//Thomas Jefferson AK

Table of Contents

[Util Stuffs 2](#_Toc2162013)

[Constructivist Epistemology 3](#_Toc2162014)

[Universalizability Meta-Ethic 4](#_Toc2162015)

[Govt. Specific Justifications: Trade-Offs/No Act-Omission 5](#_Toc2162016)

[Basic A2 Deon 6](#_Toc2162017)

[Basic Kantian Syllogism 7](#_Toc2162018)

[Virtue Ethics 9](#_Toc2162019)

[Function Argument 10](#_Toc2162020)

[Moral Perception/Judgment Argument 12](#_Toc2162021)

[Social Development Justification 14](#_Toc2162022)

## Util Stuffs

### Constructivist Epistemology

//epistemological justification for util that relies on its intersubjective nature. Basically, Habermas is saying that knowledge is generated in “discourse” when we all discuss what we experience in the world. But moral knowledge can only be evaluated by something that *all* of us experience, else we can’t form an objective truth. Then Mill comes in—happiness is the only thing all of us desire, pain/pleasure is the only thing all of us experience, therefore it’s the only way to form the basis of the moral knowledge Habermas talks abt. E.g. when we all realize/discuss the fact that we can all feel hunger and it’s a bad feeling that tells us the objective reality that food is a good thing.

#### Epistemic truth is derived from deliberation in a constructivist form of truth.

**Habermas[[1]](#footnote-1)**

This performatively established relation to objects that actors can affect is connected to the semantic relation to objects that interlocutors establish in asserting facts about them. In negotiating practical challenges, actors have to make the same pragmatic presupposition as language users in communicating about states of affairs. They presuppose a shared objective world as the totality of objects to be dealt with and judged. Whether they are acting instrumentally or communicatively, participants must formally presuppose one and the same world. This is what makes it possible to preserve reference and to transform practical certainties about what is “ready to hand” that have become problematic into explicit assertions about what is “present at hand.” **Once the transition from communicative action to discursive practice has been made,** **the truth claims raised in assertions can be** treated hypothetically and **evaluated in** the **light of reasons. We** can **learn from the** performative **experience of reality and** its resistance to us only **to the extent that we thematize the beliefs that are** implicitly **challenged by such experiences and learn from the objections raised by other participants in discourse. The “ascent” from action to discourse means** that **the full range of resources available in the lifeworld for** cognitively **processing problems we encounter in our** practical **coping with the world can be mobilized. In both our practical and our semantic relationship to objects,** **we are confronted with “the” world [and], whereas in claiming that the statements we make about objects are true, we are confronted with the opposition of “others.”** The vertical view of the objective world is interconnected with the horizontal relationship among members of an intersubjectively shared lifeworld. **The objectivity of the world and the intersubjectivity of communication** mutually **refer to one another.** This changes the picture of the transcendental subject standing, as it were, opposite to objects that appear to it in a world it has constituted. Subjects engaged in their practices refer to something in the objective world, which they suppose as existing independently and as the same for everyone, from within the horizon of their lifeworld. This presupposition also gives expression to the facticity of all challenges and contingencies that simultaneously provoke and limit our routine understandings and actions.

#### And constructivism generates maximizing happiness, the only intersubjective good.

**Mill[[2]](#footnote-2)**

**“The only proof capable of being given that an object is visible, is that people actually see it.** The only proof that a sound is audible, is that people hear it... In **in the like manner**, I apprehend, **the sole evidence it is possible to produce that anything is desirable, is that people** actually **desire it…** No reason can be given why the general happiness is desirable, except that **each person**, so far as he believes it to be attainable, **desires his own happiness… we have** not only all the **proof** which the case admits of, but all which it is possible to require, **that happiness is good: that each person's happiness is a good to that person, and the general happiness**, therefore, **a good to the aggregate of all persons.”**

### Universalizability Meta-Ethic

#### Morality must take the form of a universal rule.

**Singer 1[[3]](#footnote-3)**

**When I prescribe something**, using moral language, **my prescription commits me to a** substantive **moral judgment about all** relevantly **similar cases. This includes hypothetical cases in which I am in a different position from my actual one. So to make a moral judgment, I must put myself** in the position of the other person affected by my proposed action – or to be more precise, **in the position of *all* those affected** by my action. Whether I can accept the judgment – that is, whether I can prescribe it universally – will then depend on whether I could accept it if I had to live the lives of all those affected by the action.

#### And universalizability justifies util.

**Singer 2[[4]](#footnote-4)**

The universal aspect of ethics, I suggest, does provide a persuasive, although not conclusive, reason for taking a broadly utilitarian position. My reason for suggesting this is as follows. **In accepting that** [since] **ethical judgments must be made from a universal** point of view, **I am accepting that my own interests cannot**, simply because they are my interests, **count more than the interests of anyone else. Thus my** very natural **concern that my own interests be looked after must**, when I think ethically, **be extended to** the interests of **others.** Now, imagine that I am trying to decide between two possible courses of action - perhaps whether to eat all the fruits I have collected myself, or to share them with others. Imagine, too, that I am deciding in a complete ethical vacuum, that I know nothing of any ethical considerations - I am, we might say, in a pre-ethical stage of thinking. How would I make up my mind? One thing that would be still relevant would be how the possible courses of action will affect my interests. Indeed, if we define 'interests' broadly enough, so that we count anything people desire as in their interests (unless it is incompatible with another desire or desires), then it would seem that at this pre-ethical stage, only one's own interests can be relevant to the decision. Suppose I then begin to think ethically, to the extent of recognizing that my own interests cannot count for more, simply because they are my own, than the interests of others. In place of my own interests, I now have to take into account the interests of all those affected by my decision. **This requires me to weigh** up **all** these **interests and adopt the course of action most likely to maximize the interests of those affected.**

//always thought this justification was interesting b/c it put an interesting spin on the justification of universalizability traditionally used by Kantian ethics. To clarify the distinction: Kantian ethics interprets a maxim as universal when we can conceive of a world in which everyone could follow the maxim without a rational contradiction; Singer interprets universal as meaning every single person’s interests matter equally. In both situations a judgment is universal if every single person can reach the same conclusion.

### Govt. Specific Justifications: Trade-Offs/No Act-Omission

#### Government actions will inevitably lead to trade-offs between citizens. The only justifiable way to resolve these conflicts is util.

**Woller 97[[5]](#footnote-5)**

Moreover, virtually all public policies entail some redistribution of economic or political resources, such that one group's gains must come at another group's ex- pense. Consequently, **public policies in a democracy must be justified to the public**, and especially to those who pay the costs of those policies. Such **justification cannot** simply **be assumed** a priori **by** invoking **some higher-order moral principle. Appeals to a priori** moral **principles**, such as environmental preservation, also often **fail to acknowledge that public policies inevitably entail trade-offs** among competing values. Thus **since policymakers cannot justify inherent value conflicts to the public** in any philosophical sense, **and since public policies** inherently **imply winners and losers, the policymakers' duty** to the public interest requires them **to demonstrate that** the redistributive effects and value trade-offs implied by **their polices are** somehow **to the** overall **advantage of society.** At the same time, deontologically based ethical systems have severe practical limitations as a basis for public policy. At best, **apriori**moral **principles** provide only general guidance to ethical dilemmas in public affairs and **do not themselves suggest** appropriate **public policies,** and at worst, **they create a regimen of regulatory unreasonableness while failing to** adequately **address the problem** or actually making it worse.For example, a moral obligation to preserve the environment by no means implies the best way, or any way for that matter, to do so, just as there is no a priori reason to believe that any policy that claims to preserve the environment will actually do so. Any number of policies might work, and others, although seemingly consistent with the moral principle, will fail utterly. That deontological principles are an inadequate basis for environmental policy is evident in the rather significant irony that most forms of deontologically based environmental laws and regulations tend to be implemented in a very utilitarian manner by street-level enforcement officials. Moreover, ignoring the relevant costs and benefits of environmental policy and their attendant incentive structures can, as alluded to above, actually work at cross purposes to environmental preservation. (There exists an extensive literature on this aspect of regulatory enforcement and the often perverse outcomes of regulatory policy. See, for example, Ackerman, 1981; Bartrip and Fenn, 1983; Hawkins, 1983, 1984; Hawkins and Thomas, 1984.) Even the most die-hard preservationist/deontologist would, I believe, be troubled by this outcome. The above points are perhaps best expressed by Richard Flathman, The number of values typically involved in public policy decisions, the broad categories which must be employed and above all, the scope and complexity of the consequences to be anticipated militate against reasoning so conclusively that they generate an imperative to institute a specific policy. It is seldom the case that only one policy will meet the criteria of the public interest (1958, p. 12). It therefore follows that ina democracy, policymakers have an ethical duty to establish a plausible link between policy alternatives and the problems they address, and the public must be reasonably assured that a policy will actually do something about an existing problem; this requiresthe means-end language and methodology of utilitarian ethics.Good intentions, lofty rhetoric, and moral piety are an insufficient though perhaps at times a necessary, basis for public policy in a democracy.

#### Implicit approvals of actions still entail moral responsibility.

**Sunstein and Vermuele[[6]](#footnote-6)**

In our view, **both the argument from causation and the argument from intention** go wrong by **overlook**ing **the distinctive features of government** as a moral agent. Whatever the general status of the act-omission distinction as a matter of moral philosophy,38 the distinction is least impressive when applied to government.39 The most fundamental point is that **unlike individuals, governments always and necessarily face a choice between** or among possible **policies for regulating third parties.** The distinction between acts and omissions may not be intelligible in this context, and even if it is, the distinction does not make a morally relevant difference. Most generally, **government is in the business of creating permissions and prohibitions. When it** explicitly or **implicitly authorizes private action, it is not** omitting to do anything, or **refusing to act.**40 **Moreover, the distinction between authorized and unauthorized private action—for example, private killing—becomes obscure when the government formally forbids private action, but chooses a set of policy instruments that do not** adequately or **fully discourage it.**

### Basic A2 Deon

#### Util is the only way to respect the rationality of persons.

**Cummiskey[[7]](#footnote-7)**

**If I sacrifice some for the sake of others,** I do not use them arbitrarily, and **I do not deny the[ir] unconditional value** of rational beings**. Persons may have** “dignity, that is, an **unconditional and incomparable worth**” that transcends any market value (GMM 436)**, but persons also have a fundamental equality that dictates that some must sometimes give way for the sake of others** (chapters 5 and 7)**.** **The concept of the end-in-itself thus** does not support the view that we may never force another to bear some cost in order to benefit others. If one focuses on the equal value of all rational beings, then equal consideration **dictates that one may sacrifice some to save many.**

## Basic Kantian Syllogism

All humans are rational agents.

**Korsgaard 2[[8]](#footnote-8)**

C.M.K.: **I would not** quite **say that the account of moral motivation only works if we assume that people are rational. Rather,** I would say that **there is a descriptive sense in which people have no choice but to be rational** and to act on reasons of some kind. **Rationality** in this descriptive sense **is forced upon us by the fact that we are self-conscious beings and can act on our incentives only if we take them to be reasons.** So there is no question of acting rationally versus not acting rationally. There is only a question whether our reasons are good ones or bad ones, whether we are rational in a normative sense. (And of course there is the precedent question whether we can derive some standard for reasons being good or bad ones, such as the Formula of Humanity in the argument I described before.) So I don’t think that I am [not] making a strong presupposition of rationality in the normative sense. It is more a thesis in moral psychology.

//don’t have to read Hurford, it just clarifies stuff imo

Ought requires an imperative.

**Hurford 11[[9]](#footnote-9)**

**Kant described “ought” as referring to a**n imperative, defining two types: **a hypothetical imperative** and **[or] a categorical imperative: A hypothetical imperative is in the form “If you desire X, you ought to preform action Y”.** For instance, “If you value the lives of others, you ought to not murder people” or “If you value freedom, you ought not to restrict the speech of others”. It is an ought statement characterized by a conditional**. A categorical imperative is in the form “You ought to preform action Y (regardless of what you believe or desire)”.** For instance, “You ought not to lie” or “You ought not to steal”. It is a pure, unconditional ought statement.

The categorical imperative, or the highest imperative, must be grounded in practical reason. Hypothetical imperatives can all be justified by higher hypothetical imperatives. This infinite regress, however, ends at practical reason—when we reach practical reason, we are asking for a justification for why we can justify things. By questioning practical reason, we are only proving our own ability to utilize practical reason. Thus, the categorical imperative must be grounded in practical reason.

It follows from practical reason that our judgments must be universally consistent.

**Velleman 05[[10]](#footnote-10)**

Rational creatures have access to a shared perspective, from which they not only see the same things but can also see the visibility of those things to all rational creatures. Consider, for example, our capacity for arithmetic reasoning. **Anyone who adds 2 and 2 sees, not just that the sum is 4**, **but also that anyone who added 2 and 2 would see that it’s 4**, and that such a person would see this, too, and so on. **The facts of elementary arithmetic are thus common knowledge among all possible reasoners**, in the sense that every reasoner knows them, and knows that every reasoner knows them, and [so on] knows that every reasoner knows that every reasoner knows them. **As** arithmetic **reasoners**, then, **we have access to a perspective that is constant not only across time but also between persons**. We can compute the sum of 2 and 2 once and for all, in the sense that we would only get the same answer on any other occasion; and **each of us can compute the sum of 2 and 2 *once and for all***, in the sense that the others would only get the same answer. What’s more, the universality of our perspective on the sum of 2 and 2, we are aware of computing it for all, from a perspective that’s shared by all arithmetic reasoners. **In this sense, our judgment** of the sum **is authoritative, because it speaks for the judgment of all.**

Thus, all moral agents must be able to follow all moral laws.

Universal consistency demands that all individuals need to have outer freedom.

**Engstrom 9[[11]](#footnote-11)**

Now on the interpretation we have been entertaining, **applying the formula of universal law involves considering whether it is possible for every subject** capable of practical judgment to share the practical judgment asserting the goodness of every subject’s acting according to the maxim in question. Thus in the present case the application of the formula involves considering whether it is possible for every such subject **to deem good every subject’s acting to limit others’ outer freedom**, where practicable, with a view to augmenting their own outer freedom. Since **here all subjects are** on the one hand **deeming good** both **the limitation of others’** outer **freedom and the extension of their own** outer freedom, **while** on the other hand**, insofar as they agree with the** similar **judgments of others**, also determining good the limitation of their own outer freedom and the extension of others’ outer freedom, **they are all deeming good both the extension and the limitation of** both **their own and others’** outer **freedom. These judgments are inconsistent** insofar as the extension of a person’s outer freedom is incompatible with the limitation of the same freedom.

Thus, the standard is protecting outer freedoms.

## Virtue Ethics

### Function Argument

#### Once we recognize something as good, we recognize an obligation to do it. This self-imposed moral truth acts as an internal morality found within the agent.

**Aquinas**If aff) sionsnderviewervice during peacetime has never been implemented in the United States, but when the participation ofent**[[12]](#footnote-12)**

Now as "being" is the first thing that falls under the apprehension simply, so "good" is the first thing that falls under the apprehension of the practical reason, which is directed to action: since **every agent acts for an end under the aspect of good. Consequently the first principle of practical reason is one founded on the notion of good, viz. that "good is that which all things seek after."** Hence this is the first precept of law, that "good is to be done and pursued, and evil is to be avoided."

#### The good that is a self-imposed obligation is defined by the form of the agent.

**Geach[[13]](#footnote-13)**

I can now state my first thesis about good and evil: **‘good' and 'bad' are always attributive, not predicative,** adjectives. This is fairly clear about 'bad' because 'bad' is something like an alienans adjective; we cannot safely predicate of a bad A what we predicate of an A, any more than we can predicate of a forged banknote or a putative father what we predicate of a banknote or a father. We actually call forged money' bad' ; and we cannot infer e.g. that because food supports life bad food supports life. For' good' the point is not so clear at first sight, since ' good' is not alienans-whatever holds true of an A as such holds true of a good A. **But consider the contrast in such a pair of phrases as ' red car ' and' good car '. I could ascertain that a distant object is a red car because I can see it is red** and a keener-sighted but colour-blind friend can see it is a car; **there is no such possibility of ascertaining that a thing is a good car by pooling independent information that it is good and that it is a car.** This sort of example shows that ' good' like ' bad' is essentially an attributive adjective. **Even when 'good' or 'bad' stands by itself as a predicate, and is thus grammatically redicative, some substantive has to be understood; there is no such thing as being just good or bad, there is only being a good or bad so-and-so.** (If I say that something is a good or bad thing, either 'thing' is a mere proxy for a more descriptive noun to be supplied from the context ; or else I am trying to use ' good ' or 'bad' predicatively, and its being grammatically attributive is a mere disguise. The latter attempt is, on my thesis, illegiti-mate.)

#### For humans, the self-imposed obligation is being virtuous

**Hursthouse[[14]](#footnote-14)**

**To possess the virtues is,** as we have seen in previous chapters, **not only to be well disposed with respect to actions from reason but also with respect to emotions and desires.** Notwithstanding the enormous importance of our actions from reason, our emotions are also morally significant, and being well disposed with respect to them involves being well disposed with respect to the occasional impulsive actions from inclination, and the emotional reactions which are not merely physical, to which they give rise.[22](javascript:%20changeFootnote(footnotes[2].lookup,footnotes[2].expanded);) Virtuous action also involves ‘reactions which are not merely physical’ in the form of perceptions of what is relevant in a situation, which, as we saw in the first three chapters, is indispensable. Hence the concept of a virtue emerges as apparently tailor-made to encapsulate a favorable evaluation of just those aspects, which, according to the naturalism here outlined, are the ethically relevant ones. **To be a good human being is to be well endowed with respect to the[se] aspects listed;** to possess the human virtues is to be thus well endowed. **The human virtues make their possessor good qua human[s] being[s**], one who is as ordinarily well fitted as a human being can be in not merely physical respects to live well, to flourish—in a characteristically human way. **It is not plausible to say that, for example, courage plays much the same sort of role in human[s] life as its analogue does in that of, say, wolves**? Good wolves defend themselves and their cubs and each other, and risk life and limb as the pack attacks the prey, thereby fostering their individual survival, and continuance of the species, and the particular way the members of the social group cooperate in order to secure food for the group and protect themselves from danger. Human beings who are good in so far as they are courageous defend themselves, and their young, and each other, and risk life and limb to defend and preserve worthwhile things in and about their group, thereby fostering their individual survival, the continuance of the species, their own and others’ enjoyment of various good things, and the good functioning of the social group. I have read that, amongst the social animals, both wolves and elephants have patterns of action that resemble our charitable or benevolent acts, and again it seems plausible to say that the patterns play similar roles in the different forms of life. Charity directed to the young and helpless particularly serves the continuance of the species; directed more widely it serves the good functioning of the social group by fostering the individual survival, freedom from pain, and enjoyment of its members, and also by fostering its cohesion. (Charity, unlike courage, does not serve the end of individual survival directly, but, like worker bees’ stings, indirectly. An individual worker bee’s functioning sting, unlike a wolf’s sharp teeth, is not a good part because it fosters its individual survival; when a worker bee uses its sting it promptly dies. But given that bees have stings, predators learn to avoid bees because they sting, and that fosters the survival of individual bees. Charity does not, by and large, foster the individual survival of its possessor (though, as we saw, it may do), but given that members of a social group living together have charity, they can often live longer, avoid some suffering, enjoy more, because someone else helps them.) And other virtues which perhaps have no analogue amongst the other animals still serve some of the four ends (without being inimical to the others). Without honesty, generosity, and loyalty we would miss out on one of the greatest sources of characteristic enjoyment, namely lovely relationships; without honesty we would be unable to cooperate or to acquire knowledge and pass it on to the next generation to build on. And it has long been a commonplace that justice and fidelity to promises enable us to function as a social, cooperating group. All this seems to me not only plausible but also not entirely unfamiliar. It is not so far removed from Hume’s claim that the virtues are those characteristics that are useful and/or agreeable to their possessor and/or to others, nor from modern attempts to evaluate actions or principles of action as right in the light of their tendency to promote the greatest happiness and freedom from suffering or as necessary for our living together in a society. **True, modern discussions, being mostly by non-virtue ethicists, tend to emphasize right action rather than the virtue of good human beings, but most will readily accept that good human beings are those who have the virtues and that the virtues are those character traits that tend to produce what they identify as right actions.** And although the ends of individual survival and the continuance of the species do not look as familiar as the other two, I think one can usually discern their influence too. Accounts that turn out to require widespread self-sacrifice or the fatal turning of the other cheek are criticized on the score and usually amended accordingly so that good human beings—the ones who tend to produce right actions—have a reasonable expectation of individual survival. The continuance of the species is a much trickier issue as far as reproduction is concerned (to which I shall return), but in so far as it involves the nurturing and education of our children (like the lioness suckling her cubs and then teaching them to hunt), I would say that, though rarely mentioned, it is almost universally presupposed. No moral philosopher knowingly attempts to rationalize actions or principles of action which foster general happiness or “persons” living together in society at the expense of the nurturing and education of children; one can see that most of them are just assuming that the existing babies are going to survive and become adults like them and their readers in the future, even if they have overlooked what a great deal of deliberate human activity has to go into ensuring that this happens. So I think there is enough similarity for us to expect that, if this naturalistic project were to be pursued, there is no reason at the moment to suppose that it would yield a bizarre characterization of a good human being.

Good and bad only make sense relative to something, so a good human has to be defined by some characteristic. The only thing that makes sense is for a good human to be a virtuous human, because any other framework ascribes good to the human’s actions, not the human itself.

### Moral Perception/Judgment Argument

#### Ethical theories can only guide action when they impose a motivational moral truth, else we wouldn’t care to act on moral principles.

**Katsafanas[[15]](#footnote-15)**

**Recognizing that x**-ing **is wrong [must] is supposed to be capable of motivating the agent not to x.** But how could a claim that bears no relation to any of our motives possibly moves us? As Williams puts it, ‘‘the whole point of external reasons statements is that they can be true independently of an agent’s motivations. But **nothing can explain an agent’s** (intentional) **actions except something that motivat[ion]es him[/her]** soto act’’ (1981, 107). Williams’ point is this: **if the fact that murder is wrong is to play a role in the** explanation of aperson’s **decision not to murder,** then the fact that murder is wrong **[it] must** somehow **figure in the etiology of the agent’s action. But this suggests that**, if the fact that murder is wrong is to exert a motivational influence upon the person’s action, then **the agent must have some motive that is suitably connected to not murdering.** And this pushes us back in the direction of internalism.

#### And virtue ethics controls the strongest link to internalism, since we only get motivation to act morally when we perceive situations as deserving of action.

**Lindemann[[16]](#footnote-16)**

**One of the major problems that ethical theories face today is to determine the precise connection between the recognition of ethical dilemmas by a moral agent and [her] subsequent motivation to act.** Frequently, philosophers argue, it is not enough for a moral agent to know ethical principles that apply only to universalized situations; something else has to occur for the agent to truly jump into gear. **Simply knowing theoretical ethical principles does not provide the agent with the fine-tuned perception necessary to actually recognize a specific situation as deserving of action. This is one of the reasons why rule-based systems of ethics are problematic, as they already assume that the moral agent has discerned ethical salience in a given situation.** However, that is not necessarily the case. **In other words, knowing that “one should be benevolent to those less fortunate” does not give any specific information as to what action to take when one is faced with a homeless person on the street, for instance.** In such a situation, one first has to recognize that the other person has a good of his or her own, is in need, and thus deserving of help. In the same way, **the rule does not provide information regarding what form the aid should take: should one simply give the person money for food? Or should one try to help in more profound ways, such as finding him or her a job etc.? All these scenarios already depend on the moral perception of the moral agent**; that is, the situation first has to be perceived to be a moral one, for otherwise moral activity is not at all required. As Blum puts it: The point is that perception occurs prior to deliberation, and prior to taking the situation to be one in which one needs to deliberate. It is precisely because the situation is seen in a certain way that the agent takes it as one in which he feels moved to deliberate.40 Therefore, the significance of moral perception for subsequent action is undeniable. The question now becomes: **What is moral perception and how does it develop in a moral agent? Clearly, rules and regulations in and by themselves are not guides to moral perception, since they only prescribe how to act once a moral situation is already perceived as requiring action. Therefore, deontological and utilitarian theories of ethics generally begin too far down the road, as they already presuppose the moral perception of the moral agent.** The principles provided can only be applied if the situation has been recognized as a moral one. **However, moral perception appears to be a component of the characteristics and dispositions of a person, as they are an integral part of how a person dwells in and interacts with the world. Thus, moral perception, which is essential and prior to any moral judgment, is closely linked to ethical theories of virtue, as the virtues are generally regarded to shape an agent’s understanding of his or her moral environment. In other words, a person who has cultivated the virtues of love and benevolence perceives the world in a distinctly different way than a person who is lacking these qualities.** As Sherman states: Preliminary to deciding how to act, one must acknowledge that the situation requires action. The decision must arise from a reading of the circumstances. This reading, or reaction, is informed by ethical considerations expressive of the agent’s virtue. **Perception thus is informed by the virtues**. The agent will be responsible for how the situation appears as well as for omissions and distortions. Accordingly, much of the work of virtue will rest in knowing how to construe the case, how to describe and classify what is before one. An agent who fails to notice unequivocal features of a situation which for a given community standardly require considerations of liberality, apparently lacks that virtue. It is not that she has deliberated badly, but that there is no registered response about which to liberate.41 In other words, many situations that clearly deserve the moral consideration of the virtuous person might not elicit any emotional or ethical response by the person lacking the appropriate virtue. Take, for instance, the following scenario: Kate and John are sitting next to each other on a very crowded bus. An elderly lady gets on the bus, but unfortunately there are no more seats available. All John notices at that time is that additional passengers have gotten on the bus; he barely acknowledges the presence of the elderly lady. Kate, however, immediately perceives the situation as requiring action, since she feels empathetic for the woman in need. In other words, she can recognize that the good (comfort) of the woman is in jeopardy, and accordingly decides to act. As this example shows, the recognition of a situation as being a moral one is the prerequisite of any moral action altogether. Apparently, the particular scene looked decidedly different to John than it appeared to Kate due to their different moral sensitivities. One could rightly argue that in the context John was rather insensitive regarding the needs of other passengers, and thus exhibited some sort of moral defect, although a minor one.

//Basically, there’s a distinction between recognizing an ethical dilemma and deciding to act. Lindemann explains that we only act on a moral dilemma when we perceive that it needs action, and this perception is based on our virtues. For example, even if we were consequentialist, we don’t act on all possible moral dilemmas. Consider the example of charity—it might be morally good to donate to charity under a consequentialist paradigm, but our donating and not donating depends on whether we believe in the virtue of helping others. Consequentialism, or any other framework for that matter, only kicks in after our virtues decide whether or not we should act in a situation or ignore it, meaning that all ethical theories collapse to the AC framework anyways.

Summed up: it’s only by cultivating virtue that we can get the moral perception for what a good action is. I just added the internalism twist at the top w/ Katstafanas cause I thought it would make the justification more nuanced/interesting, but you can read Lindemann independently too

### Social Development Justification

#### We can’t understand what moral rules mean without some sort of communal interpretation, meaning that all ethical theories must account for social development to guide action

**McGinnis[[17]](#footnote-17)**

McDowell begins with Wittgenstein's example at §185 of PI (though, for Wittgenstein, this was a return to a similar thought-experiment at §143), where a pupil is asked to extend a series (through an order which has the form +n, in this case +2), so as to produce 2, 4, 6, 8, etc. McDowell comments that we have a tendency to view iterations of this task as a type of psychological mechanism, analogous to the movement of some otherwise inert physical object being guidedNI by an underlying structure—the common metaphor is that of rails—necessarily towards the correct answer (McDowell 1998: 58).34 This view is, McDowell notes, rather suspect. **The first problem is that any rule-following behaviour or statement of understanding a rule ("I am doing this")— such as that of adding 2—is in a sense underdetermined: the potential behaviour that comes under the jurisdiction of rule is infinite** (in this case we have the set of natural numbers) while at any given time we've seen, or followed ourselves, only a finite fraction of these possible cases. What evidence we have for the picture of rule-following as a set of 'rails' cannot dismiss the possibility that in the future behaviour will "diverge from what we could count as correct" (ibid., 59). Wittgenstein's example of this, also used by McDowell, is a person who continues the +2 series after reaching 1000 thusly: 1004, 1008, 1012... and does not understand that he has made a mistake, believing that he was applying the rule correctly. At this point, as Wittgenstein notes, it is no use to merely say: "But can't you see?" (cf. PI §185)—for he sees differently: a rabbit instead of a duck, as with the old optical illusion. Perhaps he believed that to correctly apply the rule, he was to "add 2 up to 1000, 4 up to 2000, 6 up to 3000, and so on", and does not admit or understand that there was a mistake (ibid., 59). The constant possibility of such behaviour runs against the supposition that to follow a rule is to be guided by these inexorable 'rails'. Concludes McDowell: "The pictured state, then, always transcends the grounds on which it is allegedly postulated" (ibid., 59). The point of these considerations is not a sceptical one, as is sometimes argued, nor to undermine confidence in our speech acts; rather it is only to remove an illusory ground we sometimes ascribe to meaning, a picture in which "the steps are really already taken, even before I take them in writing or orally or in thought" (ibid., 59). The connection between the objection sketched by McDowell earlier on and Wittgenstein's argument is clear. The 'major premise', formulated as a single universal principle, is meant to anticipate all cases of application, "as only the act of meaning can anticipate reality" (PI §188). It is precisely because of this attributed ability that it can serve as major premise, much like an algebraic formula is thought to be able to. The minor premise of the syllogism consists of the specific integers in play, which leads us, so the picture goes, necessarily to a specific conclusion, determined by the formula. Likewise, a "complete specification of the reason why the virtuous person acts as he does" is required as major premise, as mere perceptual sensitivity is insufficient to provide reasons for action (ibid., 54); recall McDowell's formulation of the objection— that both the virtuous and non-virtuous may share the same perception but fail to act in corresponding ways, showing virtue forms a composite state. The 'deliverances of sensitivity' (the 'integers'), to use McDowell's phrase, interact with something else—the universal principle and one's own volition (the 'formula'), to produce determinate answers. But this conception strikes McDowell as 'implausible', for cases would inevitably turn up in which a mechanical application of the rules would strike one as wrong—and not necessarily because one had changed one's mind; rather, one's mind on the matter was not susceptible of capture in any universal formula (ibid., 58). Wittgenstein's rule-following 'argument'—I use the term with some trepidation, for it would be somewhat of a mischaracterization to see it as a pure example of premise / conclusion philosophical dialectic—serves to dispel the notion that to act rationally is to follow the dictates of some externally-determined universal formula, and also the correlated notion that error consists in something analogous to mechanical breakdown. **Consider the algebraic example**. Are the steps to be taken for a series in some way 'determined'? **For Wittgenstein, such a statement is perhaps referring to the fact that people are brought by their education (training) so to use the formula y = x², that they all work out the same value for y when they substitute the same number for x**. [...] It may now be said: "The way the formula is meant determines which steps are taken." **What is the criterion for the way the formula is meant? It is, for example, the kind of way we always use it, the way we are taught to use it.** (PI §189; §190). **When someone's behaviour diverges from what we would think counts as the correct answer in a given series, and does not 'see' the mistake at all, we lose the picture of rules as determining meaning in all possible application and cases. Grasping meaning is instead a function of being taught proper application of symbols**. Yet for all this we do not lose confidence in our assertions or practices. Instead we see that it is largely spurious to make certain sorts of particularly stringent epistemological demands: that understanding a rule consists in letting one's mind be guided by some objectively present, mind-independent structure (such as Platonism concerning mathematics). McDowell's stressing of Wittgensteinian 'uncodifiability' connects with several of the critical aspects of virtue ethics explored in the last chapter. **The point of the 'rulefollowing' argument was that what counts as rational or consistent behaviour is not wholly determined by external facts which the mind somehow grasps via abstract contemplation**; this is the vanity of previous moral theories which most authors of virtue ethics attack, though they focus on different targets, after different fashions. Anscombe's criticism of Kant, recall, explicitly made use of uncodifiability: "no theoretically adequate provision can be made for exceptional circumstances," she writes, rendering it impossible to construct the appropriate type of stipulation necessary to govern descriptions of actions (Anscombe 1999: 27; 29). This is akin to McDowell's presentation of Wittgenstein; in both, there lurks the realization that concept-application is not governed by the picture of 'rails'. The relevant description of, say, a lie—Anscombe's example35 — is not something which can be adequately captured in what McDowell terms a 'universal formula', for considerations identical to those of the +2 series, as are the consequences. Speaking of the objection's equal application to utilitarianism: "any action can be so described as to make it fall under a variety of principles of utility (as I shall say for short) if it fall under any" (ibid., 28). The general nature of the problem under Anscombe's consideration here is so similar to Wittgenstein it even seems strange she would not quote him or bring the connection out. Perhaps the connection was taken to be entirely self-evident. Another link between the rule-following argument and the critiques of virtue ethics is the argument that 'pleasure', or any other good, is a heterogeneous, polycentric concept (an argument we presented through Nussbaum's writings on the topic). The opposite view is that of pleasure as a unitary and measurable object; but as the rule-following argument applies across the board, it is clear that what counts as pleasure can no more be determined from 'outside' than what counts as a lie, or what counts as following the +2 rule. The attraction to a certain species of moral theory lies precisely in the claim that we can define what 'pleasure' is, or 'lies' are, in a peculiarly binding and inexorable way, so as to 'solve' problems with no rational dissent possible from the one answer determined by the formula. If we find Wittgenstein's rule-following argument convincing, however, we should not view such projects as likely to succeed: for it seems rather unlikely, if not downright impossible, that the definitions upon which the projects ride will be found— that they are indeed such things as can be 'found'. Yet despite these rather difficult conclusions there is no reason to embrace scepticism or lose confidence in the grounds of our assertions. Where does our confidence come from, if not from determinate rules and principles, lying outside of us, as it were? According to McDowell—approvingly quoting Stanley Cavell—nothing but our 'shared forms of life', a 'whirl of organism' that consists of common discursive practices, 'routes of interest' and patterns of recognized similarity: a 'congruence of subjectivities' (McDowell 1998: 60-61). We may choose to explain the correct extension of a number series in syllogistic terms, but this should not lead us to the conclusion that the operation moves independently of our forms of life. Writes Wittgenstein about the tendency towards this sort of conclusion, "It is as if we could grasp the whole use of the word in a flash." Like what e.g.? ... But have you a model for this? No. It is just that this expression suggests itself to us. As the result of the crossing of different pictures [...] You have no model of this superlative fact, but you are seduced into using a super-expression. (PI §193). This 'flash' of insight is the seductive illusion that we mount ourselves on some external rails when we grasp the use of a rule, such as 'add 2', because we have the sensation that, despite the underdetermined nature of the picture, we see application of algebra or words into infinity. This 'strange' sensation leads us to postulate the superlative picture. Writes Wittgenstein, But there is nothing astonishing, nothing queer, about what happens. It becomes queer when we are led to think that the future development must in some way already be present in the act of grasping the use and yet isn't present. [...] Where is the connexion effected between the sense of the expression 'Let's play a game of chess' and all the rules of the game?—Well, in the list of rules of the game, in the teaching of it, in the day-to-day practice of playing. ( PI §197). The ability to project use into indefinite future context turns therefore not on some mysterious underlying mechanism churning out 'appropriate' answers, but rather on the taught practices of linguistic communities and creative decisions made within them.36 Hence the thought that calculations within the deductive paradigm ought to be 'automatically compelling' somehow above and beyond forms of life is a method of avoiding Wittgenstein's difficult conclusions about the grounds of our rationality. **For McDowell, the correct standpoint, or 'cure' to this** (no doubt following Wittgenstein's notion of 'therapy'), **instead is to [we must] give up the idea that philosophical thought, about the sorts of practice in question, should be undertaken at some external standpoint, outside our immersion in our familiar forms of life**. (McDowell 1998: 63) This is the path to the Neurathian solution advocated by Hursthouse, as we saw in the last chapter. It may seem at first glance that Hursthouse's use of eudaimonia as a naturalistic ground for her brand of virtue ethics runs counter to the line of argument presented here, in that explicit reference to human flourishing may serve as major premise in a syllogism of the form criticized by McDowell here. But Hursthouse never intends, and indeed explicitly denies, that her naturalism is meant to be convincing outside of an acquired ethical outlook, i.e. a form of life (Hursthouse 1999: 166). Such a move will seem utterly unconvincing without the background assumed by appreciation of the rather deep implications of the rule-following argument, which includes McDowell's 'cure' for the seduction by the deductive paradigm; paradigm which, as McDowell concludes his interpretation of Wittgenstein, is a deeply unsatisfactory model even standing by itself: Pupils do acquire a capacity to go on, without further advice, to novel instances. Impressed by the sparseness of the teaching, we find this remarkable. But assimilation to the deductive paradigm leaves it no less remarkable. The assimilation replaces the question "How is it that the pupil, given that sparse instruction, goes on to new instances in the right away?" with the question "How is it that the pupil, given that sparse instruction, divines from it a universal formula with the right deductive powers?". The second question is, if anything, less tractable. (McDowell 1998: 64) The first question is quite tractable, by contrast. The boundary conditions created by both human nature and shared forms of life provide sufficient explanatory content to explain extension to novel circumstance; whereas it is difficult to see how a pupil can make the 'leap of divination' McDowell views as necessary to answer the second.37 Furthermore, this is not to suggest that there are unbridgeable chasms created by forms of life or that one cannot be brought to 'see' things correctly if they have grasped usage differently. But these are topics to be addressed in the next chapter. For now, I have argued that virtue ethics—of which I chose Hursthouse's version as an exemplar—crucially depends on this interpretation of Wittgenstein's rule-following argument and the consequences drawn from it.

#### Virtue ethics uniquely meets—“new” moral agents learn from other virtuous agents around them, where as all other ethical theories abandon social development for some conceptual truth

**Reader[[18]](#footnote-18)**

Virtue is a free disposition to act in certain ways under certain conditions. Virtue ethics claims that what is to count as a good action or what is a good outcome is conceptually dependent on claims about the virtue of an agent. How is this dependence supposed to work? **Where those after an explanatory account seek a conceptual connection with something like a normative 'in itself,’ virtue ethicists instead explore the concrete dependence of moral activity on the possibility of learning from already virtuous agents. They hold that the key to moral rationality is found in moral education. Ethics begins with the apprentice moral agent: the child, or the foreigner, or the damaged person in rehabilitation are all examples. These beginner-agents [who] learn from the experienced, wise moral agent by copying, by mimicking in their actions the actions of the virtuous agent.** This mimicking, or 'going on in the same way', does not presuppose that the learner agent acquires any representations of how the world is (i.e., beliefs), nor that they acquire the ability to report on or provide justifications for what they do. Virtue is learned by cottoning on to virtuous ways of doing things, going on to do the same, then going on to do the same in new ways, once they have mastered the skill.16 The way virtue and character is supposed to be basic here is simply displayed in the analogy: there is and can be nothing 'behind' the expertise of the phronimos which can explain or justify it (any more than there is anything 'behind' the expertise of the doctor or the navigator, to use Aristotle's examples at NE 1104b7-l 1). Of course, plenty more can be said about it, and shortcuts can be found to aid the learn ing of those who have already mastered other skills (so competent rule-fol lowers can learn from being given rules, just as competent grammarians can learn a new language from the grammar). But we should not confuse what it is possible to say about the skill of being moral, with what constitutes it.

There’s no point of having some sort of moral rule if everyone in society has a different interpretation of how to follow it. Virtue ethics is the only framework that avoids this situation by accounting for social development—in other words, since virtue ethics relies upon learning from others, not from our reason or senses, everyone in society will have the same interpretation of a moral truth. This also implies that you default to the NC framework because all other frameworks lead to paralysis based on differential interpretations.

1. Habermas, Jurgen, “Truth and Justification”, translated by Barbara Fultner, 2003 Massachusetts Institute of Technology. [↑](#footnote-ref-1)
2. John Stuart Mill, Utilitarianism, 1861 http://www.utilitarianism.com/mill2.htm [↑](#footnote-ref-2)
3. Peter Singer [Ira W. DeCamp Professor of Bioethics, Princeton], “The Groundwork of Utilitarian Morals: Reconsidering Hare’s Argument for Utilitarianism,” draft prepared for the Conference on Issues in Modern Philosophy: “The Foundations of Morality,” NYU Philosophy Department, November 7, 2009, 34. [↑](#footnote-ref-3)
4. Peter Singer [Ira W. DeCamp Professor of Bioethics, Princeton]. *“Practical Ethics”*. Cambridge University Press. 2011. [↑](#footnote-ref-4)
5. Gary Woller [BYU Prof., “An Overview by Gary Woller”, A Forum on the Role of Environmental Ethics, June 1997, pg. 10] [↑](#footnote-ref-5)
6. [Cass R. Sunstein and Adrian Vermeule. The University of Chicago Law School. “Is Capital Punishment Morally Required? The Relevance of Life‐Life Tradeoffs.” JOHN M. OLIN LAW & ECONOMICS WORKING PAPER NO. 239. The Chicago Working Paper Series. March 2005] [↑](#footnote-ref-6)
7. Cummiskey, David. *Kantian Consequentialism*. Published by Oxford University Press. 1996. (p.142). [↑](#footnote-ref-7)
8. Christine M. Korsgaard, 2 (Professor of Philosophy at Harvard). Internalism and the Sources of Normativity. Constructions of Practical Reason: Interviews on Moral and Political Philosophy, edited by Herlinde Pauer-Studer (Stanford: Stanford [↑](#footnote-ref-8)
9. , Peter. Political Science and Psychology Major at Denison University. November 4, 2011. The Meaning of Ought, Part I. http://www.greatplay.net/essays/the-meaning-of-ought-part-i [↑](#footnote-ref-9)
10. David Velleman, 05 Self to Self: Selected Essays. Cambridge University Press: 2005. P 22. [↑](#footnote-ref-10)
11. Engstrom, 9, Stephen. “Universal Legislation as the Form of Practical Knowledge.” N.d. Available from http://www.philosophie.uni-hd.de/md/philsem/engstrom\_vortrag.pdf. [↑](#footnote-ref-11)
12. St. Thomas Aquinas [Saint Thomas Aquinas O.P., was an Italian[3][4] Dominican friar, Catholic priest, and Doctor of the Church. He was an immensely influential philosopher, theologian, and jurist in the tradition of scholasticism]. *Summa Theologicae, Part II, I, Q. 94 The Natural Law*. Translated by Minnesota State. **//AK** [↑](#footnote-ref-12)
13. Peter T. Geach [Peter Thomas Geach, FBA was a British philosopher and Emeritus Professor of Logic at the University of Leeds. His areas of interest were the history of philosophy, philosophical logic, metaethics, and the theory of identity]. (Reprinted in Foot, Philippa (ed.) (1967). Theories of Ethics United States: Oxford University Press. pp. 64–73) **//AK** [↑](#footnote-ref-13)
14. Rosalind Hursthouse [moral philosopher noted for her work on virtue ethics]. *On Virtue Ethics.* Published by Oxford University Press. December 16, 1999. **//AK** [↑](#footnote-ref-14)
15. Paul Katsafanas [Professor of Philosophy, Boston University]. Constitutivism about Practical Reasons. Academia.edu. March 6, 2014. **//AK** [↑](#footnote-ref-15)
16. Monica A. Lindemann [B.A., Thesis presented for Master of Arts Degree]. *Environmental Virtue Education: Ancient Wisdom Applied.* University of North Texas, August 2005. **//AK** [↑](#footnote-ref-16)
17. Nicholas McGinnis [Ph.D., Department of Philosophy, University of Western Ontario]. *Wittgenstein's Influence on the Development of Virtue Ethics.* Concordia University in Quebec, Canada. August, 2006. **//AK** [↑](#footnote-ref-17)
18. Soren Reader [Late Professor of Philosophy, Durham University] “New Directions in Ethics: Naturalism, Reasons, and Virtue.” Ethical Theory and Moral Practice, Vol. 3, No. 4, Dec. 2000. **//AK** [↑](#footnote-ref-18)