

Chapter - VI

Conclusion

A virtue is a trait which allows one to fulfill one's function well. Thus, there are different virtues for teachers, for soldiers, for knives, for clocks, etc. Living life well, *eudaimonia*, involves fulfilling one's function excellently. Thus, one's happiness or *eudaimonia* depends on their function or nature. Human function has to be something peculiar to humans. The only thing peculiar to humans is that we think we are rational animals. Therefore, *eudaimonia* is a life led by reason. The virtues are how we live this life led by reason. Thus, *eudaimonia* consists in a life of practicing virtue.

Virtues are trained habits, like the arts. Virtues give us reasons to act in a certain way. Doing a virtuous action is not the same thing as having a virtue, and the latter is better. Having a virtue affects not just one's actions, but one's thinking, desires, emotions. Virtues are the mean between two extremes deficiency and excess. Virtues can be closer to one extreme than the other. To hit the mean, you should aim towards the extreme which is less natural for you. There is no value in knowing about virtue, only in having the virtue. Virtues allow us to perform our function well. Our function being the activity of the soul is in accordance with reason. Living virtuously increases one's understanding of virtue.

Problems for Deontology:

One of the ways we evaluate a normative ethic is if we think it generally tells us the right thing to do in various cases. Once again, this evidence appears mixed. One noteworthy feature which may be considered bad or good is that the categorical imperative does not always say what to do. Sometimes there may be one forbidden action, but many permissible actions, and Kant does not say which is the best. There are other problems, such as Kant's distinction between acting from duty and acting in accordance with duty, which seems to many to be wrong. One remaining difficulty deserves to be especially highlighted: the problem of how broad maxims are supposed to be.

Whether or not we can or do wish a rule to be universalized seems to depend a lot on how specific a maxim is. If we consider the case of borrowing money without intending to give it back, then if the maxim on which we were acting were or “anyone with my DNA sequence should borrow money with no intention to pay it back” then we probably could coherently imagine and will such a scenario. Kant thinks we should not do this, so he needs maxims to be broader claims, such as, “one should borrow money without intending to pay it back”; a maxim of that sort plausibly could not be universalized. Whether or not we can or do wish a rule to be universalized seems to depend a lot on how specific a maxim is. As maxims get more general, other moral problems seem to crop up. For instance, “everyone should lie” could not be coherently willed as a universal law, so instead we should act on the maxim “everyone should tell the truth.” This seems, until we consider scenarios in which the Nazis are at the door and asking if you are harboring Jews in your house... Despite these problems, Kant accepts the results. To claim that we have a different moral obligation regarding truth when we are harboring Jewish people from Nazis is just to not understand what it is for an imperative to be “categorical” rather than hypothetical.

Applying Virtue Ethics:

One of the problems of virtue ethics is that it seems to have a lot less informative answer to normative ethics. In short, its rule is: “do what the virtuous person would do.” This answer is unhelpful precisely because virtue ethics is not so much interested in giving answers as it is in developing people. Scientific exactitude is impossible in treating of particular ethical cases. They do not fall under any art or law, but the actors themselves have always to take account of circumstances, as much as in medicine or in navigation. Aristotle nonetheless, there are things we can say about virtue which can help us in doing virtuous things. What do we actually know about virtue? Virtues are the mean between two extremes (deficiency and excess). Virtues can be closer to one extreme than the other. To hit the mean, you should aim towards the extreme which is less natural for you. There is no value in knowing about virtue, only in having the virtue. Virtues allow us to perform our function well (our function being the activity of the soul in accordance with reason). Living virtuously increases one’s understanding of virtue.

Strength of Virtue Ethics:

Virtue Ethics avoids having to use a formula (e.g. ‘the greatest good for the greatest number’) to work out what we ought to do and focuses instead on the kind of person we ought to be. Virtue Ethics understands the need to distinguish good people from legalists – obeying the law and following the rules does not make one a good person. Virtue Ethics stresses the importance of motivating people to want to be good – it stresses the importance of education in showing that good actions are their own reward. It shows how we acquire and learn virtues by imitating others. Virtue Ethics tells us how we learn moral principles and involves our entire life, as every moment, even the most mundane, is an opportunity for developing a virtue. Virtue Ethics enables us to integrate many aspects of life – our emotions, commitments to others, our friends, social responsibilities – into our ethical reflection; it looks at what makes life worthwhile rather than looking at what is right or wrong in a particular situation or particular moment in our lives. It does not reject our emotions but includes them, and so is more in tune with how people naturally react to an ethical dilemma. It relates our ethical choices to the bigger picture.

Virtue Ethics sees it as good to be biased in favour of friends and family, unlike Utilitarianism or Kant which see impartiality as important. Virtue Ethics does not pretend to be able to tell us what a good person would do in every possible situation but encourages us to be more like such a person so that we will not need an ethical theory to make our decisions for us. It stresses the importance of character – after all, someone who helps the poor out of compassion does seem to be morally superior to someone who does it out of duty.

Weakness of or Problems for Virtue Ethics:

One major difficulty is that of identifying the virtues. Are virtues culturally relative? How can Virtue Ethics be applied to moral dilemmas? This is the problem raised by Robert Louden (‘On Some Vices of Virtue Ethics’): Virtue Ethics does not help people facing a crisis because it does not give any clear rules for action. It is difficult to work out what is the virtuous response to stem-cell research or abortion. Virtue Ethics does not give us any concrete answers and says only that it is a matter

for the practical wisdom of the person facing the situation. Virtue Ethics seems to praise some virtues that we might see as immoral (e.g., soldiers fighting unjust wars may be courageous but that does not make them morally good). Louden also points out that it is difficult to decide who is virtuous, as acts which appear virtuous on the outside may not necessarily have good motives and vice versa. Virtue Ethics does not seem to have room for basic concepts such as rights and obligations, so as a theory of ethics it seems incapable of dealing with big issues - Virtue Ethics does not always have a view about what makes an act right or wrong. Virtue Ethics depends on some final end which gives shape to our lives: there may not be one, and being virtuous may not affect it anyway.

Does a virtue ethic generally give us the results we think are right? Ethics is supposed to tell us what to do, but virtue ethics is often not good at giving a particular answer. It is questionable whether happiness or living well actually consists in living virtuously. Virtue ethics requires that we have a proper function, but it is difficult to justify how we have a way we are supposed to work. How, evolutionarily, would that have come about?

Keeping these views in mind what we found that in recent years, as awareness of the inadequacies of utilitarian and deontological ethics has grown, there has been a turn to normative theories whose primary focus is on persons rather than decision-making and consequences. The revival of virtue ethics has been an important part of this normative turn, with the emphasis coming to be placed upon agents and the sorts of lives they lead rather than upon atomic acts and the rules for making choices, even less upon the consequences of such acts. The proponents of virtue ethics thus differentiate their normative approach from the two dominant forms of modern ethics - utilitarianism and deontologism. In this normative turn, the characters of agents and their morally relevant traits matter more than laws of obligation.

The Doctrine of Virtue is the key text which supports the interpretation of Kant's philosophy as a practical ethics. The work forms the second part of Kant's *Metaphysics of Morals* and represents the culmination of the work on the ethical questions with which Kant had been grappling with for years. Despite being central to Kant's work, *The Doctrine of Virtue* has been neglected since it was written. In giving this work the critical attention it merits, contemporary Kantian philosopher Gary

Banham is laying the foundation for a major reinterpretation of Kant, at long setting Kant in his true light. Banham defines Kantian virtue as a combination of teleology with perfectionism. In the prefatory material to *The Doctrine of Virtue*, Kant makes the clear case for viewing ethical considerations in terms of teleological standards that involve an orientation towards perfectionism.

It would appear at first glance that Kant has nothing to offer the contemporary recovery of virtue ethics. Indeed, as the first moral theorist to place a non-derivative conception of duty at the centre of the philosophical stage and the first to establish a non-consequentialist decision procedure through his universalisability test, Kant can be considered the philosopher most responsible for the turn away from virtue ethics in the first place. On this reading, Kant is the first and the greatest philosopher of deontology. Further, whilst contemporary communitarian philosophers such as Michael Sandel are attempting to reinstate the warm, affective ties of individuals within community, Kant is associated with Enlightenment efforts to emancipate the individual from such ties and from the pull of traditions and communities. Kant's universalistic conception of morality is considered asocial and ahistorical for this reason, a deficiency which Hegel sought to remedy in his conception of *Sittlichkeit*.

There are conceptual as well as historical reasons as to why Kant is considered by virtue theorists to be a, and maybe even *the*, principal target for their criticism. In arguing that only actions done 'from duty' possess moral worth and exhibit a good will Kant has been criticised by both neo-Kantians like Rawls and anti-Kantians like Sandel for being indifferent to ends. Sandel rightly points out; Kant's account of rights and duties 'does not depend on the idea that we own ourselves, or on the claim that our lives and liberties are a gift from God. Instead, it depends on the idea that we are rational beings, worthy of dignity and respect.

Sandel proceeds to present Kant as a deontologist, opposed to utilitarianism and to virtue theory, (allocating goods to reward and promote virtue. Instead, Sandel argues, Kant connects justice and morality via a 'demanding' idea of freedom. Since empirical considerations, such as interests, wants, desires, and preferences, are variable and contingent; they cannot serve as the basis for universal moral principles - such as universal human rights. For Kant, we arrive at the supreme principle of morality, the moral law, through the exercise of "pure practical reason." Kant's

argument is based on the close connection between our capacity for reason and our capacity for freedom. Every person is worthy of respect as an end, and not merely as a means, not on account of self-ownership of life, labour and person, but on account of being rational beings. This capacity for reason means that we are also autonomous beings, capable of acting and choosing freely.

But human beings are sentient creatures as well as rational ones, responding to the senses. Bentham was right to observe that human beings like pleasure and dislike pain, but wrong to argue that these are “our sovereign masters.” For Kant, reason can and ought to be sovereign. When reason governs our will, we are using our distinctive capacity to achieve freedom, setting us apart from obeying appetite in a mere animal existence.

To act freely, in Kant’s conception, is to act autonomously according to a law that is self-given, rather than to the dictates of nature or social convention. Kant’s autonomy contrasts with heteronomy. To act heteronomously is to act according to determinations external to the person – natural and social. So, to act freely is not to choose the best means to a given end but to choose the end itself, for its own sake.¹ On account of the distinctive capacity for reason, this is a choice that human beings can make, unlike those things which are a matter of physical causality and biological imperatives.

Sandel thus proceeds Kant as presenting a deontological rules ethics in which the moral worth of an action consists not in the consequences of that action, but in the intention from which the act is done. ‘What matters is the motive, and the motive must be of a certain kind. What matters is doing the right thing because it’s right, not for some ulterior motive.’

For Hegel, Kant’s pure motive of duty can never produce the good since it is abstracted from the real desires, interests, and needs of real individuals. There is simply no way of bracketing out the characters of the agents in the way that seems to be required by Kant. Instead, Hegel demands that the good be made an integral part of the everyday empirical life of individuals. Here, Hegel follows Aristotle’s conception

¹ Gregor, M. J. (Trans. & Ed.), *Groundwork of the Metaphysics of Morals*, Cambridge University Press, New York, 2001, p. 453 - 454

of a virtue as an intelligent disposition to behave in certain ways and act for certain reasons through feeling pleasure or pain at certain things. For Hegel, this Aristotelian virtue transcends Kant's dualism of duty and inclination.

According to MacIntyre, a virtue is an acquired human quality, the possession and exercise of which tends to enable us to achieve those goods which are internal to practices and the lack of which effectively prevents us from achieving any such goods. Alasdair MacIntyre's *After Virtue* provocatively criticizes the state of contemporary moral philosophy and its history. For MacIntyre, the intractability of contemporary moral debates stems from the lack of shared goods in Aristotle's sense. People line up on either side of an issue and, because they lack a common ideological focus, they can never engage in rational argument, at least as subsumed by the movement toward a shared good. MacIntyre himself suggests, external motivations are premised on the expectation that an appreciation or conviction of the "internal goods" in chess play will build in the person. "External goods", including both beauty and especially the "moralities of law", therefore, serve as more than enticements; they create the conditions of possibility or openness to virtue that may be impossible otherwise.

MacIntyre's analysis of the problem is persuasive, but his solution? namely, a kind of return to Aristotelian virtues? is less so. MacIntyre appeals to his special definitions of 'practices' and 'internal goods' to define virtues. The missing element is that "practices" are undertaken in the shadow of, and "internal goods" are defined by, rules or laws that are themselves "socially established" and "cooperative" (even if they are theologically understood as eternal, given, and transcendent). Moreover, the practice of "practices" involves a repetitiveness and detailed attention to minor rules that closely resemble religious life itself. Maimonides, for instance, says, 'Know that these moral virtues and vices are acquired and firmly established in the soul by frequently repeating the actions pertaining to a particular moral habit over a long period of time and by our becoming accustomed to them.' Finally, "internal goods" are defined as benefiting the "whole community" most often and most easily through an acceptance of a religious worldview that provides unassailable assumptions. In this way, law and religion? what MacIntyre calls "moralities of law"? play a larger role in

the acquisition of virtues than he allows, precisely because that role is played most importantly before virtue arises.

The unexplained element in MacIntyre's definition of virtue is that it is an "acquired human quality". How is it acquired? The answer given by Jewish and Hindu jurisprudence is first through law that is, through the study and practice of religious law. MacIntyre emphasizes virtue as something possessed before practice and the achievement of good. Jewish and Hindu traditions emphasize the reverse, however. They do so because an initially blind and repeated self-acceptance of the obligations and prohibitions of law, what MacIntyre calls "to enter into a practice," produces the experiential and practical insight into the "internal goods" of ideal Jewish or Hinduism that then subsequently modulates into virtue or virtues. The radiant morality of *sista* possesses a beauty that transcends the limitations of being outside a "practice", and its charismatic attraction may be the first impetus for entering into a "practice". Virtue manifests itself to the uninformed as beauty and charisma. At the same time, one cannot merely will or claim for oneself the possession of such virtues. Instead, the value of virtue, as opposed now to its beauty, can be appreciated only by someone who is already convinced of the value of the "practices" and the "internal goods" in each tradition. Law is collectively the first instrument, the practical embodiment, and, in an extended sense, the tangible reward of that conviction.

Rules are prior to repeated activity; repeated activity leads to socially established "practices"; "practices" achieve goods; and goods instill, and arise simultaneously with, virtues. Virtues, in this view, validate and naturalize the spirit of the rules and the value of the prescribed activity. Whereas virtues may appear to emerge innately in certain persons, the recognition of human qualities as virtues emerges only after "practice". The acquisition of the unity of virtues in Aristotle's sense is coextensive and contemporaneous with the acquisition of *eudaimonia*, true human flourishing as an ultimate good. Virtues do not precede *eudaimonia*; they constitute it. For MacIntyre, law and virtue have to be informed by teleology, a shared good, in order to have authority. The nurturing of virtue for MacIntyre, however, follows closely on the heels of the identification of that shared good.

The current normative turn, involving virtue ethics, is going in the way of Hegel against Kant, or against the Kant who is a deontologist and no more. Philippa Foot singles out Kant for particular criticism in being one of the key philosophers whose ‘tacitly accepted opinion was that a study of the topic (of the virtues and vices) would form no part of the fundamental work of ethics’.

The most salient characteristic of virtue ethics is its strong agent orientation. In virtue ethics, the *primary* object of moral evaluation is the agent, not the intentional act or its consequences. Virtue ethics proceeds from the notion of the morally good person. This person is not defined in terms of performing obligatory acts (‘the person who acts as duty requires’) or end-states (‘the agent who is disposed to maximise utility through his acts’). Rather, whether acts are right or wrong is determined according to what the good agent would or would not do. Ends are considered worthy or unworthy according to what the good agent would or would not aim at. It follows from this that virtue ethics is based on a conceptual shift in which ‘being’ receives greater prominence than ‘doing’.

Virtue ethics is thus an agent-ethics rather than an act-ethics. The character of the agent rather than the act and its consequences is the primary focus. Where virtue theorists are concerned with the character of agents and the kinds of lives they lead, act theorists focus on discrete acts and are therefore more concerned with formulating decision procedures for making practical choices.

Agent ethics and act ethics also advance different views with respect to moral motivation. Moving away from rules as guiding acts and consequences of acts, the same act comes to be evaluated differently according to the motivations of the agent. The agent who acts from dispositions of friendship, courage or integrity is held to be morally higher than the person who performs the same acts but from other motives, whether with respect to utility or consequences. Character and kinds of life matter. The difficulty of any attempt to read Kantian ethics as a virtue ethics as such becomes apparent here. Kant is on both sides of the divide, as a duty-based or deontological theorist, whose preferred motivation factor is respect for the idea of duty itself, duty being done for the sake of duty, and as a virtue theorist whose preferred motive is neither duty nor utility but the virtues themselves. That Kant is able to reconcile duty and virtue testifies to his achievement in ethics.

Kant continues that “power, wealth, honour, even health and that complete wellbeing and contentment with one’s state which goes by the name of ‘*happiness*’” produce only ‘boldness’ and even ‘over-boldness’, ‘unless a good will is present by which their influence on the mind - and so too the whole principle of action - may be corrected and adjusted to universal ends’.² Kant therefore concludes that ‘a good will seems to constitute the indispensable condition of our very worthiness to be happy.’

Kant’s position on the good will would seem to offer clear evidence of an agent-centred ethics as against an act-centred ethics. This contradicts the familiar view of Kant as a rules-centred deontologist. Robert Paul Wolff remarks that it is ‘noteworthy that the philosopher most completely identified with the doctrine of stern duty should begin, not with a statement about what we ought to do, but rather with a judgment of what is unqualifiedly good’. Further, it is clear that what counts as unqualifiedly good for Kant is not some end-state like pleasure or the performance of certain discrete acts in conformity to rules, but a condition of ‘character’ forming the basis for all of a person’s actions. Thus, the question of ‘the good will’ can never be answered with certainty given the opacity of our intentions.

Instead, it is necessary to look beyond discrete acts and decisions and instead assess the lives that agents live. For Kant, a person cannot be ‘morally good in some ways and at the same time morally evil in others’. Likewise, a person cannot exhibit a good will in one instance and an evil in another. A steadfastness of character must be apparent at all times.

However, Kant’s philosophy cannot be read as a virtue ethics alone. There is little to be gained from bending a stick that has gone too far in one direction, too far back in the other direction. There is much more to Kant’s ethical position than these rules versus virtue antagonism. Kant defines both the good will and virtue in terms of obedience to moral law; they are both wills which conform to the moral law and act out of respect for the moral law. In beginning with the good will, Kant is attempting to discern ‘the supreme principle of morality’. This is the categorical imperative. Which means that if virtue is defined in terms of conformity to the moral law and the

² Gregor, M. J. (Trans. & Ed.), *Groundwork of the Metaphysics of Morals*, Cambridge University Press, New York, 2001, p. 60

categorical imperative, then it follows that, after all, it is obedience to rules that is primary in Kantian ethics, not virtue. There is, however, a sense in which this is to divide Kant's ethical position from within, creating a false antithesis which forces us to choose between duty for duty's sake or virtue for virtue's sake.

As the basis for all judgments of moral worth, virtue constitutes the heart of the ethical in Kant's view. However, Kant goes on to define this virtue according to the moral law, the supreme principle of morality. Virtue ethics places the emphasis upon agency and long-term characteristic behaviour rather than discrete acts and decision procedures for moral quandaries. However, what matters most of all for Kant is that moral agency acts consistently out of respect for the moral law, not merely in terms of following specific rules for specific acts, but in the more fundamental terms of the person guiding his or her whole life out of respect for rationally legislated and willed law.

Whatever the contemporary deontological liberal attempts to redefine Kant as neutral on the good, Kant's own position is clear: the existence of morally necessary ends is crucial to moral philosophy. Morally necessary ends exist. The good life lies in our choosing these ends as a matter of free choice, guided by reason. Kant argues that the abandonment of morally necessary ends 'would do away with all moral philosophy'. From this perspective, contemporary deontological liberalism asserting a neutrality on the good and the priority of right evinces nothing more than the demoralisation of the modern world. MacIntyre's critique of modernity in *After Virtue* could have been written by Kant as *After Morality*. As Roger Trigg argues, 'morality matters' and to Kant ends are absolutely crucial to morality as such.

Kant's reasoning is that all ends which are necessary are categorical. If all ends are contingent, then all imperatives cease to be categorical and instead become hypothetical. And this would spell the end of moral philosophy. The reduction of morality to being 'value judgements' in the modern world amounts to the eclipse of ethics. 'Value judgements' do not constitute a morality; they are a mere congeries of subjective preferences and opinions based on desire, want and inclination. If individuals are free to accept or reject any end put before them according to their own specific inclinations, then it follows that all commands prescribing maxims for actions are similarly open to rejection. And once morally necessary ends are abandoned,

inclinations take the place of reason, the moral law is no longer recognised and morality no longer exists.

It is clear that virtue plays a greater role in Kant's ethics than those who read Kant's ethics as a rule ethics pure and simple would presume. This does not mean, however, that Kant's ethics is just a virtue ethics and nothing else. It is more accurate to argue that Kant combines both rule and virtue ethics to develop an ethical position that is more than the sum of both. Both agent and act perspectives form a significant part of Kant's ethical theory. We have tried to correct the dominant reading of Kant as a deontological rule ethics that is silent so far as the concept of good is concerned. Whilst Rawlsian liberalism fits the contemporary demoralised modern world in which right prevails over good, this was not Kant's position at all on ethics. At the core of Kant's ethics is the moral requirement to transform society to realise the highest good: 'The moral law ... determines for us ... a final purpose toward which it obliges us to strive, and this purpose is the highest good in the world possible through freedom'. For Kant, human beings 'are a priori determined by reason to promote with all our powers the *summum bonum*, which consists in the combination of the greatest welfare of rational beings with the highest condition of the good itself, i.e., in universal happiness conjoined with morality most accordant to law'. Kant's notion of the good connects directly with virtue, his ethical theory thus assessing not merely discrete acts but most of all agents' characters and ways of life.

For the Hindu texts, the shared good of *Veda*, respectively, is mediated in the first place by rules. And it is rules that promote the virtues that sustain a human life. In other words, laws are the first means of entry onto the religious path. They are an invitation to the rhetorical community associated with *Veda*.³ To think of laws as constraints on freedom is to misunderstand what true freedom is in these religio-legal worldviews. Law prescribes certain activities and demands certain restraints that enable new activities and new knowledge that are otherwise impossible. The repetition of such activities? whether it be related to ritual, diet, marriage, contracts, inheritance, or the suppression of crime? constitutes the normative practice of the

³ Paul Hacker, *Dharma in Hinduism*, 34 J. of Indian Philosophy. 479, 490 (2006). One may compare rules, practices, and virtues of *dharma* to Hacker's distinction of *dharma* before, during, and after its performance or realization

community. Virtues come to be appropriated through socialization in and self-yoking to that normative practice.

If we consider the structure of the famous Laws of Manu⁴, for instance: the first half of the work, which gives detailed rules for the daily life of Brahmins of various kinds and in various stages of life, culminates in an altogether different listing of the “ten-point law.” This list includes what can only be called virtues: resolve, forbearance, self-control, understanding, learning, truthfulness, et cetera. Though it is a stretch to read the text as giving myriad rules that result in a handful of virtues, it is reasonable to view the Laws of Manu as placing first priority on *dharma* as a set of enjoined practices and only a distant, secondary importance to *dharma* as a collection of virtues.

The movement is really chronological. Virtue, being an acquired quality or habit, must be forged in the crucible of practices that conform to rules. All elements? rules, practices, and virtues? are equally important and equally constitutive of *dharma*, but one cannot obtain virtue without rules and practices.

In contrast to the modern legal perspective, this view conforms to the rules that automatically produces virtues or, better, material virtue or virtue-substance. For example, a man who annually cheats on his taxes by exaggerating his charitable contributions. If he, short of being audited and prosecuted, stops this practice in order to conform to the legal rule, then he might be said to have acquired an incremental increase in his honesty-substance. He may be known publicly as an honest man, but society does not normally count mere reputation as true virtue. Still, his virtuous act is itself lawful, good, and incrementally beneficial to his own true virtue. The point from the Hindu law side, however, is that virtue is not an absolute possession but is rather directly linked to what one actually does as measured against the empirical sources of *dharma*. One has the ten-point law in direct proportion to one’s observance of the great variety of *dharmas*. The status of the virtues among the famous renouncers of the Hindu tradition is a different matter, and many different opinions have been given about their legal status and rights and about the prerequisites. In this way, though the law cannot recognize virtue as such, rather only conformable action, it can produce

⁴ *Commentary on Laws of Manu* 2.6, translated in *Manusmṛiti: With the ‘Manubhashya’ of Medhatithi* 206-08 (Ganganath Jha trans., 1999)

virtue or virtue-substance. In Hindu jurisprudence, it is not *dharma* merely to think “virtuously” about performing rituals, abstaining from certain foods, charging appropriate interest, etc. Once one does act according to rule, however, a virtue-substance is produced.

Now, this does not sound right today because we all agree that law and morality can diverge, that a virtuous person can be legally condemned while a corrupt person is enabled by the law. But, from the perspective of these religious laws, rules must start the process off and are fundamental. The amassing of virtue-substance through good practice insists that virtue cannot precede good practice in the first instance. Virtue-substance once obtained may be “spent” in the further pursuit of goods through practice, but it may equally be “spent” pursuing practices that do not conform to and are not *dharma*. Here, think of the converse case of a man who has always properly paid his taxes but this year decides to fudge things a bit for a new car. Supposing these two hypothetical men sent their taxes in on the same day: which of them at that moment is virtuous? Would it solve the problem if the second man did it to pay for his dying wife’s cancer treatments? In this case, virtue as a moral possession is meaningless because it becomes a game of weighing the relative good produced by two different actions without a way to evaluate which is better. Such explorations in obsessive hypothetical problem-solving, what Pincoffs famously called “Quandary Ethics,”⁵ lead one away from the integration of law, religion, and ethical virtues envisioned in Hindu jurisprudence. Moreover, this kind of tragic conflict of virtues would, in Hindu law, be restated in legal terms as the determination of the proper scope of rules in particular contexts? a determination that Hindu law insists must occur with marked realism and situational reasoning.

It is impossible to underestimate the scale of Kant’s achievement. In *The History of Western Philosophy*, Bertrand Russell opines that ‘Immanuel Kant is generally considered the greatest of modern philosophers. We cannot agree with this estimate, but it would be foolish not to recognize his great importance’.⁶ Talk about being damned by faint praise. Comparisons are always invidious, but we can’t think of a modern philosopher who could be considered better than Kant. Kant’s achievement is immense, effectively bringing to fruition all the hopes of ancient

⁵ Edmund Pincoffs, *Quandary Ethics*, 80 MIND N. S. 552 (1971).

⁶ Russell, Bertrand, *A History of Western Philosophy*, London: Unwin Hyman Ltd., 1979, p. 731

philosophy in a way that responds to and resolves the key problems of the modern world. Kant achieves the unity of humankind on the plane of reason, of a reason forever denuded of its speculative ambition. Even on the foundation of the fundamental moral soundness of Socratic wisdom, ancient philosophy could not have conceived of such unification, given its deficient accounts of the unity of nature. Kant's achievement is to have demonstrated that this unity emerges from within reason itself. Unity arises from reason's own legislation; it is reason's own self legislation that unifies humankind. Kant points to a reason which grows beyond nature. Such reason does not conform to nature, following its "leading-strings", but grows beyond nature.

The examples of mathematics and natural science, which by a single and sudden revolution have become what they now are, seem to me sufficiently remarkable to suggest our considering what may have been the essential features in the changed point of view by which they have so greatly benefited. Their success should incline us, at least by way of experiment, to imitate their procedure, so far as the analogy which, as species of rational knowledge, they bear to metaphysics may permit. Hitherto it has been assumed that all our knowledge must conform to objects. But all attempts to extend our knowledge of objects by establishing something in regard to them *a priori*, by means of concepts, have, on this assumption, ended in failure. We must therefore make trial whether we may not have more success in the tasks of metaphysics, if we suppose that objects must conform to our knowledge. CPR, B xvi.

A new light flashed upon the mind of the first man (be he Thales or some other) who demonstrated the properties of the isosceles triangle. The true method, so he found, was not to inspect what he discerned either in the figure, or in the bare concept of it, and from this, as it were, to read off its properties; but to bring out what was necessarily implied in the concepts that he had himself formed *a priori*, and had put into the figure in the construction by which he presented it to himself. If he is to know anything with *a priori* certainty he must not ascribe to the figure anything saves what necessarily follows from what he has himself set into it in accordance with his concept. CPR, B xiii

By conformity to the object, Kant means conformity to nature. This merely generates the illusions of fundamental heterogeneity, including the apparent heterogeneity of the natures of philosopher and non-philosopher. Kant is clear that reason must be one within the species as a whole. If reason is to legislate unity, it must itself be unified. The reason which is one in the species is “to be found in that reason with which every human being is endowed”. There can therefore be no natural differences in kind between human beings, between philosophers and non-philosophers, only differences in the degree to which human beings have approached the end of their rational nature. The philosopher as such undertakes theoretical inquiry out of duty: “Moreover, the resolution of all our transcendent knowledge into its elements... to the philosopher is indeed a matter of duty” (CPR A 703/6 731; A 726/8 754). The duty of the philosopher is to stimulate human beings to use the reason that is their birthright. In locating the “idea of the legislation” of the philosopher in the reason that is innate to all human beings, Kant democratizes philosophy, holding out the prospect that each man and each woman can become a philosopher, thus bringing the species as a whole to its natural rational end. Such a conclusion casts Plato’s statement that virtue is its own reward in new light. All men and women are philosophers and as such come to lead lives of virtue.

In *Nicomachean Ethics* Aristotle asserts that humans by nature move towards a certain telos or end – eudaimonia. To achieve this, humans need to practice virtues such as friendship, magnanimity and phronesis. Over time philosophers have disagreed over what exactly the virtues are, but those who agree with Virtue Ethics would claim that we aim to be better than we are – the ideal has not been attained. Doing the right thing means simply the action that is done by the virtuous person. However, what if human life has no telos? According to Iris Murdoch, there are properly many patterns and purposes within life, but there is no general and as it were externally guaranteed pattern or purpose of the kind for which philosophers and theologians used to search. We are what we seem to be, transient moral creatures subject to necessity and chance.⁷

Virtue Ethics is thought to be naturalistic because its claims about our telos and virtues depend on a particular view of human nature. It is also based on

⁷ Murdoch, Iris, *The Sovereignty of Good*, New York, Routledge and Kegan Paul, 1970, p. 79

developing our fundamental nature and so fulfilling our potential as human beings. This, however, does raise some important questions which are as follows and not covered in this dissertation keeping in mind for future research:

- Do we have a fixed nature or essence?
- Are there particular qualities we should all seek to express?
- Is our nature innate or does it depend on our environment or upbringing?
- If our nature is shaped by our culture, religion or upbringing, can we be held responsible for our virtuous actions?
- If virtues can be expressed in different ways, how does a virtuous person decide which is right; for example, one person might act out of love to help a person die, while another out of love might seek to prolong life at all costs.

Virtue Ethics has, however, shown that ethics is more than obeying rules and is concerned with the value and purpose of human life.