AN AXIOLOGICAL APPROACH TO VIRTUE ETHICS

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The resurgence of interest in virtue ethics can be traced to the late 1950s and to the work of

Elizabeth Anscombe and Philippa Foot. On Anscombe's view, both deontologism and

consequentialism are guilty of judging the "rightness" or "wrongness" of actions on the model of

rendering a verdict based on one's understanding of the law and of an agent's obligations under

the law. The fundamental problem for this view, according to Anscombe, lies in its legalistic

claim that the rightness or wrongness of actions is judged by whether those actions conform to

law. This claim, in order to preserve the distinction between *moral* obligation and *legal* or

political obligation, presupposes a non-political lawgiver, i.e., a divine legislator, whose

promulgations demand obedience. However, since modern moral philosophy rejects both divine

command theories and religiously grounded natural law theories, the notion of universal, moral

laws obligating us has, according to Anscombe, lost the only context that could make it

intelligible. Moreover, it is simply incoherent, on Anscombe's view, to say that an agent can be

self-*legislating*. An agent cannot legislate for herself in a manner that *commands* the agent.

Although Anscombe rejects the cognitivist accounts of practical reasoning associated with

the two major normative positions of the day, she does not conclude to the truth of the major

meta-ethical alternative then available. She does not, that is, accept the non-cognitivist claims of

emotivism or prescriptivism as an adequate meta-ethics. The cognitivist appeal to legalistic

forms of reasoning is instead the symptom, for Anscombe, of the lack of an adequate moral

psychology and an adequate account of practical reason. In this respect, Anscombe's concern is primarily meta-ethical, and this meta-ethical concern is echoed in Philippa Foot's critiques of non-cognitivism in a series of articles from the late 1950s and early 1960s. Foot argues against various non-cognitivist positions, for example and especially, those of Stevenson and Hare and against the so-called fact-value distinction in which these positions are rooted. In so doing, she suggests an alternative moral psychology of the kind Anscombe recommends, a psychology in which reason and feeling penetrate one another so as to produce "factual" evaluations that command assent precisely to the extent that reasons can be given for them. These reasons appeal both to features of the situation, action, or agent evaluated and to the shared understandings of evaluative terms.

The revival of a virtue approach to ethics, in other words, first appears on the scene as an intervention in a meta-ethical debate. Indeed, textbooks of the time, even Foot's own *Theories of Ethics* (1967), standardly provide accounts of only two normative perspectives, namely, deontologism and consequentialism, usually in its utilitarian form. It was not until works such as Peter Geach's *The Virtues* (1977), Foot's article "Virtues and Vices" (1978), and, most decisively, Alasdair MacIntyre's *After Virtue* (1981) that virtue ethics identified itself as a third alternative in the debate in normative ethics between deontological theories and utilitarian or consequentialist theories. This third alternative claims that our fundamental moral judgments are judgments about the moral character of agents rather than the rightness or wrongness of actions.

I should note that both deontological and consequentialist thinkers can provide *theories* about the virtues and their place in the life of a morally praiseworthy agent, as Kant, for example, did at some length. By way of contemporary example, one might consider Christine Korsgaard's

discussion of the virtues from a Kantian perspective and Julia Driver's virtue-consequentialism. One can develop, in other words, a virtue-theoretical position that is not a virtue-ethical position. It is also possible to develop a normative virtue-ethical position that is not Aristotelian, and here the work of Michael Slote is prominent.

In what follows, I limit my perspective to what can be broadly construed as a neo-Aristotelian approach to the meta-ethical and normative dimensions of virtue ethics. I take the main features of this neo-Aristotelian approach to include, first, the view that the emotions are involved in our moral appraisals and that these emotions include both cognitive content and an irreducible feeling-moment, and, second, the teleological view that the goods to be pursued in action are not to be defined in purely consequentialist terms such that the virtues become instrumental for, rather than constitutive of, *eudaimonia*. My aim in the paper is to determine where, if anywhere, a phenomenological axiology rooted in Husserl can stand in relation to the development of this kind of contemporary, neo-Aristotelian virtue ethics. My claim is that Husserl's account of the intentional structure of acts of valuation and volition directly addresses the meta-ethical debate and can address the normative debate, even though his own ethical reflections do not amount to a virtue-ethical position.

Decades before the resurgence of interest in virtue ethics, Husserl's phenomenological accounts of evaluation and volition sought to address, as he puts it, the "conflict between a morality of the understanding *(Verstandesmoral)* and a morality of sentiment *(Gefühlsmoral)*." Husserl seeks to address, in other words, the modern meta-ethical problem that occupied the attention of Anscombe and Foot. Husserl strikes a middle ground between the "intellectualists" and the "sentimentalists" or "emotivists"; he provides an account of evaluative and volitional

intentionality that clarifies how understanding and emotion jointly function in the axiological and practical spheres.

Husserl claims that value-attributes are the correlates specifically of feelings and episodic emotions that are the affective response of a subject with a particular experiential history—that is, particular beliefs, emotional states, dispositions, practical interests, and so forth—to the non-axiological properties of an object or situation. In responding affectively to these non-axiological properties, the subject has both non-intentional, sensuous feelings, for example, the visceral tightening of the abdominal muscles associated, say, with anger and fear, and an intentional feeling or episodic emotion (approbation or disapprobation, loving or hating, fear or excitement) that presents the affective aspect of—and thereby values or disvalues—the object or situation. The objective reference of the feeling or episodic emotion is derived, however, from the underlying presentation of the object with its non-axiological properties.

The value-attributes intended are neither separable from nor reducible to the non-axiological properties on which they are founded, but our valuations—precisely insofar as they are grounded on cognitive presentations—track these non-axiological properties. Put another way, the non-axiological properties provide motivation for as well as the evidence for the valuation accomplished in the affective response. The intentional feeling or episodic emotion experienced by the subject is justified (or not) by the non-axiological properties underlying it, and the feeling or emotion is "correct" or "appropriate" when it is so justified and when the underlying apprehension of the non-axiological properties is itself both true and justified.

In the case of the moral evaluation of actions, the evaluative moment is complex. I must evaluate both the ends sought in the action and the conduciveness of the action to those ends. I

might, for example, negatively evaluate a supervisor's angrily shouting at an employee as rude. The shouting behavior rationally motivates my adverse affective response; it is a reason for, say, my felt indignation and the negative evaluation of the shouting behavior. This evaluation is possible, however, only to the extent that I have some understanding of what a conversational situation entails and that I have some conception of 'rudeness.' That is, certain behaviors are tied as part of their meaning to this conception of rudeness and to a negative evaluation. In experiencing the shouting, I immediately and at once recognize the action as rude and disapprove of it, and anyone who fails to do likewise is—as a matter of fact, as Foot might put it—mistaken and suffering from a misconception of what constitutes polite and rude behavior. The general sense of appropriate behavior is established and modified over time in the light of our untutored affective responses and the education of the attitudes and emotions that occurs within the communities in which we live and act.

As valuation is founded on presentation, so desire and volition are founded on valuation. This is why neo-Aristotelians insist that virtue is not only the disposition to act in the right way and for the right reasons but also involves having the right attitudes. If we represent the structure of the valuations involving feeling or emotional episodes as

(1) S values [(O as x) as g (i.e., as good)] on the basis of presenting (O as x),

then we can represent the volition grounded in this valuation as

(2) S effectively chooses (i.e., performs) action A [in the light of end G] on the basis of desiring (O as x) on the basis of valuing [(O as x) as g)] on the basis of representing [(O as x) as realizable in action and conducive to G] while presenting (O as *not-x*).

Assuming for the moment that *A* is a justified action, (2) represents the Aristotelian ideal of the virtuous person whose beliefs and judgments about good ends and what actions conduce thereto are true, whose attitudes are appropriate, whose actions are right, and in whom there is no conflict between what the agent knows and what the agent feels and desires. *S* in this case knows the appropriate ends to be sought in action as well as the particulars of the situation in which she is to act, and she acts in a manner conducive to those ends without occurrent deliberation.

As a variation of (2), we might consider

(3) *S* performs *A* in the light of end *G* (versus end *H*) on the basis of preferring (*O* as *x*) to (*O* as *y*) on the basis of valuing [(*O* as *x*) as *g*] on the basis of representing [(*O* as *x*) as realizable in action and conducive to *G*] while presenting (*O* as *not-x*). (*O* could be presented as either *y* or *not-y*, but this is not important to the example; in the latter case, *O* would also have to be represented as *y*, as realizable in action and as conducive to *H*. The focus of the example, however, is on the situation to be realized by *A*.)

This case might be understood in two different ways. On the one hand, *S* might be disposed to value *G*, but the situation is such that by focusing one's attention on different non-axiological features, different goods to be achieved come to the fore. *S* recognizes that casting the situation in one way is preferable to casting it the other way because it involves an end *G* that is more valuable to pursue than the lower or merely apparent good *H*. In this case, *S*, a virtuous agent, is tempted to perform an action that allows a bad or worse situation to arise or endure, but her virtue defeats the temptation. The presence of the temptation means that *S* must deliberate about the competing ends as well as about the action that best conduces to the chosen end. On the other hand, *S* might not be ordinarily disposed to value *G* or to do the right action. Torn between

what she takes to be two choiceworthy ends, she nevertheless recognizes that *G* is the higher good and desires its realization. In this case *S* acts like the virtuous agent acts, but she does not act from virtue.

Both cases are different from Aristotle's continent agent who has true knowledge of the proper ends of action but acts against her desires or inclinations. We might represent this agent as follows:

(4) *S* performs *A* in the light of end *G* on the basis of valuing (*O* as *x*), while preferring (*O* as *y*) to (*O* as *x*), all this on the basis of representing [(*O* as *x*) as realizable in action and conducive to *G*] while presenting (*O* as *not-x*).

Unlike in (2) and (3), *S*'s reason and desire pull the her in opposite directions, although her reason wins out in determining her action. The analyses of these intentional structures allow us to recognize the differences in agency and in character even when the physical performance is the same.

These phenomenological characterizations also point to a model of moral decision-making as the activity of weighing competing goods or apparent goods and the actions conducing to them in a deliberative activity that is either occurrent or that has been accomplished over time in such a way as to dispose the agent toward a certain kind of action. As various judgments and valuations are made and confirmed, they become convictions of the agent that inform subsequent judgments, valuations, and volitions. These habitualized convictions—or habitualities, as Husserl calls them—make up our dispositions to expect certain features in certain kinds of situations, to pick out what is morally salient in those situations, to have certain kinds of attitudes toward them, and to act in determinate ways. This is just the kind of dispositional state that

Aristotle has in mind when he speaks of virtues as states or habits or dispositions to have the right attitudes and to act rightly and from the right reasons.

This model of practical reason is very different from the one that sees moral decision-making as rendering a verdict about an action's conformity to law. Even in cases where one experiences a felt demand to act in a certain manner, that felt demand is in response to understanding something as a good overriding (at least in the situation in which the action is to occur) other goods or apparent goods. Moreover, it is not merely the case that deliberation involves two goods, where the pursuit of one of those goods would clearly enough be wrong. Equally important, and perhaps more interesting, are those cases where the deliberation involves weighing competing goods when the competing goods are all genuine goods to be realized in the situation, as when the requirements of kindness and honesty to a friend force careful deliberation about how to tell one's friend what honesty requires when doing so can cause the friend great pain. Moral deliberation requires that we find the right balance between what honesty requires where kindness is appropriate and what kindness requires where honesty is needed, and not merely that we choose one good to the exclusion of the other and certainly not that we render a verdict concerning whether the action we propose to take conforms to a universal law.

As we have seen, it is a feature of virtue ethics that it recognizes the embeddedness of our conceptions of virtues and vices in the communities in which we live. This, I think, is both a descriptive and a normative advantage. The descriptive advantage is clear, but the normative dimension of such a virtue ethics captures the "truths" that are intersubjectively evidenced and thereby hold objectively. But virtue ethics is not only embedded; it also has a transcending aspirational moment. It involves striving towards an ideal of virtue, which means not only that

an agent strives to act virtuously but that agents together continually test their understanding of our conceptions of virtues, i.e., continually test their understanding of axiological and practical norms. I suggest that Husserl's notion of self-responsibility captures this aspirational moment.

The experiences I have described have a notion of truthfulness proper to them. There is the truth or veridicality that belongs to the underlying presentation. There is the appropriateness of the evaluative feeling or emotion, and there is as well the rightness of the chosen action conducing to an appropriately valued end. The virtuous agent does more than merely accept cultural conceptions, and simply to follow the example of the *phronimos* is insufficient. The virtuous agent lives self-responsibly: judging, valuing, and choosing for herself. The self-responsible agent, acting virtuously in the pursuit of true goods both *for* herself and *for* others, also realizes the goods of thinking well, feeling well, and acting well—what we might call the goods *of* agency. These goods *of* agency entail a set of virtues, for they are realized only in the synthetic performances and achievements of subjects whose cognitive, affective, and volitional experiences both truthfully disclose and rightly fashion the world as morally ordered.

It is in this moment of self-responsibility, I believe, that we find the genuinely eudaimonistic character of the phenomenological ethics I have sketched. It is the self-responsible life that is the flourishing life for rational agents. Subjectivity has a fundamental teleological structure ordered to thinking, feeling, and acting well, i.e., to self-responsibly thinking, feeling, and acting in the light of rational justification. Thinking truly, feeling appropriately, and acting rightly are goods properly realized only in intersubjective contexts when others also realize them. Self-responsible thinking, feeling, and acting arise against the background of the common knowledge embodied in our collective determinations of evaluative concepts, of choiceworthy goods, and of praiseworthy

actions. This common knowledge—our notion of rudeness, for example, or kindness or honesty—is passed from one generation to the next by means of the stories we tell young people, the songs we sing, the practices we adopt, the laws we write, the institutions we establish, even the games we play. At the same time, however, it continues to be worked out, criticized, reappropriated, and modified within successive generations in our encounters with one another, with those whose opinions or reasoning might differ from our own. In this manner, the aspirational moment of virtue ethics is connected to its embeddedness.

Our own opinions and beliefs must be tested against the opinions and beliefs of others. Only in coming to grips with differing opinions and beliefs can we truly be said to come to know ourselves as a person holding certain convictions that have withstood a certain kind of testing. In other words, one does not and cannot reason well by oneself. In order to be self-responsible and to realize the goods *of* agency, one must think *for* oneself, but since one cannot rightly think *by* oneself, these goods of agency must be effectively—even if only implicitly—chosen for others as well as for oneself. The goods *of* agency and goods *for* every agent, regardless of the first-order goods pursued by different agents.

Insofar as the goods *of* agency are realized in an agent's making moral sense of the world as she straightforwardly and virtuously pursues what is good *for* herself and others, we might also think of these goods of agency as second-order goods for all agents that are both (a) *necessary* conditions for the possibility of virtuously pursuing first-order goods for oneself and others and (b) superveniently realized in those pursuits. Consequently, there is a class of goods—the goods *of* agency organized around the notion of thinking, feeling, and willing correctly—as well as a set of behaviors and practices ordered to the realization of these goods that are necessarily, albeit

implicitly, chosen by the virtuous agent insofar as that agent pursues any goods at all. This entails some special cases of preferring, wherein

> (5) *S* prefers *T* (a second-order good of agency) as necessarily *g* over against *G* (a first-order good for the agent) as contingently *g*.

Moreover, the recognition of these goods *of* agency as necessarily willed by the good agent transforms our understanding of the goods *for* an agent and of rightly ordered volition. The first-order goods for agents and patients are now apprehended as necessarily transformed by and yielding to the second-order goods of agency. For example, in the case of rudeness mentioned earlier, the shouting is seen not merely as violating what achieves the ends of conversation but as also intimidating and belittling the employee. The shouting is deemed wrong not only because it fails to conduce to the ends of conversation but because it fails to pay recognitional respect to the employee who, as a fellow moral subject and along with me and others, makes moral sense of our shared world.

Phenomenological descriptions reveal important truths about essential features of the transcendental dimension of the human. In this respect, the phenomenological approach goes beyond contemporary naturalism to acknowledge the transcendental dimension of the human as an agent that makes moral sense of the world and whose "making sense" is teleologically ordered toward truthfulness in its cognitive, axiological, and practical guises. This provides the basis for specifying a non-consequentialist meaning of "eudaimonia" as realizing the second-order goods *of* agency and, in so doing, realizing a manifold of first-order goods *for* oneself and others. I emphasize that this notion of "eudaimonia" is consistent with differing accounts of first-order goods *for* agents (and their patients) and of the virtues appropriate for realizing them.

The appeal to the second-order goods of agency—insofar as they are necessary conditions for the virtuous pursuit of first-order goods and necessarily intersubjective—grounds both Aristotle's claim that some actions are always and inherently wrong and Kant's claim that we should not make an exception in our own case. Our sense of being obligated by certain goods—whether first-order goods, like the goods realized in the pursuit of a vocation, or second-order goods, like the other's autonomy in thinking, feeling, and willing—arises in weighing competing goods realizable in the situation in which we are called upon to act or in weighing a good against a merely apparent good. The competition arises precisely to the extent that we are faced with competing desires and must choose in favor of the true good or higher good in a way that forces us to override the desires we have for merely apparent or lower goods. As we have seen, however, the second-order goods *of* agency override first-order goods or at least transform the way in which they are to be realized. The goods *of* agency tied to our respect for the self-responsibility of others as necessary for our own truthful and self-responsible apprehension of the true, the appropriate, and the good and the right have, since the time of Kant become embedded in our understanding of virtuous action. A contemporary neo-Aristotelian virtue ethics should account for this fact, and I believe that the account sketched herein does just that, and it does so without sacrificing the basic virtue-ethical principles (1) that there is a teleology—a *eudaimonia* or flourishing—proper to reason: the teleology of thinking truly, feeling appropriately, and acting rightly; (2) that the emotions have cognitive content, that they pick out what is morally salient in a situation, and that the moral agent develops habits of thinking, feeling, and acting, i.e., dispositions to have the right attitudes and to act rightly; and (3) that the fundamental normative judgment pertains to the self-responsible and virtuous character of agents (or lack thereof).