes from practical wisdom only establishes a weak interconnection among the virtues: 'if you have any virtue, you will have some sensitivity for considerations relevant to the others—you will have, in one sense, all the virtues "to some degree." '[38] This unifying role of prudence, in either the stronger version endorsed by Annas or the weaker endorsed by Watson, is explored in a number of chapters in this volume.[39]

CONTEMPORARY CHALLENGES TO THE VIRTUES

Not only is there disagreement with the Traditional View about how best the virtues and the relationship between them should be understood, but there is also significant disagreement about whether or not the Traditional View is even on the right track. One major source of criticism is motivated by the idea that normative ethics ought to be constrained by the best currently available psychological data. According to this view, theories of moral character ought to be constrained in certain regards by what social and cognitive psychology tells us moral agents are actually like. And recent empirical work suggests that agents lack the kind of robust moral character at the heart of the Traditional View. In this section, we lay out this challenge and indicated possible avenues of response to the challenge. We certainly do not take the brief treatment here to be exhaustive, but rather to simply raise criticisms to what seems to be the historically dominant way of understanding the virtues.

Recently, a number of philosophers and social scientists have begun to question the very presuppositions that robust theories of moral character and moral character traits are based on; their concern is that it rests on an empirically inadequate view of human agents. The following quotation by John Doris captures this concern:

> I regard this renaissance of virtue with concern. Like many others, I find the lore of virtue deeply compelling, yet I cannot help noticing that much of this lore rests on psychological theory that is some 2,500 years old. A theory is not bad simply because it is old, but in this case developments of more recent vintage suggest that the old ideas are in trouble. In particular, modern experimental psychology has

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[37] Annas (2011), 88. Annas argues, for this kind of consideration, for a 'filter test' which would enable us to differentiate 'traits which may well be admirable, popular, valued, and more, but which are not virtues' (97). The idea here is that, given her view of the interconnection of the virtues, one can decide whether or not X is a virtue or merely otherwise admirable trait by evaluating whether one could have the clear virtues without having X or vice versa.

[38] Watson (1984), 60.

[39] See, for instance, the chapters by Wood and Boyd in this volume.

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discovered that circumstance has surprisingly more to do with how people behave than traditional images of character and virtue allow.[40]

This criticism of the Traditional View began with *attributionism*, a branch of psychology that seeks to differentiate what is rightly attributable to an individual's character from what is rightly attributable to outside features. Much of attribution theory attributes a significantly higher proportion of the causal basis of behavior to external factors and less to moral character than traditionally thought. According to such theorists, most individuals overestimate the role of dispositional factors such as moral character in explaining an individual's behavior, and underestimate the role the situation plays in explaining an agent's behavior. Gilbert Harmon expresses this idea as follows:

> In trying to characterize and explain a distinctive action, ordinary thinking tends to hypothesize a corresponding distinctive characteristic of the agent and tends to overlook the relevant details of the agent's perceived situation. . . . Ordinary attributions of character traits to people are often deeply misguided and it may even be the case that there . . . [are] no ordinary traits of the sort people think there are.[41]

Philosophers such as Doris and Harman have used this work in the social sciences to develop an alternative approach to moral character, commonly known as 'Situationism.'

Like the Traditional View, Situationism can be understood as comprised of three central claims:

1. *Non-robustness Claim*: moral character traits are not robust—that is, they are not consistent across a wide spectrum of trait-relevant situations. Whatever moral character traits an individual has are situation-specific.
2. *Consistency Claim*: although a person's moral character traits are relatively stable over time, this should be understood as consistency of situation specific traits, rather than robust traits.
3. *Fragmentation Claim*: a person's moral character traits lack a strong correlation between having a particular virtue (or vice) and having others. There may be considerable disunity in a person's moral character among her situation-specific character traits.

Thus, Situationism rejects the first and third claims of the Traditional View, and embraces only a modified version of the second claim. According to Situationists, the empirical evidence favors their view of moral character over the Traditional View. To cite just one early example, Hartshorne and May's study of the trait of honesty among school children found no cross-

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[40] Doris (2002), ix.   [41] Harman (1999), 315f.

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situational correlation. A child may be consistently honest with his friends, but
not with his parents or teachers. From this and other studies, Hartshorne and
May concluded that character traits are not robust but rather 'specific func-
tions of life situations.'[42] Other studies further call into question the Integrity
Claim of the Traditional View.

Some virtue theorists have responded to the challenge of Situationism.[43]
Some claim, for instance, that the attempt to base the normative claims of any
theory—whether it be a form of virtue ethics or not—runs the risk of illicitly
moving from 'is' to 'ought.' That is, simply because studies may—or may
not—indicate the relative consistency of character traits in different contexts,
it does not follow that the theory itself is in question. The transition from fact
to value cannot be made by a simple appeal to 'empirical considerations.'
Others think that the empirical evidence doesn't actually show that the virtues,
as traditionally conceived, don't exist. Robert Adams, for example, writes that
while 'this evidence . . . is significant for moral psychology, . . . it does not show
that there are not actually any virtues.'[44] Others agree that the traditional
understanding of virtue ought to be modified in light of the empirical evi-
dence, but not to the degree that Situationists claim.

This is, of course, nothing more than a quick summary of a growing
exchange between social psychology and virtue ethics. Nevertheless, it is
important to keep in mind that if the virtues are to be examples of human
excellence, a proper understanding of them ought to take into consideration
all the relevant human sciences.

CLASSIFICATIONS OF VIRTUES AND VICES

The previous sections intend to, among other things, motivate the normative
focus on the virtues and vices, despite the various permutations that such a
focus can take. But even if one accepts the general constraints of what we've
been calling 'a virtue-approach to ethics,' that by itself does little to give
content to what the virtues that an individual should be pursuing are, nor
how they are to be understood. There are a number of different ways that
virtues and their corresponding vices can be classified. In what follows, we
consider the historically most common and influential classifications of
virtues. Sections I through IV each focus on one class of virtues: the cardinal
virtues, the virtues opposed to the capital vices, a number of epistemic virtues,

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[42] Hartshorne and May (1928), 379f.
[43] See, for instance, Merritt (2000), Sreenivasan (2002), Miller (2003), Kamtekar (2004), and
Webber (2006).
[44] Adams (2006), 12.

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and the theological virtues. Within each of these sections, the various con-
tributors not only discuss the nature of the virtue in question, but also address
some of the vices opposing those virtues. Section V deals not with particular
virtues and vices, but instead considers some of the ways that reflection on the
virtue extends beyond ethics to other related disciplines. As with the earlier
sections, our goal in this final section isn't to develop a unified account of
virtue ethics or theory of virtue; rather, our aim is to make it clear how
treatment of particular virtues impacts not only moral theory, but a wide
range of related disciplines.

The Cardinal Virtues

The first section of the volume is dedicated to the cardinal virtues. The list of
virtues that have come to be known as 'cardinal virtues' goes back at least as far
as Plato. In the *Laws*, for example, Plato writes that 'Wisdom is the chief and
leader [of the virtues]: next follows temperance; and from the union of these
two with courage springs justice.'[45] And the discussion of the good soul in the
Republic also contains an extended discussion of these four virtues.[46] Here,
Plato famously thinks that the virtues in individuals have their parallel in the
well-ordered city: 'There will be more justice in the larger thing, and it will be
easier to discern. So, if you are willing, let's first find out what sort of thing
justice is in cities, and afterward look for it in the individual.'[47] So Plato also
thinks that the good city is one that must be wise, courageous, temperate, and
just.[48] Although Aristotle retains all the virtues on Plato's list of cardinal
virtues, he doesn't single out these virtues as distinct from the other virtues,
and places prudence, as an intellectual virtue, as the chief among them. The
first use of the term 'cardinal' to refer to these four virtues appears to be found
in the fourth century AD in the writings of St. Ambrose: '*Hic quattuor velut
virtutes amplexus est cardinales.*'[49] In Latin, *cardo* means 'hinge' or 'that on
which a thing turns' as its principal point. The cardinal virtues soon came to
be understood as the main virtues under which all the other virtues can be
subsumed.[50] Aquinas, for instance, described the cardinal virtues as the 'chief'
virtues, indicating that they 'especially claim for themselves what commonly
belongs to all virtues.'[51] These four virtues thus contain the common qualities

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[45] *Laws* I. 631.
[46] Interestingly enough, in *Protagoras*, Plato adds another virtue to prudence, temperance,
courage, and justice: piety (or holiness); see 330b.
[47] *Republic*, 368e–369b.   [48] *Republic*, 427e.
[49] Rickaby (1908). See also Ambrose (2001), 133.
[50] That is, the intellectual and moral virtues. The theological virtues are usually taken to be
distinct insofar as they are infused by God, rather than acquired. See the relevant section below.
[51] *ST* II-II 123.11, as quoted in Regan (2005), 111.

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of all other moral virtues. According to Aquinas, since each of the cardinal virtues perfects one of the various capacities of the soul (i.e. the intellect, the will or intellectual appetite, the concupiscible appetite, and the irascible appetite), each of the other virtues can be subsumed under one of these four.[52]

The volume begins with W. Jay Wood's 'Prudence,' which is not only an excellent introduction to the foremost of the cardinal virtues, but also illustrates a number of key themes the reader will find throughout the rest of the volume: (a) how a particular account of a virtue will be tied to a larger theory about what the virtues are and, in many cases, an account of the human good; and (b) the close connection between the moral and intellectual virtues. Regarding the first of these two issues, Wood approaches prudence primarily through Aristotelian and Thomistic traditions, exploring ways in which the theological framework of the latter is responsible for places where Thomas disagrees with the Philosopher about the nature of prudence. For both of them, prudence is practical wisdom about what is to be done, directing one to the excellent human life, even though they disagree about the exact form that the excellent human life takes. Prudence is defective when it is inconsistent with genuine human flourishing. Regarding (b), Wood shows how, for both Aristotle and Aquinas, while the moral virtues are not identical with intellectual virtues, they must be joined with, and informed by, prudence. The moral virtues cannot properly aim the individual at their objects without the individual knowing, via prudence, what those objects are. But intellectual virtues such as prudence are also informed and shaped by properly tuned desires, emotions, and the will. In the discussion of the connection between the moral and intellectual virtues, Wood also shows how moral vices can lead to intellectual vices opposed to prudence, such as cunning, cleverness, and negligence.

The second essay is David Schmidtz's and John Thrasher's 'The Virtues of Justice.' Schmidtz and Thrasher do not attempt to delineate necessary and sufficient conditions for the virtue of justice, in part because they think that justice can be understood in a number of different ways: as a virtue of individuals and as a feature of social institutions. They reject Plato's claim from the *Republic* that justice in a *polis* is simply justice in the individual 'writ large'; they do, however, think that the two conceptions of justice are closely related in at least two ways. First, the just individual will want to be a contributing part to a just *polis*. But Schmidtz and Thrasher argue that the two are also related in the other direction as well: a just *polis* will be one which helps to produce just individuals. Thus, while not endorsing the identity between individual and communal justice that marks Plato's view, they also reject those modern views which seek to divorce the two conceptions of justice

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[52] See, for example, Aquinas (2005).

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from each other. In this regard, they argue for a third related conception of justice that helps to bridge the gap between the two other conceptions, insofar as the goodness of 'mere' justice as primarily a negative virtue can be in the good of the community.

Daniel McInerny's 'Fortitude and the Conflict of Frameworks' considers the cardinal virtue of fortitude, or courage, from a variety of perspectives. His ultimate purpose in doing so is to discover the conceptual connections that hold between these perspectives in order to discern from them the truth about the nature of courage. The first of the three accounts of courage that he explores is the ancient conception of courage associated with the warrior. While one can find this account in numerous places, McInerny takes *Beowulf* as his paradigmatic expression. The second account of courage he examines is that found in Thomas Aquinas, according to which fortitude is the disposition which 'binds the will firmly to the good of reason in face of the greatest evils: because he that stands firm against great things, will in consequence stand firm against less things.'[53] McInerny thinks that fortitude involves not only the disposition to endure evil, but that it 'likewise demands that we *attack* evils well, that is with moderation, in order to win safety for the future. Thus again, fortitude has to do both with restraining fear and moderating acts of daring.'[54] For Aquinas, fortitude thus has four integral parts: patience and perseverance when it comes to enduring evil, and magnanimity and magnificence when it comes to attacking it. Furthermore, Aquinas understands the ultimate act of fortitude to be not a soldier's death on the battlefield, but rather martyrdom. The third conception of fortitude is found in Western modernity; Alasdair MacIntyre has famously argued that it is characterized by the abandonment of natural teleology. Deprived of a natural *telos*, which is integral to the two previous conceptions, courage becomes reduced to a quest for authenticity. We find this quest, McInerny suggests, vividly portrayed in Steve Jobs' 2005 Stanford University commencement address. Drawing on the work of MacIntyre as providing a way of comparing competing frameworks, McInerny ends by exploring comparative strengths and weaknesses of these three approaches.

Robert Roberts' chapter on temperance concludes the section on the cardinal virtues. Loosely following Aristotle's treatment of *sôphroneô* in the *Nicomachean Ethics*, Roberts takes temperance to be the virtue which governs the appetites for food, drink, or sexual activity insofar as they are governed by right reason. He shows how, given its connection to the flourishing of the individual, an account of temperance needs to presuppose a conception of human physical health, even though he does not wed his treatment of temperance to any particular conception of human physical health. He then goes on

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[53] *ST* II-II.123.4.   [54] This volume, page 84.

to show how it is possible to train the physical appetites involved in temperance so that they can come to be controlled by right reason. With an account of the virtue in hand, he then focuses his attention on the vice of intemperance, differentiating it from the modern concept of an addiction. He ends by showing temperance's close connection with other virtues—not only prudence, but justice as well. Roberts' essay thus represents an excellent model of the interconnection of the virtues we discussed earlier in this introduction.

The Capital Vices and the Corrective Virtues

A capital vice is a vice which directs a person towards an end and encourages the development of other vices in a person to achieve that end.[55] Rebecca DeYoung's *Glittering Vices* serves as an excellent introduction to the capital vices, including the history of this particular grouping of vices. DeYoung's book recounts how the reflection on the capital vices and their corresponding virtues originated in the Christian monastic tradition and developed into a central element of medieval Christian ethics and spiritual formation. The list appears to have originated with Evagrius on Pontus (346–399 AD). Cassian, one of Evagrius' pupils, treated the vices more systematically than did his teacher and referred to them as '*principia vitia*,' highlighting their ability to serve as the source of other offspring vices: 'There are eight principle faults which attack mankind; viz. first *gastrimargia*, which means gluttony, second fornication, thirdly *philargyria*, i.e. avarice or the love of money, fourthly anger, fifthly dejection, sixthly *acedia*, i.e. listlessness or low spirits, seventhly *cenodoxia*, i.e. boasting or vain glory, and eighthly pride.'[56] Gregory the Great's treatment in the sixth century pared the list down to seven, replacing dejection with envy, and treating pride as the root of the other seven. Gregory describes the capital vices' relationship to pride as follows:

> Pride is the commander of the army of the devil, and its offspring are the seven principle vices. All the vices that assail us are invisible soldiers against us in a battle of pride which rules over them; of these, some precede as leaders, others typically follow as the army. For not all vices take possession of the heart with equal effect. Rather, after a few great faults enter a neglected soul, countless lesser vices pour into the soul in waves. For pride itself is the queen of the vices, which, once it has completely seized and vanquished the soul, hands the battle over to the seven principle vices, as to its commanders. After these leaders of the army

[55] Some vices, e.g. gluttony, do not simply encourage the development of other vices, but produce other vices as effects of achieving their desired ends. For example, according to Aquinas, restlessness and callousness are effects of greed, since trying to find satisfaction in one's own consumable and transient possessions tends to leave a person discontented, as well as more inclined to selfishly overlook the needs of others in favor of one's own accumulation of wealth.

[56] As quoted in DeYoung (2009) 36.

follow troublesome multitudes of vices, which undoubtedly arise from them. We will understand this better if we enumerate these leaders and their armies as we are able. Truly pride is the root of all evil. . . . Her first progeny are the seven principle vices, which proceed from this venomous root, and they are: vainglory, envy, anger, sorrow, greed, gluttony, and lust.[57]

The current list of seven—lust, gluttony, avarice, sloth, wrath, envy, and pride—comes from Aquinas' treatment in *Summa Theologiae* IaIIae 84.3–4 when Aquinas collapses sloth and dejection, and treats vainglory as a species of pride. This list of these vices would come to be known more commonly as the *capital* vices, a term derived from the Latin *caput* or 'head,' a metaphor which can be seen in the description above of these vices as the principle and director of other vices.[58] According to DeYoung,

> Capital vices are defined in the tradition as vices which serve as fertile sources of other characteristic vices. They serve as final causes, orienting the person to a false conception of happiness and organizing patterns of thought, desire, and action around that end. The list of seven (or eight) vices was later designated the seven deadly sins, but this title has a different meaning, since 'deadly' refers to the distinction in Catholic moral theology between mortal and venial sin. Writers on the sins such as Thomas Aquinas deny that every act of a particular vice necessarily constitutes a mortal sin.[59]

Though often confused with 'the seven deadly sins,' the capital vices are better thought of as a particular class of vices which serve as the root or source of other vices, just as pride is often thought to be the root or source of all the vices. Though the capital vices are primarily associated with medieval Catholic accounts of virtue and vice, as the readings in this section indicate, both the vices and the corrective virtues associated with them are fertile soil for contemporary reflection.

The section on the capital vices opens with Colleen McCluskey's 'Lust and Chastity.' McCluskey's chapter shows how a number of contemporary treatments of sexual desire—such as that offered by Simon Blackburn—view lust as the virtue and chastity as the vice, contrary to the capital vice tradition. She begins by exploring the roots of the reflection on lust as a capital vice in the desert monastic tradition mentioned above. Even those Christian monks who took the strongest line against lust insisted that sexual desire in and of itself was not vicious, but good. Sexual desire becomes lust when it becomes inordinately strong and distracts one from higher goods. The monastic fathers' and mothers' practical reflection on the dangers of sexual desire

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[57] *Moralia in Iob* 31.45.87–90.
[58] Aquinas also writes that 'those sins are capital which have ends chiefly desirable as such, so that other sins are subordinate to such ends' (*De Malo* VIII.1.ad).
[59] This volume, page 178, note 5.

would be developed into a larger theoretical framework by the Middle Ages. In general, for Aquinas, a human acts virtuously when she acts in a way that (a) is in accordance with right reason and (b) which promotes flourishing. Sexual desire, in particular, is in accord with reason when it contributes to the good of the species, rather than the individual—that is, when it is aimed at procreation within a properly ordered relationship (that is, marriage). Excessive sexual desire, then, moves the individual to engage in sexual activities that are not aimed at the good of the species' procreation. As a result, those sexual activities which are aimed merely at pleasure (even within what Aquinas would take as a proper marriage relationship) are disordered. The virtue of chastity, on the other hand, moderates sexual desire by keeping it aligned with the order of reason. McCluskey distances herself from certain aspects of Aquinas' account, such as the claim that sexual desire needs to be aimed at procreation and not just pleasure to be virtuous and that contraception is always immoral. But she also rejects recent attempts to redefine lust as virtuous; her main foil here is Simon Blackburn, though a number of others have developed similar views. Part of the ostensible disagreement between the traditional view and the recent proposals as exemplified by Blackburn is terminological; but she then argues that Aquinas' view can better account for how vicious sexual desire can result in objectification. The desire for sexual activity apart from the love of friendship objectifies one's sexual partner; sexual activity solely for pleasure and not aimed at the good for friendship (which includes commitment) between individuals thus turns out to be vicious on McCluskey's account. She thus defends a modified version of the traditional account of lust and chastity, though one which admittedly includes a wider range of acceptable sexual activities and desires than Aquinas thought possible.

The next chapter also concerns a capital vice opposed to the cardinal virtue of temperance. In 'Gluttony and Abstinence,' Robert Kruschwitz treats the virtue of abstinence as more than just about our disposition to not eat too much, but rather in a holistic orientation of the individual to know and rightly desire the good. It is true that gluttony is the disposition for sensory pleasures associated with eating and drinking that has become disordered because it is directed toward something that is not good once all the relevant factors are. But Kruschwitz also shows how gluttony and the behaviors that it leads to are connected with justice and hospitality. The connection to justice is easily seen when one considers the impact that the typical American diet's over-reliance on factory-farmed meat has on the environment and national health. Kruschwitz also considers how gluttony is, and more importantly is not, related to a number of biomedical issues, such as genetic predispositions towards excessive appetites. He ends with a discussion of how certain practices associated with abstinence, such as fasting, can help train one's physical appetites.

Andrew Pinsent begins his 'Avarice and Liberality' by distinguishing the capital vice of greed from the contemporary tendency to broaden its meaning

to include its offspring vices, the general desire to have more, and various forms of injustice. The restricted understanding of avarice Pinsent focuses on is the disposition to overvalue money or possessions under the aspect of financial value. He notes a number of ways in which the desire for material wealth is unlike the desires for food, drink, and sex, a comparison that other treatments of avarice often make. Largely because of these differences, examination of the vice of avarice faces what Pinsent calls 'the failure of the rational mean': 'namely the fact that any attempt to address the question, "How much should I possess in order to live a virtuous life?" throws back a spectrum of answers.'[60] To help demarcate how and when the disposition for material wealth is vicious, Pinsent draws on recent work on prosopagnosia, or face blindness, and argues that avarice is vicious because it inhibits, or even destroys, second-personal relatedness with others. Money is particularly prone to such destruction because by its nature as a medium of exchange it reduces goodness to a single quantitative assessment, thereby encouraging a reductive outlook regarding value. Avarice thus counts against an individual's flourishing because it inhibits the individual's relatedness to and love for others.

In his treatment of the capital vices in the *Purgatorio*, Dante described lust, gluttony, and avarice as involving excessive or immoderate desire or love for things that we should love. In contrast, he thinks that sloth involves lax love, or the failure to be properly moved by the love or desire of things that we should be moved by. In her 'Sloth: Some Historical Reflections on Laziness, Effort, and Resistance to the Demands of Love,' Rebecca Konyndyk DeYoung shows how the capital vice tradition understands sloth to be much more—and much worse—than mere laziness. Tracing the history of *acedia* from its desert monastic roots through medievals such as Gregory the Great and Aquinas, she shows how the original understanding of sloth as a failure of spiritual commitment to what one knows one ought to do has been stripped and secularized to mere inertia or lack of effort. The corrective virtue, diligence, is also more than mere industriousness; it's a sign of proper love and devotion, ultimately to God and the loving relationships he calls us to. DeYoung also shows how a certain kind of industriousness—which she describes as frantic busyness and restless escapism—can itself be an expression of sloth insofar as it is an attempt to avoid the demands of love. DeYoung advocates a return to the historical conception of sloth, since this more robust understanding helps us see how both inactivity and intentional diversion can express resistance to charity.

Zac Cogley's 'A Study of Virtuous and Vicious Anger' adopts a roughly Aristotelian approach to the emotion of anger. Cogley's goal is to develop an

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[60] This volume, page 164.

account of what differentiates virtuous anger from vicious anger in a way that is informed by both philosophical psychology and recent empirical studies. Cogley explores three functions that anger can serve. First, anger is an appraisal that a particular situation is illegitimate, wrong, unjust, or otherwise wrong. Anger is not only an emotional reaction to a situation, but it is also a motivational source in response to that situation. Cogley argues that anger often should produce motivation to work toward realizing a morally laudatory purpose, such as fighting against injustice. (Two of Cogley's recurrent examples of virtuous anger are Frederick Douglass and Martin Luther King, Jr, who both used their anger to fight against social injustice and oppression.) Finally, anger serves a communicative social function, providing for emotional engagement with and transformation of others.

Within this understanding of the functions of anger, Cogley argues that anger is virtuous only when it is excellent with respect to each of these three functions: 'her anger is fitting, it motivates her to take assertively resistant actions, and she communicates her anger to others with nuanced attention to social norms governing its display.'[61] Anger which lacks excellence in any of these functions will be vicious; there are thus a plethora of ways to be vicious with respect to anger. Cogley's chapter ends with a discussion of two characteristic vices associated with anger: meekness and wrath. The meek person is an individual who is deficient with respect to all three of anger's functions: he fails to feel sufficient fitting anger, his anger fails to motivate him to work to change the situation, and he doesn't express his own anger and experience the anger of others properly. The wrathful individual, on the other hand, is excessive with respect to each of these functions: she feel excessively angry given the situation she is in, acts aggressively and impulsively on her anger, and is quick to communicate her own and others' anger in a way that is socially inappropriate. Whereas the meek individual is disposed to not taking himself seriously as a moral agent, the wrathful individual is morally overconfident and insensitive.

Not only philosophers, but also psychologists and economists have devoted energy to studying envy. The nature of envy, however, has been understood in quite disparate ways, sometimes being understood primarily as a reason for action, an economic and social force, an emotion, as well as a vice. In 'Envy and its Discontents,' Perrine and Timpe seek to give an account of envy as a capital vice and then show how that account is related to the range of treatments of envy one finds in the literature. The vice of envy, most generally, is the disposition to desire that another lose her good. But this description fails to be a definition. They begin by examining Thomas Aquinas' treatment of

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[61] This volume, page 217. Cogley prefers not to use the term 'patience' to refer to the virtue perfecting one's anger in order to avoid the contemporary connotations of passivity and quietude which the term often evokes.

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envy in the *Summa Theologiae* and argue that Aquinas' definition fails to properly mark off the complete class of envy from other nearby dispositions. They then modify Aquinas' definition and they argue that envy should be understood as the disposition to sorrow over another's good because of a perception of inferiority regarding the other's good. They then draw on recent work in economics and psychology to show how the divisiveness of envy damages both the envious person and the larger community, treating a number of the offspring vices of envy, such as jealousy, covetousness, greed, and injustice. They end the chapter with a brief discussion of the corrective virtues that help an individual overcome envy.

The final chapter in this section is Craig A. Boyd's 'Pride and Humility: Tempering the Desire for Excellence.' In this essay, Boyd argues that we can see a sharp distinction between Aristotelian magnanimity and the Christian virtue of humility. For Aristotle, the *megalopsychos* exemplified the pinnacle of morality. He is the self-sufficient paragon of virtue who gives to others but is reluctant to receive. In contrast to Aristotle's depiction of the self-sufficient *megalopsychos*, the Christian tradition of Augustine and Aquinas offers an account of humility that sees this as a species of pride. To deny our reliance on others—especially God—is to deny reality. It is 'right reason' that enables us to see that we are part of an indispensible community wherein we depend tremendously on the giving and receiving of assistance. But right reason also takes into account all the relationships we have—including our relationship to God and so it is a propaedeutic to the theological virtues of faith, hope, and love. That is, the agent must first recognize her need for divine grace before being able to receive these infused virtues. Boyd argues that the Thomistic account of humility can be viewed as one of Alasdair MacIntyre's 'virtues of acknowledged dependence.'[62] Without the healing work of humility, our relationship to God and to others remains irreparably severed.

Intellectual Virtues

The third section of the volume addresses a number of intellectual virtues. The current interest in intellectual virtue is more recent than the revival of virtue ethics. As mentioned above, Plato appears to have held that all the virtues are identical, that 'knowledge of good and evil' is 'the whole of virtue,' thereby turning all vice into ignorance.[63] Aristotle's differentiation between vice, incontinence, continence, and virtue entailed that it was possible for a person to possess intellectual virtue but not moral virtue. He also expanded the list of epistemic virtues in book VII of the *Nicomachean Ethics* to include not only

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[62] MacIntyre (1999).   [63] *Laches* 199d–e.

phronêsis (translated into the Latin as *prudentia*), but also *sophia*, *technê*, *epistêmê*, and *nous*. Aquinas, following the Philosopher, endorsed this list:

> [Aristotle] refers to his work on morals, that is *Ethics* 6, where he discusses the way science and art and wisdom and prudence and understanding differ. To put it briefly, wisdom and science and understanding are in the speculative part of the soul, where he here calls the scientific part of the soul. They differ in that understanding is the habit of the first principles of demonstration; science concerns conclusions about lesser things, whereas wisdom considers the first causes, so in the same place it is called the chief of the sciences. Prudence and art are in the practical part of the soul, which reasons about contingent things that can be done by us. But they differ, for prudence directs actions which do not pass into exterior matter but are perfections of the agent; hence prudence is called there right reason about things to be done. But art directs in making, which passes into exterior matter, such as to build and to say; hence art is called right reason about things to be made.[64]

For Aquinas, the intellectual virtues other than prudence (which, as seen above, is a cardinal virtue) are only virtues in a qualified sense insofar as they make individuals capable of good activities but are compatible with a bad will. The only exception here is prudence which, insofar as it is also a cardinal virtue as seen above, 'is essentially connected with good desire and that is therefore essentially ordered to a good use of the intellectual capacity.'[65]

However, despite this historical connection, the past three decades have seen the development of explicitly virtue-based positions in epistemology, a development that has reinvigorated the connections between ethics and epistemology. Virtue epistemology can arguably be traced to Ernest Sosa's work in the 1980s.[66] Soon, Jonathan Kvanvig,[67] James Montmarquet,[68] and Linda Zagzebski[69]—among others—had devoted entire manuscripts to developing and defending virtue epistemology. Though these approaches, like virtue ethics itself, are diverse, there is a general unifying schema which Christopher Hookway describes as follows: virtue epistemologies are '(1) approaches to the most central problems of epistemology (2) which gives to states called "intellectual" or "epistemic" virtues (3) a central or "primary" explanatory role.'[70] That is, these approaches have at their heart a commitment to various intellectual excellences in the process of belief acquisition and formation. As Zagzebski and DePaul describe it, 'at a minimum, virtue epistemology is

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[64] *In Meta* 1, lecture 1, n. 34; as quoted in Hoffmann (2012), 329. Aquinas' treatment of the intellectual virtues is significantly less tied to Aristotle in the *Summa Theolgiae*, both in terms of how they are presented and how they are understood.

[65] Hoffmann (2012), 328.

[66] Many of Sosa's early papers on intellectual virtue are collected in Sosa (1991), particularly parts III and IV.

[67] Kvanvig (1992).   [68] Montmarquet (1993).

[69] Zagzebski (1996).   [70] Hookway (2003), 183.

characterized by a shift in focus from properties of beliefs to the intellectual traits of agents. The primary bearer of epistemic value is a quality of the agent that enables her to act in a cognitively effective and commendable way.'[71] Shortly thereafter they continue:

> Virtue epistemologists understandably concentrate on the ways the idea of virtue can help resolve epistemological questions and leave the conceptual work of explaining value to ethics. Clearly, then, virtue epistemology needs virtue ethics. But . . . virtue ethics also has something important to learn from virtue epistemology. Perhaps due to historical accident, virtue ethicists have had little to say about intellectual virtue. They generally take for granted that the moral and intellectual virtues are not only distinct, but relatively independent.[72]

In part because of the collection that the above quotation comes from, recent years have seen significant interaction between virtue ethicists and virtue epistemologists that go beyond just the need for prudence in developing moral virtues. This connection is addressed in a number of places in the following chapters,[73] but there are other relations between the epistemic and moral virtues as well.

In this section, we have departed from the Aristotelian list of the intellectual virtues. One reason is that *phronêsis/prudentia* is treated in the section on the cardinal virtues. But we have also chosen to not include chapters devoted to *technê* or *epistêmê* given that they, as described above, are only virtues in a qualified sense. The section opens with an essay on trust by Linda Zagzebski. According to Zagzebski, trust comes in both practical and epistemic forms, but both forms are complex attitudes involving belief, feeling, and behavioral components. Epistemic trust, both in terms of self-trust and as placed in others, is pre-reflective and rationally inescapable if we're to avoid skepticism. However, epistemic trust, according to Zagzebski, isn't an intellectual virtue, in part because trust can be misplaced. But it is closely related to intellectual virtue in a number of important ways.[74] First, many of the intellectual virtues presuppose epistemic trust and would not be virtues if it were not for the reasonableness of epistemic trust. Furthermore, many of the intellectual virtues are either enhancements of epistemic trust—as in the cases of intellectual courage, perseverance, and firmness—or—as in the cases of intellectual humility and open-mindedness—constraints on it. Zagzebski also elucidates ways that the intellectual virtues can help prevent trust from becoming either excessive or deficient.

The other two chapters in this section are traditional Aristotelian intellectual virtues, and both draw on the connections with virtue epistemology

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[71] DePaul and Zagzebski (2003), 1.   [72] DePaul and Zagzebski (2003), 2.
[73] See not only the chapter on prudence, but also the chapter by Perrine and Timpe on envy and Boyd's chapter on pride and humility.
[74] For another discussion of the close connection between trust and virtues, see Annas (2011), 73f.

mentioned above. First here is John Greco's '*Episteme*: Knowledge and Under-standing.' Greco has two main goals in this chapter. The first is to argue that *epistêmê* is better translated as 'understanding' than as either 'knowledge' or 'scientific knowledge.' Insofar as Aristotle claims that one has *epistêmê* only if one can 'give an account' of the thing in question, *epistêmê* should not be understood as knowledge insofar as one can have knowledge of some true proposition even if one can't give an account of why that proposition is true. While scientific knowledge does involve 'giving an account,' *epistêmê* differs from it in that one can have *epistêmê* of things that fall outside the scope of science's domain. Greco then defends a neo-Aristotelian account of the nature of the intellectual virtue. *Epistêmê*, for Aristotle, requires that one 'has the appropriate sort of confidence, and knows the principles.'[75] Greco argues that Aristotle's notion of 'cause' should be replaced with dependence relations more generally (including, in addition to causal dependence, logical and supervenient relations). More specifically, to understand a thing is to be able to (knowledgeably) locate it in a system of appropriate dependence relations. Greco then defends this account from two objections, both of which deny that understanding is a kind of knowledge at all, and therefore cannot be under-stood as knowledge of dependence relations.

Jason Baehr's '*Sophia:* Theoretical Wisdom and Contemporary Epistemol-ogy' aims to shed light on the nature of *sophia* and why it should be seen as an intellectual virtue. He begins by giving reasons for why contemporary phil-osophers ought to care about *sophia*; he then delineates three different ways of understanding the nature of *sophia*, each of which he claims has some prima facie plausibility:

(a) as an understanding of *sophia* as involving the grasp of fundamental metaphysical truths and of various truths that follow from them, which he calls the 'epistemic state' conception;

(b) as the cognitive faculty or capacity in virtue of which a person can know or understand the content in question, which he calls the 'cognitive faculty' conception; and

(c) as a kind of personal orientation or character trait that is directed at and helps its possessor lay hold of these truths aimed at in the epistemic state conception, a conception which he calls the 'intellectual trait' conception.

Baehr then shows how each of these conceptions of *sophia* figures relative to various issues and debates in contemporary epistemology, such as epistemic significance, understanding, the value problem, reliabilism, and responsibi-lism. His goal in this section is to pave the way for renewed reflection on *sophia* and related epistemic concepts.

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[75] *NE* 1139b 34–5.

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The Theological Virtues

The fourth section of the book addresses the most distinctive Christian contribution to the virtues: faith, hope, and charity.[76] Paul the Apostle mentions that 'These three remain: faith, hope, and love. But the greatest of these is love.'[77] The Christian tradition latched onto these three 'virtues' as the key point of differentiation between its own views on morality and those of the surrounding pagan culture.[78] This stemmed from basic theological beliefs about human nature, sin, and grace.

In contrast to the pagan tradition of antiquity, the early Christians saw themselves as fundamentally alienated from God and they could only be reconciled through the divine grace offered by Christ. Sin, therefore, was not merely 'weakness of will' or ignorance, but an alienation from God resulting from a 'turning away' from the true human good. Although human reason, on its own, was powerless to save the human soul, it could recognize its need for the salvation that could come only through the grace of God. Some thinkers, like Augustine, argued that there could be no virtue whatsoever without grace. Others, like Aquinas, held that pagans could practice a kind of 'imperfect' virtue.

Augustine says, 'No one can have true virtue without true piety, that is without the true worship of God.'[79] But for Augustine this meant that one first had to receive divine grace before any act whatsoever could be understood as 'good.' 'Pagan virtue,' such as it was, could not be considered true virtue because there was no recognition that God must be the one to whom all human activity is directed. Only by a *conversio* of the will (i.e. a 'turning back to God') could a human agent's actions become virtuous. As a result, true beatitude could only be found in God.

Aquinas sees the distinction in terms of 'imperfect' and 'perfect' happiness. Certainly, Aristotle's virtuous person could achieve a certain kind of 'happiness' in this mortal life by developing the cardinal virtues. But the problem is that humans are destined for the 'perfect' happiness of communion with God. Since sin prevents them from achieving this on their own they need the theological virtues. He says,

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[76] Pieper (1986) notes that 'the English word for love is inadequate as we use it to cover too many activities. The Greek *agapé* or the Latin *caritas* better expresses the idea conveyed in the sense of love as a theological virtue.'

[77] 1 Corinthians 13:13.

[78] Wisdom 8:7 mentions the four cardinal virtues but they do not seem to play an important role in Christian thought until late antiquity or the early Middle Ages. Augustine's *On Free Choice of the Will* briefly develops each of the four cardinal virtues and follows Aristotle's ranking rather than Plato's.

[79] *City of God* V.19.213.

> Certain additional principles must be given by God to man by which he can thus be ordered to supernatural happiness, just as by natural principles he is ordered to a connatural end, though without divine help. The additional principles are called theological virtues: first, because they have God as their object, inasmuch by them we are rightly ordered to God; secondly, because they are infused in us by God alone; and finally, because these virtues are made known to us only by divine revelation in Sacred Scripture.[80]

Following Augustine, Aquinas contends that the agent needs to have God as the object of these virtues in order to have our lives 'rightly ordered.' Secondly, the agent acquires them not by her own efforts but by the 'infusion' of divine grace. They each may grow as a habit—as all virtues can—but they must first be given by God. Thirdly, we know of them only through the divine revelation of the Scriptures. Again, unaided natural reason could not discover these virtues on its own but needs the revelation of the Scriptures—as a witness to the grace of Christ—in order to know that the truly virtuous life is one of faith, hope, and charity.

These virtues were not merely ad hoc accretions to an already complete set of 'secular Aristotelian virtues' but transformed the moral and intellectual virtues at their core.[81] Christian prudence is shaped by charity and faith to the extent that 'right reason' sees new relationships—e.g. with the divine trinity—that unaided natural reason could not even imagine. Humility and magnanimity see the tempering and striving for excellence in an entirely new way—with reference to one's desire for the honors only God can bestow and with regard to one's place in the universe vis-à-vis God and one's neighbor.

The first chapter in this section, 'Faith as Attitude, Trait, and Virtue' is by Robert Audi who argues that we can distinguish faithfulness in three ways. First, we can consider it as an attitude as when we speak of someone who has 'faith in' another person or an institution. This is not properly a moral use of the term. A second use of the term can be one of a 'trait.' Here, we mean that a person has a kind of loyalty to another person whether or not that other person is morally good or not. The primary element here is that faith is a kind of 'allegiance' to another. And a third notion of faith is as a psychological virtue. Audi believes there are six important conceptual dimensions to the idea of a virtue of character: situational, conceptual, cognitive, motivational, behavioral, and teleological. From this point he argues that there are two kinds of virtues: moral and non-moral. Moral virtues are valuable in themselves and so we find justice and honesty. Others are non-moral (or 'adjunctive') and here we find courage and conscientiousness, which can be found in very immoral individuals.

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[80] *ST* I-II.57.1.
[81] For a worthwhile discussion of the relationship between the theology and moral virtues in Aquinas, see Pinsent (2011).

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Faithfulness seems to be an adjunctive virtue as it adheres to persons—while not necessarily judging the moral character of those persons. As directed toward God and neighbor (i.e. as a 'theological' virtue) it is both a virtue of character since it is grounded in love and a moral virtue in the sense that it has an egalitarian concern for others. So religious faith can be a character trait or a kind of attitude towards God. But it can also be construed as a virtue of personality. In this last case, faith has God as the right kind of 'object' and integrates the believer's life accordingly.

Charles Pinches' 'On Hope' develops the idea that hope is not merely an animal or human emotion but a theological virtue that orients the self to God. In a generic sense hope (1) is a 'tensed' emotion, and (2) aims at a 'difficult good.' It is tensed in the sense that we recognize something we do not presently have but wish to attain in the future and so there is a temporal gap between our initial desire and the attainment of the object of our hope. It also aims at a difficult good. I do not hope for air but I do hope for a long life. But what distinguishes 'natural hope' from the theological virtue of hope is the 'object.' And the object of hope as an 'emotion' can be any end—good or bad—that an agent may desire. However, the 'object' of hope as a theological virtue is communion with God.

Hope 'expects' and 'waits for' what faith affirms. In this sense, faith is a theological virtue of the intellect since it informs us of the truth about God. But hope is a virtue of desire since it concerns the 'difficult good,' but what is unique about hope is that it 'leans on God' for its help. This leaning on God ties hope together with charity since we hope for communion with God in the beatific vision. Yet, this hope is not only for the next life but applies to this one as well. In the last section of this essay Pinches shows how theological hope can shape and inform Christian politics by rejecting the 'false hopes' promised by utopian societies or by 'scientific progress.'

In the final essay of this section, Paul Wadell's 'Charity: How Friendship with God Unfolds in Love for Others,' the discussion once again focuses upon an interesting comparison-contrast of Aristotle with Aquinas. Aristotle claims that friendship plays a central role in the moral life but believes that friendship with God would be absurd. Aquinas, however, takes the idea of friendship as a 'participation' in the life of the other and applies it to the triune God of Christianity. For Aristotle there was an unfathomable gulf between the human and the divine since 'friendship' could only be had between 'equals.' But Christ bridges that gulf in grace so that God draws the creature into participation in divine beatitude. As a result, grace not only enables us to be 'friends' with God but elevates us so that we can become 'participants' in the divine life itself.

Genuine charity does not merely love God for God's own sake—which it does—but also implies that we love others as we love ourselves. That is, we come to love the neighbor as a 'second self' in that we come to desire the good

of 'friendship with God' for the neighbor. But we also love others because God loves them. That is, when we love a friend we come to love those whom the friend loves—and in this way love 'unfolds' to others—even for those whom we may have a natural enmity. And so charity enables us to move beyond our 'natural' predilections for those whom we instinctively love to love for our enemies. The ways in which love 'unfolds' for others is through the practices of mercy, kindness, and almsgiving.

Virtues in Other Disciplines

Philosophy does not hold a monopoly on the study of the virtues. Other disciplines, especially theology and psychology, have taken an interest in these issues, as character traits seem pliable enough to function in a variety of disciplinary contexts.

In the first essay in this section, 'Virtue in Theology,' Stephen Pope begins by noting that theology is not like any other discipline because it requires the participation of the practitioner in the subject. That is, theology is a discipline that requires belief prior to its reflection; in this it follows the famous dictum '*credo ut intelligam*.' It arises out of the life of the community's reflection on the covenantal relationship with God and the community's 'journey to God.' As such, theology sees the virtues not only as helps for the present life but also as habits that prepare us for a deeper communion with God in the life to come. This communion with God is the source of true human happiness. As with most contemporary philosophy of religion, Pope approaches God in light of the Judeo-Christian tradition; while much of what he says may also be applicable to other religious traditions, it is clear from his chapter that he is allowing the particular theological tradition he's working within to shape his treatment. Although the Hebrew and Christian Scriptures speak more to list of commands, admonitions, proverbs, and parable, they provide a rich tapestry to draw upon for a study of the virtues.[82] As mentioned above, the three most important of the Christian 'virtues' are the Pauline virtues of faith, hope, and love (1 Cor 13:13). Faith orients us to God on our journey; hope gives us courage for the journey; and charity sustains us on the journey by 'going with, and to God' with those whom we love. These 'virtues' for the journey also reform the cardinal virtues in ways that are directed towards God and to others rather than primarily to our own happiness. In this way, the theological virtues paradoxically bring us happiness: we attain happiness not by seeking it directly but by seeking it indirectly in the good for others. Pope's essay, while summarizing some of the materials dealt with in greater detail elsewhere in

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[82] See for example, Meeks (1995).

this volume, also shows how a focus on virtue can shape much of one's theological reflection.

Christie Hartley and Lori Watson's 'Virtue in Political Thought: On Civic Virtue in Political Liberalism' advances the idea that civic virtues are those that are central to social cooperation; as a result, any kind of political body requires these sorts of virtues even though they do not require 'moral virtues.' They contrast perfectionist and anti-perfectionist theories of the state. Perfectionist models, such as Aristotle's, posit an objective good for human life and orient the society to that good. In contrast to these views, anti-perfectionist models along the lines of John Rawls believe the state should be 'neutral' concerning what constitutes an objective account of good life. Hartley and Watson defend a liberal understanding of political virtues in the tradition of Rawls who famously argued for a heteronomous account of the good.[83] Because we can reasonably disagree about what constitutes the good life, we should advocate civic virtues such as fairness, civility, tolerance, and reasonableness. This assumes two ideas that are central to political liberalism: the public use of reason and reciprocity. The public use of reason concerns how people in a pluralist society argue for the same basic freedoms and opportunities from a political perspective and not those based on religious or other beliefs. Reciprocity means that we allow others the same freedoms we allow ourselves in their pursuit of the good and that they permit us the same freedoms. As a result, some virtues will necessarily shape political organizations. These will include fairness, tolerance, and reasonableness. But it is important to remember that on this view civic virtues are instrumental in a citizen's pursuit of the good and not constitutive of it.

The third chapter in this section is, 'Virtue in Positive Psychology,' by Everett Worthington et al. They contend that positive psychology, the psychology of religion, and spirituality are interested in the study of virtue. These converging trends share a common core of concern with virtue and suggest that our knowledge of both the psychology of religion and spirituality and positive psychology could be enlarged by entering into more active dialogue among these fields.

Positive psychology, a relatively new discipline, has focused on three main areas: positive emotions, happiness, and character strengths. Religion, however, concerns the set of beliefs, practices, etc., of like-minded individuals. Spirituality, though, focuses on the personal experiences an individual has with a sacred object.

Although one can readily see that religion with its corporate concern for morality—and spirituality with its personal response to the sacred—would be

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[83] Rawls (1971), 554. Rawls says, 'Although to subordinate all our aims to one end does not strictly speaking violate the principles of rational choice . . . it still strikes us as irrational, or more likely as mad. The self is put in the service of one of its ends for the sake of the system.'

linked closely to the development of virtue, this has not been so for psychology until recently. But psychologists have turned their attention to three areas particularly—cognitive psychology, a non-rational understanding of will-power, and a moral intuitionist model of moral emotion. These areas explore the importance of emotional and moral 'set points' that people can develop over time into positive character traits or virtues. In keeping with the traditional religious and philosophical understanding of the virtues one must practice the virtues repeatedly in order for them to develop appropriately.

James Van Slyke's chapter on 'Moral Psychology, Neuroscience, and Virtue: From Moral Judgment to Moral Character,' explores the recent scholarship on the neuroscientific explanations of moral virtues. This work suggests a dual processing model of moral deliberation that appeals to both cognitive and affective mechanisms. But central to this work has been the discovery or 'mirror neurons' that enable humans (and other more developed animals) to mimic the activities and emotions of others. This ability to mimic others serves as a necessary condition for practical reason in the sense that our moral deliberation is an acquired skill much like that of a musician who mimics and then internalizes the processes of her craft. As the musician learns her craft the ability becomes like a 'second nature' to her where she 'knows' and 'feels' what and how she should play.

Much of the data on moral decision-making come from the work of people like Jonathan Haidt and Joshua Greene who have used fMRI techniques to measure neural activity when subjects process moral dilemmas. The results demonstrate that cognitive and affective responses vary according to the relative personal or impersonal conditions the subject considers. Of course, Van Slyke points out that there are serious limitations on what fMRIs can indicate about 'moral character' from isolated thought experiments in a laboratory context. Moreover, virtue theory considers the narrative of a person's life including how one's character has been formed prior to any particular moral decision.

In her chapter, 'Virtue and a Feminist Ethics of Care,' Ruth Groenhout argues that attempts to categorize an 'ethic of care' are problematic since these efforts assume the 'standard taxonomy' of ethics. This standard taxonomy divides normative theories among consequentialist, deontological, and virtue based approaches. The key problems with this taxonomy are that it unreasonably emphasizes individual decision-making and is reductionistic with regard to thinking that one aspect of our lives is the one salient aspect of our moral lives. That is, it places undue emphasis on agents, acts, and consequences. The ethics of care, however, as well as Confucian ethics place emphasis on relationships, personal narratives, and the much neglected role of emotion in moral decision-making. The ethics of care and virtue ethics do share a number of similarities in that they highlight the importance of relationships and reject the reason–emotion dichotomy. However, the excessive focus on the 'agent'

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neglects the importance of the relationships that have shaped the agent. This truncated view of normative theory fails to account for the complexities of relationships in virtue ethics, an ethic of care, and Confucian ethics since the standard taxonomy fails to consider issues beyond the consequences, the agent's motivation, and the isolated act in question.[84]

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The Virtues of Justice[1]

David Schmidtz and John Thrasher

THINKING ABOUT JUSTICE

We do not need to know how to define 'dog' to know what a dog is. Why would justice be different?[2] Socrates famously wanted definitions, not mere examples, but in practice we often learn by example. Does philosophical training lead us to exaggerate the importance of definitions?

 As Nietzsche once remarked, 'only that which has no history is definable.'[3] And justice has a history. As concepts with a history are wont to do, justice resists specification with necessary and sufficient conditions. However, on almost any analysis, just relationships are those in which the parties involved get their due, and just persons are disposed to act so that partners get their due.[4] There was a time when justice was seen by philosophers as a virtue of persons—a feature of a person's character. Think of this as an internal harmony in which each part of a person's soul gets its due, as per Plato. Justice

[2] For a superb concise discussion, see Gerald Gaus (2000). Gaus quotes Wittgenstein (1964), 31–2:

> Consider for example the proceedings that we call 'games.' I mean board-games, card-games, Olympic games, and so on. What is common to them all? Don't say; there *must* be something common, or that they would not be called 'games'—but *look and see* whether there is anything common to all. For if you look at them you will not see something that is common to *all*, but similarities, relationships. And a whole series of them at that. To repeat: don't think, but look!

[3] Nietzsche (1989), 2nd Essay §13, 80.
[4] Likewise, on almost any analysis, justice is something we have reason to endorse. In other words, learning that our children would grow up to be just, or would live in a just society, should occasion joy, not despair. We think people being disposed to give each other their due (and able to *count* on each other being so disposed) is part of the glue that holds relationships together and enables people to live in such a way that their community is better off with them than without.

also can be, has been, and to this day is, seen as a feature of the relationships, institutions, and terms of engagement through which people constitute themselves as communities. Think of this as a kind of harmony too, in which citizens share a tolerably similar understanding of what free and equal citizens are due.

The above remarks emphasize the underlying consistency of our thinking about justice. Admittedly, however, many an honest reader of Plato's *Republic* feels an uneasy skepticism about whether harmony among parts of the polis is simply a 'writ large' form of harmony among parts of the soul, rather than a separate topic. Once we see them as separate topics, it is natural to wonder whether they are even related.

Yet, there is a relation, for we are social beings. When we live in communities, our psychology makes it essential to our internal harmony that we engage our community in a particular way: honestly and sympathetically; constructively and creatively; humbly, for we can be wrong, yet bravely, for whole communities can be wrong too. Finally, as David Hume and Adam Smith understood, we must judge *impartially*, because we cannot be part of a healthy network of reciprocal sympathy until we become skilled at seeing things from perspectives of our would-be partners. We need terms of engagement that enable us to flourish together when we *do not even agree on what the terms of engagement ought to be.*

In short, to be harmonious souls, we need to be co-authors of a harmonious community. Thus, while the virtues of a person are logically distinct from virtues of a harmonious community, the connections are robust in two directions. First, the harmonious soul of a social being wants to be a contributing part of a harmonious community. Second, a harmonious community essentially is one that teaches (and otherwise induces) citizens to become harmonious souls. *This* harmony bears on justice in the modern sense. That is, a virtuous community does not take for granted the virtue of its citizens. It treats good character as the endogenous variable that it is, shaped by the community in which characters grow. A harmonious community teaches a citizen to see good reason (when there is good reason) to obey the rules, and to be disposed to obey rules even in cases where obeying rules does less good (for self or others) than breaking them.

This essay considers (and endorses) three complementary conceptions of justice as virtue. To the two senses of justice just mentioned—justice as a virtue of the soul and of the polis—we add a third that bridges these two. Virtue can be a kind of outreach rather than a kind of internal harmony, because we are talking about essentially social beings. The harmony that is this virtue's object is harmony *with* a community. Thus, a person who is just in this sense is disposed to respect (play within the rules of) institutions that command respect by virtue of *actually working*—that is, actually succeeding in encouraging and enabling people to live in harmony, to peacefully flourish in

mutually advantageous ways. A just person in this sense is disposed to respect just institutions even when such respect is not personally advantageous, indeed (as Hume saw) when such respect is not even good for the community in the particular case.

We begin by asking what it would be like to make progress in theorizing about the nature of justice as a virtue.

DIVERSITY

Commenting on Thomas Scanlon's *What We Owe Each Other*, David Gauthier observes that 'what we owe to others' is not the first question. Before asking that, we could ask why we should assume we owe *anything* to others.[5] The question is neither skeptical nor sinister. It is simply a paradigm of the sort of question that philosophers learn not to take for granted. It is the sort of question that ought to have an answer, and being able to answer it would be illuminating.

The idea that justice is something we have reason to endorse might be thought to beg the question in favor of consequentialism by presuming that the good is prior to the right. Not so. First, people have different conceptions of justice. When people have different conceptions, then theorizing about justice will be a search for reasons to view justice in one way rather than another. This is so regardless of whether the good is prior to the right.

Second, the generic idea—that justice has to do with what people are due—has content that does not reduce to how the concept relates to human flourishing. (For example, it seems built into the concept that punishment is not an innocent person's due.) But the fact remains that there are many ways of fleshing out the generic idea. Sorting out rival conceptions sometimes requires going beyond considerations internal to the generic concept. When everything built into the generic concept has been brought to bear on the task of sorting out rival conceptions, without resolution, then that leaves us with no reason not to appeal to considerations transparently external to justice. Such considerations sometimes reveal that not all ways of conceiving our due are equally good.

Moreover, the thought that some external considerations are worth caring about implies nothing about whether external considerations are more fundamental than, or morally prior to, principles of justice. They are merely external, and that is the point. Because they are external, they can serve as non-question-begging avenues for continuing inquiry when there is nothing more to say by way of giving internal reasons for favoring one conception

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[5] Gauthier (2003).

over another. If our intention is to be talking about justice as something we are better off with than without, and if justice conceived in a particular way would make us worse off, that tells us that justice conceived in that particular way is not what we are after.

Again, however, none of that implies that 'better off' and 'worse off' are foundational ideas. If justice is itself foundational, it may have no deeper foundation. In that case, we can ask what justice is a foundation *for*. We can evaluate the soundness of a house's foundation without presuming there is something more foundational than the foundation. We ask what can be built on it: what kind of house, what kind of life. We do all this without forgetting for a moment that foundations are not everything.[6]

Disagreement

Reasonable people disagree about what is just. Why? This itself is an item over which reasonable people disagree. Analyses of justice all seem to have counter-examples. We have looked so hard for so long. Why have we not found what we are looking for?

In part, the problem lies in the nature of theorizing itself. We have learned from philosophy of science that for any set of data, an infinite number of theories will fit the facts. Theorizing per se does not produce consensus. To be sure, social pressure produces consensus. But consensus is not what we are after.

Why not? Either an argument is sound, or not. So why isn't a theory compelling to all of us, if sound, or none of us, if not? As noted, our account of justice is not even trying to give necessary and sufficient conditions. A theory in our sense is more like a map that represents some particular territory without purporting to show everything. Maps are practical. We want a particular map because we want to go somewhere and arrive safely. If we are traveling by car, we will want a road map. If we are traveling by foot, we may need another kind of map, perhaps a topographic map. The two maps will differ markedly even if they are mapping the same territory and even if they each are doing so successfully on their own terms.[7]

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[6] As to whether justice actually is foundational, there is a thicket of questions here that may have answers, but not quick answers. It is possible for something to be foundational—that is, conversation-stopping—in one context but not another. It is possible for something to be foundational at one level of inquiry but not in another. So, 'blue' might be a conversation-stopping answer to 'what color is the sky?' but not to 'why is the sky blue?' 'Because it's just' can be a conversation-stopping answer to 'why should I give my employee the wage she earned?' but not to 'what makes you so sure that justice requires us to equate wages with earnings?' See Schmidtz (2006).

[7] A good cartographer is cautious about extrapolating. So too with the best maps of the terrain of justice, perhaps especially the best ones. They will be like a map whose author declines to speculate about unexplored avenues, knowing there is a truth of the matter yet leaving those

We would be astounded if two cartography students separately assigned to map the same terrain came up with identical maps. We would doubt they were working independently. Theorists working independently likewise construct different theories. Not seeing how the terrain underdetermines choices they make about how to map it, they assume their theory cannot be true unless rival theories are false, and seek to identify ways in which rival accounts distort the terrain. Naturally, they find some, and such demonstration seems decisive to them, but not to rivals, who barely pay attention, preoccupied as they are with demonstrations of their own.

Intractable though these theoretical disagreements may seem, there also (theorists seem to agree) seems to be less disagreement over how we should treat each other day to day. Why? Part of that is due to the tendency of harmonious, healthy souls not to suffer from an urge to fix what is not broken. To be sure, some people believe that justice requires us to tear down existing institutions and rebuild society so that it conforms to justice as they conceive it. Others may feel the same, differing only in the particulars of their vision of what has to be torn down and what has to replace it. When we stop theorizing and leave the seminar room, though, we deal with the world as it is. I find my car in the parking lot. You find yours. We drive off without incident. The fact, mundane yet striking, is that we do not need daily discussion of how cars ought to be distributed, and the very fact that no discussion is needed is constitutive of successfully specified terms of engagement. If we are to live in harmony, we need a level of consensus on a long and mostly inarticulate list of 'dos' and 'don'ts' that constitute the ordinary sense of injustice with which we navigate in our social world. The consensus we need to achieve concerns *how* (not why) to treat each other, and we need to achieve consensus where we do achieve it: in practice.

In effect, there are two ways for people to agree: we can agree on what is correct, or on who gets to decide. Freedom of religion took the latter form; we learned to be liberals in matters of religion, reaching consensus not on what to believe but on who gets to decide. No conception of the one true religion is allowed to be imposed on everyone else, no matter how certain people feel about the truth of the matter. Freedom of speech is the same. The point of respecting freedom of speech isn't to impose a conception of the truth, or even a conception of 'diversity.' The point is to *stop presuming to decide as a society*. Isn't it odd that our greatest successes in learning how to live together stem not

parts of the map blank. Imagine the proverbial blind people groping around the body of the elephant. Since the beast is not everywhere the same, reports from the tail are bound to be unlike reports from the trunk. The reports may all be correct, too, so long as the reporters are wise enough to resist the temptation to over-generalize from their own experience, and humble enough to resist the temptation to think something must be wrong with anyone who has a different perspective.

from agreeing on what is correct but from agreeing to let people decide for themselves?

Justice, whatever else it is, has to do with people getting their due. In part because justice is about people getting their due when they do not even agree on what to count as their due, justice is about who gets to decide what people are due. It is about defining jurisdictions that respect persons who may want and need to share the *road*, but who may neither want nor need to share a *destination*. Thus, the ubiquitous fact of disagreement, and the imperative to come to terms, peaceful terms, with people who may have very different theories about how things ought to be, give people a reason to seek a conception of justice that is in this sense *liberal*—a conception that aims not to dictate our destination so much as to manage traffic, including commercial traffic, so that we may avoid harmful collisions and also so that we may find our own way toward local opportunities for mutually advantageous cooperative ventures. The goal is to limit piracy and parasitism (including parasitism wrapped in the rhetoric of justice), thereby facilitating trust, and thereby promoting gradual, reliable, peaceful progress.

To the extent that jurisdictions express mutual respect, they express impartiality as well. No one has to accept being relegated to a category of persons whose destination in life is dictated by someone else. Just jurisdictions embody terms of engagement that everyone can live with.[8] Perhaps some people are unreasonable; perhaps not. Part of being just is acknowledging that, so long as they are not acting in such a way that we truly would be better off without them, it is not our place to pronounce on their reasonableness. Suppose we want something from them. Suppose we want what they can give us so badly that we are tempted to deem them unreasonable if they do not give it to us. Still, even in that case, justice is not about convincing ourselves that they are unreasonable. It is about finding a way to offer them what they want in return, such that each of us can truly say our partners are better off with us than without us.

FROM CHARACTER TO COMPACT

Plato and Aristotle saw justice as a virtue of persons, as did the Stoics. So did David Hume. The difference between these ancients and Hume is that, for Hume, although justice is a personal virtue, it is also an 'artificial' one. Natural justice is relatively invariant because the circumstances of justice are preloaded

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[8] Part of the tragedy here is that we cannot take 'everyone' literally. To be honest, we have to mean something like 'everyone but criminals.' Or more precisely, albeit recursively, 'everyone disposed to find and live by terms of engagement that everyone (similarly disposed) can live by.'

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into our psychology in the form of moral emotions. They are also 'artificial' because in each particular society, the natural emotions of resentment and guilt will generate and reinforce rules of justice. Because circumstances vary, the particular rules of the road developed to instantiate frameworks for mutually advantageous cooperation will not be universal. Rules of justice vary in an analogous way. Hume writes:

> All birds of the same species, in every age and country, build their nests alike: In this we see the force of instinct. Men, in different times and places, frame their houses differently: Here we perceive the influence of reason and custom . . . all houses have a roof and walls, windows and chimneys; though diversified in their shape, figure, and materials. The purpose of the latter, directed to the conveniences of human life, discover not more plainly their origin from reason and reflection, than do those of the former, which point to a like end.[9]

Outside of what Hume calls the 'circumstances of justice' (that is, circumstances of moderate scarcity and limited altruism), justice would be 'an idle ceremonial, and could never have place in the catalogue of virtues.'[10] Justice allows a society to do better than it might do otherwise. He writes, 'the necessity of justice to the support of society is the sole foundation of that virtue.'[11] We benefit from the disposition to follow the rules of justice because of the goods that rules of justice help us to secure when mutually observed. If justice conceived in a certain way failed to conduce to peaceful cooperation even on balance, justice so conceived would lose its point. It would be like a hammer for which there is no need—a dead weight.

As Julia Annas notes, the Humean distinction between artificial and natural virtues makes less sense in the ancient context than in ours.[12] Virtue, for the ancients, was a necessary condition for living a happy and successful life. Any virtue including justice has to be natural in Hume's sense because all virtues conduce to living well *without fail*, not merely on balance.

This understanding of justice is implausible to a modern ear. To moderns, justice can require sacrifice. Imagine Pete learns that he has inadvertently committed a crime. Being a just person, he turns himself in to the authorities. The virtue of justice, in this case, leads Pete to give up on what a modern would think of as flourishing. How can we say then that justice is a natural virtue, necessary (and on some views sufficient) for flourishing when acting justly can be so costly?[13] One ancient approach was to tie flourishing to objective characteristics of the soul. Pete might in weak moments suspect he is throwing his life away, but on some ancient conceptions that cannot be so, or at least not in a way that matters, so long as his soul is what it should be.

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[9] Hume (1988), 97, III.2.44–5.   [10] Hume (1988), 83, III.1.3.
[11] Hume (1988), 98, III.2.48.   [12] Annas (1993), 298.
[13] More radical moderns like Nietzsche and, following him, Walter Kauffmann have questioned whether justice makes sense at all. See Kauffmann (1973).

Perhaps he is being torn apart on a rack, but so long as his soul retains its integrity, life is going about as well as it possibly could.

One ancient view of happiness that rejects this treatment of flourishing as objective success (rather than as a state of feeling a certain way about one's success) is the Epicurean account of happiness as a felt experience: the subjective state of *ataraxia* or tranquility. To live blessedly, according to the Epicureans, is to be untroubled by the fear of death or other troubles that prevent a person from enjoying life. On this Epicurean account of happiness, practical rationality can conflict with justice.[14] For an Epicurean, reconciling demands of justice with the rational search for happiness is a task not to be dispatched by waving a hand at a definition of happiness that may or may not be what real people want out of life. To reconcile the virtue of justice with rationality is to show that a disposition to act justly will conduce to happiness—maybe not in every instance—but overall. The point of establishing a regime of justice is to secure the tranquility that obtains when peaceful cooperation is the norm. The personal virtue of justice is a disposition to follow the rules of justice interpreted as a compact the mutual observance of which is mutually beneficial.

For the Stoics, as Julia Annas puts it, justice 'is simply correct moral reasoning, thought of as being prescriptive.'[15] But, Annas wonders, if justice is concerned with public issues, how can we understand reasoning about justice simply as private moral reasoning?[16] How do we publicly adjudicate between conflicting views of justice? Hobbes and Locke saw that not everyone could be a judge; escaping the state of nature requires traditions and institutions of impartial judgment that, among other things, settle who has the right to make the call.

A contractarian approach is based on an empirical assumption that persons are separate decision makers as a matter of descriptive fact. Contractarians treat this descriptive fact as bearing on whether a given institution, as a matter of fact, has what it takes to help society to be stable as a cooperative venture. Some contractarians combine this descriptive assumption with a normative assumption that a society's legitimacy depends on whether it treats separate persons as not merely instruments, but as partners. Accordingly, such a society works to constitute itself as a mutually advantageous cooperative venture. Thus, contractarian reasoning is not simply private moral reasoning but is reasoning meant to be shared and reasoning about common concerns. In at least some crucial contexts, reasoning about justice *must* be public reasoning.

John Rawls, on the first page of *A Theory of Justice*, was articulating the most common modern understanding of justice when he wrote, 'justice is the

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[14] See Thrasher (2013).   [15] Annas (1993), 303.   [16] Annas (1993), 303–5.

first virtue of social institutions, as truth is of systems of thought.'[17] No matter what other virtues a social structure may possess, it should be rejected if it is unjust. On this view, the virtue of justice is a constraint on an acceptable system of social rules.[18]

This conception of justice has roots in the Stoic conception of natural law and in the Judeo-Christian conception of cosmic moral law. The idea was later developed by a host of modern thinkers, maturing in the work of Immanuel Kant. Its ancient roots notwithstanding, there is something especially modern about this conception, for it represents a framework for cooperation for arms-length relationships. Consider that modern society, unlike the small city-states of the Greeks or the commercial republics of the Italians and Dutch, is largely a society of strangers. For our market society to function smoothly and peacefully we need a set of stable public rules that creates background conditions for ongoing cooperation between strangers. The rules of justice must be apt for managing traffic and sustaining cooperation among strangers, including even those who disagree on matters as fundamental as religion.

A fundamental question, on this social conception of justice, is a question that the virtuous must ask themselves: do you want your community to be better off with you than without you? Are you capable of living in a way that would pass that test? Justice on this conception takes on a distinctly cooperative but also distinctly eudaimonistic aspect.

FROM BENEFICENCE TO 'MERE' JUSTICE

We considered how justice can be seen as an attribute of character or of relationships. We acknowledged the attractions of each perspective. There is also a difference between justice understood as a positive rather than negative virtue. Like Hume, Adam Smith sees the virtue of justice as securing key conditions of peace and cooperation.

> Mere justice is, upon most occasions, but a negative virtue, and only hinders us from hurting our neighbour. The man who barely abstains from violating either the person, or the estate, or the reputation of his neighbours, has surely very little positive merit. He fulfils, however, all the rules of what is peculiarly called justice, and does every thing which his equals can with propriety force him to do, or which they can punish him for not doing. *We may often fulfill all the rules of justice by sitting still and doing nothing.*[19]

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[17] Rawls (1999), 3.   [18] On this point, see Larmore (1996), 19–40.
[19] Smith (2009), 82, II.ii.I.9. Emphasis added.

Jill can do 'mere' justice simply by minding her business and leaving others alone. (But suppose our neighbors are cooperating to produce a public good. In that case, can we do justice by doing nothing, or does justice in such cases require us to do our 'fair' share?) Obviously, 'mere' justice is not everything.[20] To act justly is merely to avoid warranting punishment. Smith contrasts justice (in several ways) with another virtue often confused with justice: beneficence.

> Though the mere want of beneficence seems to merit no punishment from equals, the greater exertions of that virtue appear to deserve the highest reward. By being productive of the greatest good, they are the natural and approved objects of the liveliest gratitude. Though the breach of justice, on the contrary, exposes to punishment, the observance of the rules of that virtue seems scarce to deserve any reward. There is, no doubt, a propriety in the practice of justice, and it merits, upon that account, all the approbation which is due to propriety. But as it does no real positive good, it is entitled to very little gratitude.[21]

Beneficence, unlike justice, is 'free, it cannot be extorted by force, the mere want of it exposes to no punishment; because the mere want of beneficence tends to do no real positive evil.'[22] Fiercely though we may resent a person's indifference, mere lack of beneficence does not imply that the rest of us would be better off without that person. True injustice is more worrisome. An unjust person is indeed someone whom the rest of us are, at least in general, better off without. That makes justice an indispensable foundation of normal relations between free and equal citizens despite being (on this conception) merely a negative virtue. A mutual understanding and expectation of justice so conceived will—first of all—define jurisdictions, rules of the road, or spheres of autonomy. However, there is no reason and no empirical tendency for this shared understanding to remain *merely* negative. People want to stand for something, and they want to achieve something, both individually and collectively. They judge their framework for mutual cooperation by whether it helps them stay out of each other's way but not only by that. They also care about whether that framework for cooperation does, after all, lead to cooperation and to a lifting of the ceiling of human possibility.

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[20] On some accounts, mere justice may not count as a virtue at all, contra Smith. There is a strong tradition of virtue ethics requiring that 'a virtue expresses a positive aim at some overall good way of developing, and so a commitment to goodness' (Annas 2011, 102). Or perhaps Smith would agree with Annas that happening by chance to act as a virtuous person would, is, of course, not to be virtuous; however, if in doing nothing a person is expressing a certain steadfastness, characteristically resisting any impulse to jump in and 'do something' simply because 'something has to be done,' might indeed be expressing a positive aim of being a person who honors a person's right and responsibility to stand or fall with his or her own merit, at least in cases where the crisis is not a life-threatening challenge so much as a life-defining learning experience.

[21] Smith (2009), 81, II.ii.I.9.   [22] Smith (2009), 78, II.ii.I.3.

Justice as a framework for cooperation makes possible grand achievements within human society. It makes possible a kind of ambition on behalf of humanity that Francis Bacon spoke of, finding a ready audience in his onetime secretary Thomas Hobbes.[23] David Hume and Adam Smith would worry about what a dangerous thing such noble ambition could be. Adam Smith described men drawn to the idea that there is one true conception of justice as 'men of system.' The man of system, obsessed with his vision of an ideal world, forgets that the social world is made up of people who have lives and dreams of their own, not to mention incompatible theories about how the world ought to be. The man of system

> is apt to be very wise in his own conceit; and is often so enamoured with the supposed beauty of his own ideal plan of government, that he cannot suffer the smallest deviation from any part of it. He goes on to establish it completely and in all its parts, without any regard either to the great interests, or to the strong prejudices which may oppose it. He seems to imagine that he can arrange the different members of a great society with as much ease as the hand arranges the different pieces upon a chess-board. He does not consider that the pieces upon the chess-board have no other principle of motion besides that which the hand impresses upon them; but that, in the great chess-board of human society, every single piece has a principle of motion of its own, altogether different from that which the legislature might chuse to impress upon it.[24]

The man of system, intoxicated by an ideal, sees the end of establishing justice as so important that any means is justified. Indeed, even the imperative to make sure the end genuinely is *justice* gets lost. Thus, the 'man of system' often produces results that have nothing to do with justice. Or so we read in the pages of Smith. The sentiment emerging from Grotius and Locke, through the Scottish Enlightenment and reaching its apex in John Stuart Mill, is that disagreement about the true nature of positive justice is something to be embraced, even cherished, not resented. A society that speaks with one voice is not free, and probably has a warped view of justice to boot. Even at best, it lacks resources for self-correction, and in that way is like a gene pool that, lacking in diversity, will not survive changes in its ecological niche.

Smith contrasts the overconfident man of system with the 'man of true public spirit' who, ' . . . when he cannot establish the right, he will not disdain to ameliorate the wrong; but like Solon, when he cannot establish the best system of laws, he will endeavour to establish the best that the people can bear.'[25] Undoing or ameliorating wrongs in piecemeal fashion may not necessarily do more good than imposing a vision of perfection in the teeth of dissent, but that will be the robust historical tendency.

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[23] Bacon (2010).   [24] Smith (2009), 233–4, VI.ii.2.17.
[25] Smith (2009), 233, VI.ii.2.16.

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The function of 'mere' justice—negative justice—is to define a sphere within which there is such a thing as minding one's own business. Negative justice defines jurisdictions. It settles who makes the call, not what the call ought to be, in the same way that a rational traffic management system does not try to do too much. It does not try to pick a driver's destination; it merely settles who has the right of way.

FROM MERE JUSTICE TO COOPERATION

The negative conception of justice that we find in Smith contrasts with most contemporary conceptions. For instance, T. M. Scanlon conceives of justice as a kind of agreement between free and equal persons.

> The contractualist ideal of acting in accord with principles that others (similarly motivated) could not reasonably reject is meant to characterize the relation with others the value and appeal of which underlies our reasons to do what morality requires. This relation, much less personal than friendship, might be called a relation of mutual recognition.[26]

On this view, seeing ourselves in a 'relation of mutual recognition,' motivates us to act in accord with principles that others could not reasonably reject. Mutual recognition is a relationship that creates strong duties of treatment. For those standing in a relationship of mutual recognition, the requirements of morality are 'not just formal imperatives; they are aspects of a positive value of a way of living together.'[27] The positive value of mutual recognition creates an element of attraction in the contractualist system. Agents not only refrain from harming others in ways that justice prohibits; they also see others as deserving positive treatment because of their status in the mutual recognition relationship. A just person on this view has an obligation not only to avoid harming fellow citizens but to make sure they are tolerably well off.

It is no surprise that Scanlon compares mutual recognition to a weak form of friendship.[28] Being a friend creates duties beyond what we owe to strangers. This is also true in the relation of mutual recognition. Both friendship and mutual recognition generate duties that are internal to the relationship. Duties on this understanding are not impositions; they are basic to our understanding of ourselves and others as fellow participants in a practice.

Scanlon's view is a well-developed version of the idea that duties of justice arise from the nature of the relationship between free and equal persons in a democratic society. By virtue of our recognizing each other as free and equal,

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[26] Scanlon (1998), 162.   [27] Scanlon (1998), 162.   [28] See also Cohen (2009).

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we owe certain duties of justice to one another.[29] This conception of justice requires positive treatment—a particular destination.

David Gauthier argues that Scanlon's positive account of justice conceives of persons as 'moral debtors.'[30] To Gauthier, understanding justice as 'what we owe to one another' misunderstands justice from the outset.[31] Gauthier sees justice as identifying constraints on individual prudence necessary to create and stabilize the conditions of cooperation. In this way, Gauthier is closer to Hume and Smith than to Scanlon. Gerald Gaus likewise argues for a 'restricted view' of the authority of justice.[32] Gaus's view is also a negative conception 'constituted by the idea that to respect others as free and equal moral persons is to refrain from claiming moral authority over them,' including the authority to require that they serve as means to each others' ends.[33] In this sense, Gauthier and Gaus agree with Smith that while it is proper to enforce rules of justice, enforcing positive virtues of beneficence and charity would be an unwarranted exercise of power—incompatible with treating fellow citizens as free and equal.

Gauthier further agrees with Smith that rather than beginning from 'what we owe to each other,' we might better focus on what we have to offer each other.[34] Justice is, on this conception, a cooperative virtue. It concerns what we need to do to properly respect what each of us has to offer—including the talents, deserved or not, that each of us brings to the table. (Note that dealing with fellow citizens in the real world—dealing with them respectfully, treating them as *persons*—is about taking what they bring to the table at face value, treating their talents as their talents. To instead regard a particular constellation of talents as communal property, the undeserved product of an arbitrary confluence of genetics and culture, is to regard that constellation of talent as residing in something other than a person.)[35] In a way, this would not be a radical departure from the letter of Scanlon's theory, but it would shift the emphasis. On this view, contractualist justice would still be about reasons that others could not reasonably reject, but it would be far more sensitive to the empirical fact of reasonable people actually rejecting each other's reasons. Actually respecting the fact of diversity (roughly, letting people be unless their overt behavior is so disruptive that we would be better off without them)

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[29] Rawls's analogous position explicitly is about justice rather than morality as such.
[30] Gauthier (2003).   [31] Gauthier (2003), 168.   [32] Gaus (2011), 15–20.
[33] Gaus (2011), 19. One tension in the Smithian tradition concerns whether this homage to the separateness of persons goes so far as to include ends that must be achieved if people are to be capable of normal functioning as free and equal citizens. Smith himself endorsed mandatory publicly funded schooling and other elements of what today we might think of as a minimal welfare state. Smith would not deny that such ends are of surpassing value; his question would be whether those ends are well-served by reconceiving them as rights rather than values. Ultimately, this was a question of policy, not of justice.
[34] Gauthier (2003), 168.   [35] See Part 6 of Schmidtz (2006).

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enables us to live together, and live more peacefully and prosperously, than we otherwise could by living apart.[36]

As Smith puts it, society, 'cannot subsist among those who are at all times ready to hurt and injure one another.'[37] We cannot cooperate and have our needs met if we are huddled in bunkers or pointing guns at each other. Regular and effective law secures gains, though, freeing individuals to focus on improving their situation through reciprocal cooperation, without having to worry about their gains being stolen.

Justice as a cooperative positive virtue has roots in justice as a person-respecting negative virtue. Insofar as it limits negative externalities of public life, 'mere' justice reduces the cost of living together, making it safer for people to trust each other and thereby setting the stage for a cornucopia of positive externalities that go with cooperation. Justice as a cooperative virtue is about creating circumstances that inspire us to make our partners better off with us than they would have been without us. Schmidtz writes, 'When people reciprocate, they teach people around them to cooperate. In the process, they not only respect justice, but foster it. Specifically, they foster a form of justice that enables people to live together in mutually respectful peace.'[38]

CONCLUSION

We noted that justice can be and historically has been seen as a feature of a person's character, that it also can be seen as a virtue of institutions, but that there is a further virtue of character that has to do with respecting the virtues of institutions. We endorsed all three ideas, but particularly the third one as a way of modernizing the ancient conception of justice as a harmony among parts of the soul. Along the way, we considered how 'mere' justice can be seen as a primarily negative virtue in part because it grounds something more positive, namely community. Suppose people are regarded as having a right to say no. Suppose this right is seen as the essence of Kantian dignity, even if not a sufficient condition for full-blown Kantian moral worth. Respecting this right to say no, thereby meeting the minimal conditions of justice, is the foundation of a community in which people can be trusted not to presume to own each other. In such a community, people with fundamentally different

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[36] Rawls goes beyond this, of course, defining a Pareto frontier and then saying that, for the sake of having a determinate view, we must pick a distribution on that frontier that privileges one class or another. If we are going to pick a class upon which to confer the maximum possible unearned privilege, then the only point that bears even a remote resemblance to justice is the point where the class so privileged is the class that otherwise was least privileged. But the resemblance between this and what we normally think of as justice truly is remote.

[37] Smith (2009), 86, II.ii.3.3.   [38] Schmidtz (2006), 79.

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views will be able to afford the risk and cost of living in close proximity and dealing with each other on terms that will constitute them as a kingdom of ends.

We considered what it would be like to achieve anything like harmony among the parts of a diverse society in which disagreement can run deep— where the disagreement is not about how or why to avoid physical violence so much as about how people should conceive of themselves, of their relationships, and of what they are owed.

Our map of justice is pluralistic, reflecting how thinking has changed without assuming that previous thought must have been wrong. Would a more elegant theory reduce the multiplicity of elements to one? Would a monist theory be more useful? Would it even be simpler?

Not necessarily. The periodic table would in a superficial way be simpler if we posited only four elements—or one, for that matter—but would that make for better science? No. Astronomers once said planets *must* have circular orbits. When they finally accepted the reality of elliptical orbits, which have two focal points, their theories became simpler, more elegant, and more powerful. Simplicity is a theoretical virtue, but when a phenomenon looks complex—when an orbit seems to have two foci, not one—the simplest explanation may be that it looks complex because it is. We *may* find a way of doing everything with a single element, but it would be mere dogma—the opposite of philosophy—to assume we *must*.[39]

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[39] Schmidtz (2006), 79.

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