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The active contrast between virtue and obligation

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Rice University, 1988
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THE ACTIVE CONTRAST BETWEEN VIRTUE AND OBLIGATION

by

LAURA A. MELIM

A THESIS SUBMITTED IN PARTIAL FULFILLMENT OF THE REQUIREMENTS FOR THE DEGREE DOCTOR OF PHILOSOPHY

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by

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ABSTRACT

This study aims to restore to virtue, as manifest in action, a central place in ethical theory, by securing for virtuous action conceptual and evaluative independence from virtuous agency, on the one hand, and morally obligatory action, on the other.

An Aristotelian, rather than a Kantian or consequentialist, perspective emerges as the perspective proper to a study of virtuous action. However, in its emphasis upon actions, rather than upon the qualities of agents, this study differs from Aristotle's ethics, as well as from most contemporary writings on virtue ethics.

To establish the conceptual autonomy of virtuous action, relative to virtuous agency, I posit the primacy of virtue itself and identify virtuous action as secondary to, and informed by, virtue. An action is informed by virtue just in case it is good and fitting. A good action is one whose aim is good, where the aim of an action is neither the intention of the agent nor the actual or probable consequence of the action, but the consequence which a reasonable person would have grounds for inferring is the intended consequence of the action. Virtuous action, so defined, has value and is not merely the expression of the
agent's virtue or good motives. Hence, the value of virtuous action does not derive from the agent's virtue or the value of his motives.

I distinguish virtuous action from morally obligatory action in three ways: 1) by showing that some obligatory actions lack fittingness, which is a necessary condition for virtuous action; 2) by showing that my definition of virtuous action distinguishes the concept of virtuous action from the deontic concepts of special obligation, supererogation and imperfect duty; 3) by arguing that the ethical perspective proper to an analysis of the nature of virtuous action is genuinely distinct from the ethical perspective which informs modern theories of obligation.

Examining the question of the limits of obligation, I argue that there are actions which are morally good and non-obligatory, by proposing criteria of non-obligatoriness in actions and by presenting four examples of actions which, given these criteria, are non-obligatory, yet are virtuous and moral.
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INTRODUCTION

Two general lines of inquiry are pursued in this work. I have been concerned, in the first place, to define the concept of virtuous action and to identify the ethical perspective proper to a study of virtuous action. My other main concern has been to discover how virtuous action stands with relation to morally obligatory action and the points of contrast between the ethical standpoint associated with the idea of virtue and the ethical standpoint associated with the concept of moral obligation or moral duty.

The way in which the ethical perspective proper to a study of virtuous action is here conceived is basically Aristotelian. However, whereas the emphasis in Aristotle's ethics is upon persons, and what it is for a person to have virtue or be virtuous, and what it is for an action to express or exhibit the agent's virtue, the emphasis in this work is upon actions, and what it is for an action to be virtuous, and what we may infer about the condition of the agent from the performance of a virtuous action.

In its emphasis upon actions, rather than upon the qualities of agents, this study differs not only from
Aristotle's writings on ethics, but also from much of the work done by contemporary philosophers of ethics who have taken up an Aristotelian approach to the subject. Among these philosophers, it is generally agreed that the classical tradition in ethics, and the ideas which are of primary concern within that tradition, in particular, the idea of virtue, have been too long neglected by moral philosophers. The neglect of this tradition has been seen to involve, among other things, a corresponding failure to attend to ethical agency and concepts related to this, e.g., the concept of character, and also various psychological concepts, such as intention, wanting and pleasure. Thus, Elizabeth Anscombe, in her essay "Modern Moral Philosophy," the appearance of which, in 1958, is generally regarded as marking historically the recent turn to the virtues by contemporary philosophers of ethics, recommends that we banish ethics totally from our minds until such time as we have come to an understanding of such concepts as action, intention, pleasure and wanting, concepts which she regards as belonging to the philosophy of psychology.1

Again, in the introductory material to their anthology, The Virtues, Contemporary Essays on Moral Character, Robert Kruschwitz and Robert Roberts state:
The recent renewal of interest in the virtues and vices constitutes a shift of substance and of method in thinking about ethics. The shift is away from discussion of rules, policies, principles and goods, approached primarily through the analysis of problem-cases in ethical action, to a discussion of traits, approached through reflection on characters, their stories, psychological makeup, and the conditions of their thriving.

In general, then, among those who have taken up an Aristotelian or classical approach to the study of ethics, the focus of attention is primarily upon the condition or quality of character of agents, rather than upon actions. Accordingly, the overall aim of the work of many of these philosophers has been to restore to virtue and the virtues, conceived as attributes of a human being, a primary place in ethical theory.

I am, on the whole, in sympathy with this way of understanding the task of the contemporary virtue ethicist. At the same time, however, I have in this work taken up a somewhat different project: that of restoring to virtue, as manifest in action, a central and primary place in ethical theory.

One basis of the recent concern to restore primacy to virtue and the virtues, conceived as attributes of a human being, is a dissatisfaction with the modern view of virtue and the virtues, so conceived, as merely a disposition, or particular dispositions, providing the
motivation to act on principles of morality. Associated with this view of the nature of virtue and the virtues is a conception of the good or virtuous person as one who merely willingly and with knowledge does those acts which are prescribed as right or required. Insofar as the task of the contemporary virtue ethicist is understood to involve a study of character, and various traits of character, one of its principle objectives is seen to be that of showing that virtues, \textit{qua} traits of character, possess intrinsic ethical worth or value and do not derive their whole worth or value from the rightness of the actions in which they issue, and that the merit of the good or virtuous individual does not derive from the pre-existing merit in his conduct.\footnote{In making the subject of my study the nature of virtuous action, I have not been unmindful of this aspect of recent work on the relation of virtue to action. Nowhere in this work have I claimed that the whole worth of a trait of character, or of character \textit{per se}, reposes in the actions to which it gives rise, nor does the analysis of the nature of virtuous action presented here imply this, so far as I know. In fact, there is a parallel to the modern view about virtue in agents, having to do with virtue in actions, which says that a virtuous action just is the expression of virtue in the agent, or of a good, or morally good, motive on the part of the agent. On this view, a virtuous action derives its whole value either from}
the agent's virtue or the moral value of his motives, on
the one hand, or else from its rightness, whether this is
conceived along deontological or consequentialist lines, on
the other. In taking up the project of restoring to
virtuous action a central and primary place in ethical
theory, I have been concerned for the most part with
arguing against this parallel view of what makes actions
virtuous and what constitutes the source of the value of
such actions.

Accordingly, in Chapter One, I propose a definition
of virtuous action which identifies such actions as
secondary, not to virtue in an individual, or a virtuous or
morally good motive, but to virtue itself. Also, in
Chapter Two, I reject the view that actions corresponding
to traits classically regarded as virtues, e.g., courageous
or generous actions, have the relevant qualities predicated
of them only because of some reference to a quality or
trait in an individual. Since, according to the theory
presented here, virtuous action is neither action
expressing virtue in an individual, nor action done from a
good, or morally good, motive, nor action springing from a
particular trait of character, such as courage or
generosity, it is theoretically possible for an action to
be virtuous without arising from virtue, or a virtue, or a
good, or morally good, motive in an agent. Hence, if
virtuous actions are valuable, their value cannot be said
to derive from the agent's virtue or the value of his motives.

The question remains, whether the value of a virtuous action derives from its rightness, whether this be understood in deontological or consequentialist terms. It seems that an action could be both right, or obligatory, in the deontologist's or consequentialist's sense, and virtuous, according to the definition of virtuous action given here. However, in the first place, as I shall argue, there are obligatory actions which fail to be virtuous, given our definition of virtuous action. Moreover, while an action may be both obligatory and virtuous, the moral or ethical standpoint which is proper to an assessment of the action qua obligatory is substantively different from the standpoint which is proper to an assessment of the action qua virtuous.

The difference between the ethical perspective from which an action would be judged obligatory, and that from which an action would be judged virtuous, is such that, among other things, features of actions which are salient from one of these perspectives are not salient from the other. Moreover, the terms in which actions are assessed also vary with perspective, so that when we say that an action is virtuous, we are ascribing to the action certain qualities and, in some cases, a type of ethical value, which, in my opinion, can be neither recognized by, nor accommodated in, modern theories of obligation.
As I have stated, the ethical perspective taken up here is basically Aristotelian, a perspective which I judge to be well suited to the present task, and which will be referred to, in various places in this work, as the perspective associated with the idea of virtue, or as the perspective of virtue. Though I have not attempted to define this perspective precisely, I have tried to indicate both its general features and some of the ways in which it differs from the perspective of morality. This last is dealt with most specifically in Chapter Three, where I take up the perspective of morality and of the concept of moral obligation or duty, and examine certain problems which are, strictly speaking, problems for the moral theorist but which are relevant to this study in that they shed light upon the nature of one variety of virtuous actions (namely, the morally good ones), and allow us to compare the concept of virtuous action, as it is here defined, to the deontic notions of special obligation, supererogation and imperfect duty.

In Chapter Four, I outline some further points of contrast between these perspectives. The discussion in this chapter does not constitute a systematic comparison, but it identifies, I believe, some of the issues which such a comparative study would need to address.

In sum, the study of virtuous action undertaken here is partly modern and partly ancient in its
preoccupations. I shall leave it to the reader to decide with what degree of success it bridges these two worlds and the ethical standpoint each represents.

The terms "action" and "to act" will in this work refer to anything that a person might be said to be able to do.
CHAPTER ONE

VIRTUE AND ACTION

In this chapter, I offer an account of virtuous action which identifies virtuous action in relation to virtue, where virtue is conceived as something distinct from and prior to the virtue of an individual. In Section I, I suggest that the defining characteristics of virtuous action are goodness and fittingness. In Section II, I discuss the concept of goodness in relation to virtuous action and also attempt to resolve certain questions having to do with the relation of virtuous actions to their agents. In Section III, I discuss the concept of fittingness in relation to virtuous action and suggest that in actions which are both good and fitting, these qualities are not sharply distinct. In Section IV, I propose a method for arriving at an understanding of what it is for a particular action to be good and fitting, and hence virtuous.
I. What is Virtuous Action?

Virtuous action is action expressing virtue. Virtuous actions, taken together, comprise a category of actions distinguished from actions of other sorts by this, that virtue is present in them and only in them.

The claim, that virtuous action is action expressing virtue, identifies virtuous action in relation to virtue, as secondary to virtue. The idea that virtuous action is secondary to virtue is sometimes understood to mean that the notion of a virtuous action is secondary to the notion of a virtuous individual— that what makes acts virtuous is given by reference to an ideal type of character, to what such a character (an ideally virtuous individual) would do in relevant circumstances. The claim put forth here is to be understood differently, as meaning that the notion of virtuous action is secondary, not to the notion of a virtuous individual, but to the notion of virtue per se. We may regard what the ideally virtuous individual would do in a circumstance calling for action as indicative of what virtue, itself, consists in, but it is only as informed by virtue itself that the
hypothetical choice of this ideal type may be said to constitute a determinant of the virtuousness of actions. According to the account offered here, then, virtue, in relation to virtuous actions and virtuous agents, is primary. It precedes both action and agent, and may be present in both. What, then, is virtue itself? I suggest that virtue, whether manifested in actions or agents, is that which enhances life and promotes excellence. This general formulation of what virtue substantively is, is compatible, I believe, with that Aristotle has to say about virtue, although it does not identify virtue uniquely with a state of character.  

Further, I suggest that virtue is well conceived as an integrative notion or principle, in that it functions, both in the sphere of action and in the sphere of agency, to bring together, or integrate, various capacities (in individuals) or qualities (in actions). Hence, the presence of virtue, in individuals and in actions, signals a notable degree of integration. For example, in the individual, the presence of virtue would seem to signal a notable degree of integration of the intellectual, ethical, emotional and sensible realms. An inquiry into what it is for an individual to be virtuous of have virtue is, however, beyond the scope of this work. Our central concern here is with actions, and with the idea or concept of virtue as manifested in the sphere of action. We need, then, to identify the qualities or features of actions
which signify the presence in them of virtue.

I suggest that the features which signify the presence of virtue in an action are goodness and a quality we may call fittingness. An action is virtuous, then, just in case it is informed by or expresses virtue, and an action is informed by or expresses virtue just in case it is good and fitting. Goodness and fittingness, or the integration of these, give the content of the idea or principle of virtue as manifested in the sphere of action.

In Sections II and III of this chapter, the notions of goodness and fittingness, as feature of actions generally and of virtuous actions in particular, will be discussed more fully. In Section III, we will have occasion to consider in what sense goodness and fittingness may come to be bound up with each other, or integrated, in actions which are, at once, both good and fitting.
II. Goodness And Virtuous Action

I have claimed that an action is virtuous only if it is a good action. By 'a good action', I shall mean one whose aim is good. Hence, an action is virtuous only if it has a good aim. Further, the claim that goodness is a defining characteristic of virtuous action secures for such action ethical worth or value. Hence, to say that all virtuous actions are good is to say that all such actions have aims that are good in the sense of ethically good.

The objectives of this section are twofold. First, we need to explain what is meant by the aim of an action. The account given here of the concept of the aim of an action will lead, in turn, to various observations upon the criterion of virtue in action, which was identified in the previous section, and upon the relation of virtuous actions to their agents.

Secondly, we need to consider the claim that virtuous actions are judged in terms of their aims, and that the aim of such actions are good in the sense of ethically good. More specifically, we need to identify what constitutes ethical goodness in the context of the present theory, and also what it is for a particular action
to be good in the sense of ethically good. Further, we need to identify the scope of the term "ethical" as it is used in the theory put forth here. Also, I shall try to show that the aim of an action, while it stands in a definite conceptual relation to the intended outcome of the action, is not the same thing as the intention of the agent or the probable outcome of the action. This means that the claim that virtuous actions are judged in terms of their aims distinguishes the present approach to the ethical assessment of actions from a Kantian type of approach, on the one hand, and from a consequentialist type of approach, on the other. We shall need to note this difference and to identify its implications.

I suggest the following as a characterization of the aim of an action:  

An action, A, has aim, B, in context, C, when an individual would be justified in performing A, in C, in order to realize or bring about B.

Suppose that an archer is on a field with a target in the distance and that he points his arrow at the target and releases the arrow. This action in this context might have a number of different aims, that is, may aspire to a number of different ends or goals. Let us suppose, for the sake of argument, that an aim of this action in this context is (to hit) the center of the target. This will be true when
the agent is justified in pointing his arrow at the target and releasing his arrow in order to bring it about that his arrow lodges in the center of the target.

What it is for an individual to be justified in performing a certain action in a given context in order to realize or bring about a certain aim in action, will depend upon information the individual has and the circumstances in which he is acting. Let us suppose that the archer in question in the example given above - call him J - is an amateur, and that he points his arrow directly at the center of the target and releases the arrow. J's information is such that, so far as he knows, aiming and shooting his arrow in this way in these circumstances will bring it about that his arrow lodges in the center of the target. In that case, J is justified in performing this action in this context in order to hit the center of the target. It will be true to say of J's action, then, that its aim in this context is the center of the target.

Suppose that there is another archer on the field - call him N - who is an expert an accomplished archer. Suppose that N knows that, because of certain weather conditions on the field on that day, it is highly probable that, unless the arrow is directed at a point some distance above and to the left of the center of the target, it will not land in the center of the target. Suppose that N, like J, then points his arrow directly at the center of the target and releases his arrow. N is not, in that case,
justified in performing this action in this context in
order to bring it about that the arrow lodges in the center
of the target. Hence, it will not be true to say of N's
action that its aim is the center of the target.

This indicates in what sense an agent's being
justified in performing a certain action in a given context
in order to realize a certain aim depends upon information
he has and the circumstances in which he acts.

It seems clear that the aim of an action is
conceptually related to at least one possible consequence
of the action, in the sense that there is at least one
possible consequence of the action to which the aim
corresponds in every case. It seems equally clear that
this cannot be the actual consequence of the action. It
may happen, of course, that the aim of an action and the
actual outcome of the action are the same; this will be the
case when the aim of an action actually is realized. Yet
the aim of an action may not be realized, even when the
agent is justified in performing the action as a means of
bringing about its aim. Hence, in the case of the archer
J, above, suppose that J's arrow actually lands several
feet away from the center of the target. While J is
justified in shooting his arrow in the manner described,
the aim of his action and its actual consequence will then
fail to coincide. So we cannot say that the aim of an
action corresponds in every case to the actual result of
the action. There does not seem, therefore, to be a
conceptual relationship of the sort we are seeking between the aim of an action and its actual consequence.

Now, given the reliability of the information ascribed to N, in the example cited above, it is highly probable that J's arrow will fail to lodge in the center of the target. Hence, in the circumstances described in these two cases, taken together, the aim of J's action fails to coincide with the probable outcome of his action, even though he is justified in those circumstances in performing the action. More generally, since an agent's being justified in performing a certain action in a given context in order to realize a certain aim depends upon information he has and the circumstances in which he acts, in those circumstances in which the agent's information is in fact incomplete or inaccurate, the probable outcome of the action and the aim of the action may well differ. Granted that there are situations in which the agent's information is in fact incomplete or inaccurate and that, due to this, the probable outcome of the action is not the same as the aim of the action, even though the action may be said to be justified relative to that information (and with respect to that aim), it is reasonable to suppose that the probable outcome of an action and the aim of the action will not correspond in every case. So the possible consequence of an action which is conceptually tied to the aim of the action, in the sense intended, is not picked out by its probable outcome.
So far, in my characterization of the aim of an action, I have avoided any reference to the intention of the agent or to the result or consequence which the agent intends to bring about by performing a certain action in a given context. Although I have spoken of an agent's being justified in performing a certain action in order to realize a certain aim, I have attempted to give a satisfactory account of this notion in terms just of the information on the strength of which an action is done, the action itself, and its context, without bringing in an essential reference to the agent's intention or the intended consequence of his action. I have avoided essential reference to the agent's intention or the intended consequence of his action in my characterization of the aim of an action because, as I shall try to show, it is possible for the aim of an action to fail to coincide with the agent's intention or the intended outcome of his action. At the same time, however, there does seem to be a definite conceptual relationship of the sort we are seeking between the intended outcome of an action and the aim of the action. Since the intended outcome of an action may fail to coincide with the aim of the action, the relationship is not one of identity. That is, it is not the case that the possible consequence of an action to which the aim of the action corresponds in every case is (the same thing as) the intended consequence of the action. Rather, as I shall try to show, the possible
consequence of an action to which the aim of the action corresponds in every case is the consequence which a reasonable person would have grounds for inferring was the intended consequence of the action. In order to show why this is so, it will be useful to consider again the case of the archer N, as described above.

We saw that it would not be true to say of N's action that its aim is to hit the center of the target, since N is not justified in performing the action described in order to realize that aim. Now suppose that N reports that his intention in performing the action described is to hit the center of the target, and that all the other facts about the situation are the same. In that case, N's reported intention, or the result he reportedly intends, is an intention or result which it would not be correct to say is the aim of his action.

Let's suppose that the action which N performs has an aim—namely, the aim which an objective observer possessed of the relevant facts about the situation (including the fact that N has the information ascribed to him) might reasonably conclude was the aim of this action in this context, e.g., to miss the center of the target. It will be correct to say of N's action that it has this aim, provided that N is justified in performing the action in order to realize this aim. This raises a telling question, however—namely, what could it mean to say of N
that he is justified in performing this action in order to realize this aim? Given that N's reported intention is not to achieve this aim but, rather, is to hit the center of the target, the realization of this aim would, in effect, undermine his avowed intention in acting. It seems very odd, therefore, to say of N that he is justified in performing an action the performance of which would be justified only relative to such an aim.

In the sense of "justify" which is operating in the characterization of the aim of an action, given above, an agent's being justified in performing an action does not depend upon the agent's being able to justify his action with respect to his avowed intention in acting. In cases in which the agent's avowed intention and the aim of his action are the same, presumably it will be the case both that the action is justified, in our sense, and that the agent is able to justify his action with respect to his avowed intention, that is, is able to give good or convincing reasons for his action which take into account his intention in acting. In the case we are considering, however, it is difficult to see how the agent could give good or convincing reasons for acting as he did, given that his avowed intention in acting fails to coincide with the aim which an objective observer possessed of the relevant facts about the situation might reasonably conclude was the aim of this action in this situation. It is worth pursuing this point a little further.
Presented with a case such as this, we might, on the one hand, accept the agent's reported intention and, since we do not ascribe to his action a corresponding aim, simply conclude that, for whatever reason, his intention has not found expression in the aim of action in this instance. It seems that we encounter such cases fairly often and evaluate them in this way, saying of someone, for example, that we believe he meant to get up early in the morning even though, for whatever reason, he failed to set his alarm clock the night before. On the other hand, we might take an individual's action, and what an objective observer would reasonably conclude was the aim of his action, as grounds for inferring a different intention. To proceed in this way would involve making an assessment of the agent on the basis of what he does, and of what may be reasonably inferred about the aim of his action, to the effect that his reported intention is not his 'real' intention- either because he has not truthfully reported his 'real' intention, or because he is in some sense unaware of his 'real' intention. In either case, we would find ourselves engaged in assessing the agent's character on the basis of his action and its apparent aim, although the implications of our assessment would differ in the two cases. Again, it seems that, presented with this sort of case, we do sometimes proceed by calling into question the agent's character, either because we doubt his moral or
ethical integrity or because we doubt his psychological integrity.

Although a further elaboration of this line of inquiry would take us too far afield, it should be noted that in cases such as these, it is on the basis of a, perhaps implicit, inference to a belief about what I have here called the aim of an action that we go on to speculate or inquire about an agent's motives or character or both. It is not just what the agent does, his publicly observable behavior, which forms the basis of our assessment of the agent in these sorts of cases; rather the basis of our assessment includes a judgment regarding the end to which the action aspires, or its aim. This indicates that, in general, what I have here called the aim of an action is a feature of actions which we recognize and make use of, in various evaluative contexts, even when we do not explicitly distinguish this feature of actions from the actions themselves, that is, from what the agent can be observed to do.

We have considered what would follow from the assumption that the action performed by N, in the example cited above, actually has an aim. There is another possibility here: we might wish to say that in those cases in which the agent's reported intention fails to find expression in the aim of his action, the action is, as it were, aimless, both in the ordinary sense of this word, and in a technical sense, that is, given our criterion of what
it is for an action to have a particular aim. To say of an individual that he is acting aimlessly would be one way to assess cases in which an agent reports a certain intention and then behaves in a way which would seem to undermine or frustrate the fulfillment of that intention in action, since in these sorts of cases we doubt the purposiveness of the action.

I have elaborated on a case in which the agent's reported intention and the aim, or apparent aim, of his action fail to coincide in order to show that the aim of an action, as this notion has been characterized here, is not the same thing as the intention of the agent, or the intended outcome of the action. Such cases as this may not be usual but they do occur and it seems that motivation is a sufficiently complex thing as to allow for them. More often, however, we find that the result which the agent reportedly intends, or his reported intention, is the same as the aim of his action. In these more usual cases, the action is justified, relative to its aim, and also presumably could be justified by the agent with respect to his intentions, or the result he intends. Therefore, if an action, A, has aim, B, in context, C, then we (or a reasonable person) would, it seems, have grounds for inferring that B is the result the agent intends in C. To say that we (or a reasonable person) would have grounds for inferring that a certain aim is the result the agent intends means that if we (or a reasonable person) possess,
in addition to other relevant information about the situation, the report of the agent's intention, then that report is such that it does not defeat our inference to a belief about the correspondence between the aim of the action and the result the agent intends. Otherwise, that is, in the absence of any report of the agent's intention, the determination that a certain action in a given context has a certain aim will, if true, constitute grounds for inferring a corresponding intention on the part of the agent. Hence, we may identify the possible consequence of an action which corresponds to the aim of an action as follows:

The aim, $B$, of an action, $A$, in context, $C$, is the result which a reasonable person would have grounds for inferring is the intended result of $A$ in $C$. Provided that the conditions on the inference in question are met, this formulation correctly identifies the possible consequence of an action to which the aim of the action corresponds in every case.

In sum, then, the way in which we have characterized the aim of an action serves to distinguish the aim of an action from the actual and probable consequences of the action, and from the intention of the agent, and also serves to establish that what a reasonable person would have grounds for inferring was the intended consequence of the action is the consequence which corresponds to the aim of the action in every case.
This characterization of the aim of an action accomplishes two things vis à vis the definition of virtuous action, which was given in the previous section. First, it shows that our definition of virtuous action both avoids making virtue in the agent, or a motive or intention appropriate to a particular virtue, the determinant of the virtuousness of action, and at the same time preserves the close connection between acts of virtue and the agents of such actions which traditionally has been thought to be a distinctive feature of virtuous actions. Secondly, it shows that our definition of virtuous action avoids making the character of the actual or probable outcome of an action the determinant of the virtuousness of actions. It is appropriate to avoid defining virtuous action in terms of the character of its outcome since, in general, consequentialist types of theories do not provide for a close connection between actions and their agents, whereas virtuous actions do seem to be bound up with their agents more than are acts of other sorts. Let us consider each of these points in turn.

According to the account offered so far, what makes actions virtuous is something distinct from, and prior to, the virtue of agents, namely, virtue itself. The qualities which signal the presence of virtue in action, we said, are goodness and fittingness. Now, an action is good if and only if its aim is good. The aim of an action is not the same thing as the intention of the agent, nor is it the
same thing as the intended consequence of the action. Thus, to ascribe to an action a good aim is not equivalent to saying that the action is done from a good intention. Therefore, to ascribe virtue to an action, although it entails ascribing to the action a good aim, is not equivalent to saying that the action is done from a good intention. Hence, to say that what makes actions virtuous is the presence in them of virtue is not to say that a virtuous action is just the expression of virtue, or a motive or intention appropriate to a particular virtue, in an individual.

Insofar as the definition offered here of virtuous action defines such action by reference to something other than virtue in an agent, it departs from Aristotelian tradition. For, according to Aristotle, it is either the agent's virtue or the behavior characteristic of a virtuous individual which determines whether or not an action may be rightly called virtuous. An action which derives its virtuous character from virtue in the agent is done *virtuously*. For an action to be done virtuously, and hence exhibit the agent's virtue, the agent himself must be in the right state when he does the action. An action is virtuous in the sense that it is merely "in the right state" is virtuous, according to Aristotle, even though it does not express or exhibit the agent's virtue. The virtuous character of these actions is given by reference to what an (ideally) virtuous individual would do in
relevant circumstances. Actions which are virtuous in this sense, then, derive their virtuous character from the virtue, not of the agent, but of an agent or, more precisely, from their being such as an agent of a certain type would do in those circumstances. Hence virtuous action still is conceived as the expression of virtue, or a virtue, in an individual. On our account, it is neither virtue in the agent, nor virtue in an agent (of a certain type), which determines whether or not an action is virtuous. As I stated in the previous section, we may regard what the ideally virtuous individual would do in a circumstance calling for action as indicative of what virtue, itself, consists in, but it is only as informed by virtue itself that the hypothetical choice of this ideal type may be said to constitute the determinant of the virtuousness of actions.

Although the account offered here departs from tradition insofar as it defines virtuous action by reference to something other than virtue in an agent, the intuition that virtuous actions differ from acts of other sorts in being closely bound up with their agents is preserved on this account by means of the definitions of virtuous action, good action, and the aim of an action, respectively. The aim of an action, we have seen, is the result which a reasonable person would have grounds for inferring is the intended result of the action in the circumstances. Now, if an action is good, then, given the
conceptual connection between the aim of an action and its intended consequence, a reasonable person would have grounds for inferring that the consequence which the agent intends is good, and hence that the agent's intention in acting is good. Hence, to ascribe virtue to an action is to say that a reasonable person would have grounds for inferring a good intention on the part of the agent of such an action.

The idea that virtuous actions are closely tied to their agents reflects the conception of virtuous action as action which expresses virtue, or a virtue, in the agent, or as action done from a good, or morally good, motive. This way of conceiving the nature of virtuous action originates in classical theory but has its counterparts in modern moral philosophy, as well. Not only Kant and contemporary Kantians, but some contemporary virtue ethicists, as well, have tended to adhere to this way of explaining the nature of virtuous action. We shall have occasion to consider the idea that the notion of a virtuous action is secondary to the notion of a virtuous person, and the claims of some of those who subscribe to it, in the following chapter. In the present discussion, I have tried to show that we need not define virtuous action as action expressing virtue in the agent, or as action done from a good, or morally good, motive, in order to accommodate the intuition that virtuous actions are closely tied to their agents.
In traditional and contemporary treatments of the concept of virtuous action, such action is rarely regarded as deriving its virtuous or ethical character from the goodness of its outcome, whether actual or probable. One reason for this may be that although Aristotle's ethical theory is teleological, it is not consequentialist. In any case, it seems correct to avoid defining virtuous action in terms of the character of its outcome, given that virtuous actions characteristically are such that their performance is prima facie evidence of good character or a good motive on the part of the agent. For since consequentialist types of theories locate ethical value ultimately in the states of affairs which are the actual or probable outcomes of actions, agency tends to come in only secondarily for these types of theories. As Williams points out, for utilitarianism,

... our basic ethical relation to the world, as agents, is that of being the cause of desirable or undesirable states of affairs. Our basic ethical concern is to bring it about, so far as we can, that there is more welfare or utility in the world rather than less, and, in the simplest version of utilitarianism, we should simply act in the most efficient way to bring that about. It is a question of what causal levers are at that moment within reach.

The fact that for consequentialist types of theories, agency comes in only secondarily, suggests that a consequentialist approach to the identification of what
acts possess virtue, and, hence, ethical goodness, would fail to account for the traditional conception of virtuous action as action which reflects credit on the agent or at least constitutes prima facie evidence of the agent's good character or good motive. Even if, as I have contended, a virtuous action is not just the expression of virtue in the agent, it remains an important fact about virtuous action per se that the agent of such action is himself more than a mere cause of desirable or undesirable states of affairs. For while it is not the case that a human being must in every instance be the primary object of attribution of virtue, or of the traits classically regarded as virtues, still, when an action possesses virtue, or a quality such as courage or generosity, we have good grounds for inferring that the action is a manifestation or expression of a corresponding quality or capacity in the agent. Therefore, any adequate theory of the nature of virtuous action needs to account for this feature of such action while also showing that virtuous actions have value in themselves, independently of how they are brought about. An account of virtuous action which defined such action in terms of the character of its actual or probable outcome presumably would secure for virtuous action the necessary primacy relative to virtuous agency. However, it is doubtful that such an account would also allow us to incorporate into our definition the equally necessary requirement that virtuous action be such as to constitute
prima facie evidence of the presence of virtue in the agent. Therefore, it seems that we do well to avoid a consequentialist type of approach to the identification of what acts possess virtue.

From what has been claimed so far, it should be evident that while it is theoretically possible for an action to be virtuous without arising from virtue, or anything which might correctly be called a virtue, in the agent, at the same time, the performance of a virtuous action gives us grounds for inferring virtue, or a virtuous motive, on the part of the agent. Now this suggests that, on our theory, rather than define senses of virtuous action on the basis of differences in their agents, as Aristotle does, we might identify senses of the individual, on the basis of action, in the following way. Associated with any given individual are the agent and the person. The agent refers to the individual in the moment of action. The person refers to the many instances of agency associated with an individual, that is, all of his past actions. This twofold distinction of agent and person allows us to speak about virtue in an individual in light of what he does, rather than in light of what he is presumed to be, and this seems correct, since we do not have the ability to recognize virtue in an individual except by observing his actions. Moreover, distinguishing the agent from the person allows us to attribute virtue to an agent in cases in which we doubt the virtuousness of the person. In the
extreme case of the reprobate who has never done a good deed in his life, for example, we may allow that virtuous action springs from virtuous agency. We may allow that an agent, in spite of his history, has on this occasion been an agent of virtue. In less surprising cases of virtuous action, on the other hand, we may take the performance of a virtuous action to confirm, rather than alter, our previous assessment of the person. The virtuous actions, both of the man who does relatively few such actions in his life, and of the man who does many, are essentially the same with respect to their virtuousness, and are equally deserving of approbation, and so are the agents, on the basis of that action, even though our overall evaluation of the two men may differ.

By defining virtuous actions by reference to something distinct from and prior to the virtue of agents, we avoid the implication that virtuous actions have value only or primarily as evidence of good character or good intentions in the agent, and at the same time allow that the performance of a virtuous action may inform our judgment of an individual, insofar as we infer a condition of virtue in the agent or the person with which that individual is associated, from his performance of such an action. We need now to consider upon what basis we evaluate virtuous actions and to what we attribute their value.
I have stated that the claim that goodness is a defining characteristic of virtuous action secures for such action ethical worth or value. So in saying that virtuous actions characteristically have good aims, I mean that their aims are good in the sense of ethically good. I shall suggest that the general and fundamental notion of ethical goodness proper to a virtue theory is the notion of the mean, or what is reasonable. This is, of course, in keeping with the Aristotelian theory of virtue, although, as I shall explain in the following section of this chapter, I do not follow Aristotle with respect to the way in which the mean is defined. In Section IV of this chapter, I shall propose a method whereby we might arrive at an understanding of what counts as ethical goodness in action in the particular case. It is a method which is, again, Aristotelian in spirit in that it does not seek a precise or exact formula by which to determine whether or not a particular action is ethically good, but rather is content to discover what usual ethical truths apply in a particular case.

It should be noted that, in a particular case, an action may have more than one aim. That is, it is compatible with our definition of the aim of an action, that a multiplicity of ends may be associated with a given action, such that it would be correct to say of each of
these ends that the agent is justified in performing the action in question in order to realize that end. In most cases, an action will have at most one immediate aim, and if it has other aims as well, then these other aims will be contingent upon the immediate aim. Now, in a particular case, an action having a multiplicity of aims maybe such that some of its aims are ethically good and some are not. In that case, the action will have an ethically good aspect, as well as an aspect or aspects which are ethically neutral or bad. I believe that the fact that our definition of the aim of an action allows for the possibility of such ethical complexity or ambiguity in the actions of individuals is not lamentable, but exemplary. For the actions of actual individuals in actual situations, such as we find in life and history, and which literature portrays, more often than not display this sort of complexity or ambiguity. The method, to be proposed in Section IV, for discovering what counts as ethical goodness in a particular action, takes this feature of actions into account: it seeks to tell us whether, or to what extent, the action of a particular individual in a particular situation is good or fitting or both, and thus allows for the indeterminacy or indefiniteness of the practical.

Now, the word "ethical", as I shall use it here, has a wider scope than does the term "moral": it includes the distinctly moral but is not reducible to it. With respect to the goodness of actions, this means that the set
of all morally good actions is a proper subset of the set of all ethically good actions. Hence, while all virtuous actions aim at ends which are ethically good, given this distinction between the ethical and the moral, we may expect to find among the virtuous actions some whose aims are good in a sense not generally regarded as distinctly moral. More precisely, the set of all virtuous actions is a set containing an unspecified number of proper subsets, distinguished on the basis of the nature of the good at which they aim.

It is true, of course, that the terms "moral" and "ethical" frequently are used interchangeably in philosophical texts and that "moral philosophy" and "ethics" are generally regarded as names for the same subject. At the same time, there is precedent for distinguishing the ethical from the distinctly moral. P.F. Strawson for example, devotes an essay to distinguishing between what he calls "the region of the ethical" and "the region of the moral": the former he associates with diverse, certainly incompatible and possibly practically conflicting ideal images or pictures of a human life, or of human life, while the latter is regarded by him as comprised of systems of recognized reciprocal claim that we have on one another as members of human communities, or as terms of human relationships.9

Further, philosophers have noted a difference in the origin of the terms "moral" and "ethical". Williams
points out, for example that:

By origin, the difference between the two terms is that between Latin and Greek, each relating to a word meaning *disposition* or *custom*. One difference is that the Latin term from which "moral" comes emphasizes rather more the sense of social expectation, while the Greek favors that of individual character. 10

In the same passage, Williams identifies one basis for treating the concept of the ethical as broader than the concept of the distinctly moral. He states:

[T]he word "morality" has by now taken on a more distinctive content, and I am going to suggest that morality should be understood as a particular development of the ethical, one that has a special significance in modern Western culture. It peculiarly emphasizes certain ethical notions rather than others, developing in particular a special notion of obligation and it has some peculiar presuppositions. 11

More to the point, perhaps, for our purposes, is the fact that the term "moral", in its modern sense, is foreign to the tradition in which virtue originates and which takes the concept of virtue as central. Consider the following remarks by Elizabeth Anscombe:

Anyone who has read Aristotle's *Ethics* and has also read modern moral philosophy must have been struck by the great contrasts between them. The concepts which are prominent among the moderns seem to be lacking, or at any rate buried or far in the background, in Aristotle. Most noticeably the term "moral" itself, which we have by direct
In adopting a distinction between the ethical and the moral, my purpose is mainly to ensure the adequacy of the characterization of virtuous action offered here. Hence, my reasons for suggesting this distinction, and for characterizing virtuous actions as ethically good, rather than as morally good, all have to do with the appropriateness of this distinction, and the corresponding characterization, in the context of an analysis of the nature of virtuous action, given the connotations which the word "moral" has by now come to have and the absence of this word, with its modern connotations, from the classical texts on virtue.

The term "moral" is taken to denote different things in different contexts. It is not any particular definition of morality which is to be avoided on this account, but rather certain well known and easily recognized connotations of the word "moral" as it has come to be used by modern moral philosophers. Rather than challenge these connotations, or offer a special definition or sense of "moral", I have chosen to use a term to describe the nature of the goodness associated with virtuous action which does not carry with it certain associations which would be inappropriate in a theory of virtuous action.
As we have seen, one well known connotation of the word "moral" is "obligatory" or "obligation". My reason for avoiding a term which connotes "obligatory" (or "obligation") in the account offered here is, mainly, that the notion of obligation, or duty, belongs to a tradition in ethics which conceives of actions and agents and action guidance in certain ways which are not entirely compatible with the way in which actions and agents and action guidance are conceived in the tradition in which virtue originates and which takes the concept of virtue as central. Now even though, as we have seen, the analysis of virtuous action offered here departs from tradition in certain respects, it remain true on our account that a certain tension exists between the virtue approach to the assessment of actions and the approach taken by Kantian and consequentialist types of theories, both of which make essential reference to the concept of obligation in their respective criteria of right action. Some of the ways in which the conception of actions, agents, and action guidance associated with a duty approach to ethics differs from and potentially conflicts with the conception of these associated with a virtue approach to ethics wil be discussed in Chapter Four.

I should state in this context that my reason for thinking that a word which connotes "obligatory" (or "obligation") does not appropriately characterize the nature of the goodness associated with virtuous action is
not that an action may not be, at once, both virtuous, in our sense, and obligatory, according to some criterion or other of obligatoriness in actions. In fact, an action might both meet the conditions for virtuous action set forth here and the conditions for obligatoriness in action, set forth by a theory based on or including the notion of obligation, or duty. However, in the first place, the conditions set forth here for virtuousness in action do not make essential reference to the concept of obligation, and it is not clear whether the concepts which are appropriate to a characterization of virtuous action are concepts which justify us in speaking of moral obligation or of a criterion of obligatoriness in action.  

Moreover, it is possible for an action to be obligatory, given a duty perspective of some sort, and yet fail to meet one of the conditions for virtuous action. More specifically, an action done to fulfill a duty may lack the quality of fittingness, which is a necessary condition for virtuous action. I shall discuss this point in the section on fittingness which follows.

Further, I have not avoided the term "moral" precisely for the reason that some virtuous actions, that is, actions meeting the conditions for virtuous action set forth here, are controversial or problematic, from a duty theorist's point of view, in that they seem to go beyond duty, and hence be non-obligatory, while at the same time of interest to the virtue theorist, since some virtuous
actions are good in a distinctly moral sense.

Apart from its association with the notion of obligation, the word "moral" also is associated with certain types of goods or types of values. When a philosopher is concerned to restrict his discussion to moral goodness or moral value, he usually means to exclude, for example, aesthetic goodness, "natural" goodness (that is, goodness which pertains to the sphere of natural relationship and instinctive feelings), self-regarding goods or ideals of certain kinds, and perhaps other kinds of goodness as well, unless he intends to give the word "moral" a special or broad interpretation. Now it seems that among the kinds of good to which a virtuous action would aspire are some which would not usually be regarded as distinctly moral. If this is the case, then an adequate characterization of virtuous action will avoid identifying the goodness associated with virtuous action as moral goodness, for to do so would be to exclude from the class of virtuous actions some genuine instances of such action.

One reason for supposing that a variety of goods, not all of them moral in nature, may constitute the aims of genuinely virtuous actions is that the list of virtues varies with social context and over periods of history. Hence, for example, Aristotle identifies certain traits as virtues which would not now be regarded as distinctly moral traits, or the actions corresponding to them as moral
actions. Now it might be thought that a trait designated a virtue in a given social or cultural context, and hence determined to be worth having, could not fail to be moral and still count as an ethical trait, or a trait of character, and similarly for the actions associated with that trait. This, however, is a substantive question which, I suggest, would need to be decided in the particular case in light of the general and fundamental notion of ethical goodness which is proper to a virtue theory.

Further, we are not necessarily committed to a relativistic notion of ethical goodness if we allow that traits designated as virtues in various social or cultural contexts, or the actions corresponding to them, may be recognized as such and, hence, as informing our judgment as to the content of the idea of the ethical or of ethical goodness. The idea of the ethical is not necessarily conceptually simple, and allowing for the conceptual complexity of the idea of the ethical need not amount to ethical relativism.

Another reason for supposing that a wide range of goods may be associated with genuinely virtuous action is that the values associated even with the classical virtues, conceived as having intrinsic worth, are not in every case of a moral kind. Hence, according to N.J.H. Dent, the inherent worth of faithfulness and trust lie in their being "beautiful and fine human qualities", and the ill in
intemperance lies in its being degrading and ugly, "a low and shabby trait in a man," assessments which he admits are aesthetic, but which he regards as forms of appraisal of the excellence a human character may attain to, and hence as contributing to our sense of what sort of life is best for a man.\textsuperscript{15}

It seems, then, that we do better to identify the nature of the goodness associated with virtuous action as ethical, rather than moral, goodness, while still allowing that the distinctly moral constitutes one kind of ethical consideration.

We saw earlier in this section that in the context of the theory of virtuous action presented here, actions are judged in terms of their aims. In discussing the concept of the aim of an action, I attempted to distinguish the aim of an action from the intention of the agent, or the consequence he intends, and also from the actual or probable consequences of the action. Now if the aim of an action is neither the intention of the agent nor the probable outcome of the action, and given that the aim of an action is, here, an object possessing ethical worth, then it follows that the approach to the ethical assessment of actions differs in the present theory from the approach taken by Kantian types of theories, on the one hand, and from consequentialist types of theories, on the other.\textsuperscript{16}

It should be noted that although the approach to the ethical assessment of actions associated with the
present theory differs from that of the two main types of normative ethical theories, it is an approach which treats actions, rather than agents, as the primary object of ethical evaluation. In this respect, the present theory is more like modern normative theories of ethics than classical virtue theories, and some recent revivals of a virtue type of ethics, both of which are mainly concerned with what it is to be a good person rather than with what it is to perform good actions.  

At the same time, however, while the present theory shares with Kantian and consequentialist types of theories a focus on acts, as opposed to the qualities of agents, it is not and should not be viewed as a rival or alternative type of ethical theory or, more precisely, as preparing the ground for such a theory. The analysis of the concept of virtuous action which I have offered here is not yet a practical ethical theory. That is, it does not propose any guide to ethical action, such as is given by each of the two main types of normative ethical theory. However, even supposing that a practical virtue theory were to be formulated, on the basis of the analysis of virtuous action offered here, such a theory would, I suggest, differ both as to its structure and as to its purpose from the two main types of normative ethical theories and hence would not constitute a rival or alternative approach to doing normative ethics.

In sum, while the theory offered here differs from
modern moral theories in identifying the aim of an action as that feature of actions to which the ethical attribute of goodness applies, this difference should not be viewed as setting the stage for an alternative type of moral theory. I believe that looking at actions from the perspective of virtue, and the concepts central to a virtue based approach to the ethical assessment of actions, may augment our understanding of ethical action and give rise to considerations which may be overlooked on a Kantian or consequentialist type of approach to ethical questions. However, it does not seem to me that a practical virtue theory, supposing that one could be formulated, would obviate the perspective on ethical problems which modern moral theories afford.
III. Fittingness and Virtuous Action

Fittingness, as a quality of actions generally, pertains to the nature of the relationship between an action and the context of its performance, where the context of performance of an action here includes the aim of the action. An action is fitting when it is well adapted or suited to the particular situation in which it is performed, i.e., when it is well adapted or suited to the particular circumstances which determine the possible means to the realization of the aim of the action, and when, by its aptness or suitability, it tends to promote the aim of the action and achieve it.

Since fittingness in action is a quality whereby an action tends to promote the aim of an action and achieve it, where the aim of an action coincides with the intended consequence of the action a fitting action will tend to promote and achieve the agent's intention, or the consequence he intends to bring about.

Now, fitting, like good, is a commendatory adjective. Since a fitting action is (by hypothesis) well adapted or suited to the situation in which it is performed, to say of an action that it is fitting is to approve or commend the nature of the relationship between
the action and the context of its performance. Further, the judgment that an action is fitting will at the same time be a judgment as to the quality of response on the part of the agent, insofar as what is actually done, to whom it is done, in what way, at what time and so forth, just is the agent's response to the various factors inherent in a situation. In particular, the judgment that an action is fitting will be a judgment as to the perceptiveness or astuteness or skilfulness of the agent's response, from which we would have reason to infer the presence of these qualities in the agent himself, at least on that occasion. Further, where the aim of an action coincides with its intended consequence, we may think of fittingness in action, or a skilful response on the part of the agent, as indicative of success in realizing an intention, or in bringing about or achieving the intended result of the action, since a fitting action, or skilful response, is apt to promote the aim of an action and achieve it. Skilfulness in the individual, we might say, is a capacity enabling an individual to translate his intentions into action and to realize the aims of his actions.  

The following example will, I think, serve to illustrate the notion of fittingness in action. (We shall encounter this example again in Chapter Three.)

Harry is walking down a deserted and dimly lit street late at night when he observes an old man being attacked by a youth. The youth has
a knife. Harry has no weapon but he is a large man wearing a heavy coat and he judges that his size alone may be enough to frighten off the youth. So he advances quickly with his hands in his pockets, at the same time shouting. The youth, daunted by the shouting and by Harry's menacing appearance, flees the scene, leaving the old man unharmed.

Let us suppose that the aim of the action is rescue. Then, given the fact that the agent has no weapon, and that he aims at rescuing the old man, advancing quickly with hands in pockets, shouting, and attempting to give a generally menacing appearance would seem to be responses to the situation that are well suited to the situation, in light of the aim of the action and the circumstances in which the action is performed. Further, the fact that the youth has a knife and not a gun means that this attempt to frighten off the youth merely by giving a menacing appearance is not reckless or foolish. Again, the fact that the street is deserted means that the sort of quick and effective action taken is what is needed, whereas if there were passersby, the more reasonable (though less impressive) course might be to seek help. The apparent helplessness of the victim suggests that help is actually needed, and the youthfulness of the assailant, and the fact that he is one and not many, suggests that a menacing gesture will suffice to bring the attack to an end without foolishly endangering the lives of the agent or the
victim. In short, given that the aim of the action is rescue, and the circumstances in this case being what they are, certain courses of action will be better suited or adapted to the situation, and will by their suitability promote this end more effectively than will others. The fittingness of the course of action taken lies in its being, in the circumstances and in view of what appears to be the aim of the action, one that is exceptionally apt or suitable.

It should be noted that the means taken to the end, i.e., the realization of the aim, are here not merely instrumental, neither wholly nor partly coinciding with it: they also show us what counts as achieving the end, so that we find its components. 20

This example illustrates the fittingness of an action done in a situation in which acting fittingly involves acting prudently. It may be thought, therefore, that a fitting action is nothing more than a prudent action. However, although the fitting action in the situation described here is, given the nature of the situation, one which is also prudent, an action need not be prudent in order to be fitting. Hence, for example, if I witness someone abusing a child and if, even at the risk of my own safety, I attempt to stop him by the most effective means open to me in the circumstances, then my action is both imprudent and, it seems, fitting in the circumstances. So prudence in action is not a necessary
condition for fittingness in action, although the fitting course of action in certain types of situations may well be the prudent course.

In the previous section, I stated that an action done to fulfill a duty, or an obligatory action, may lack fittingness and for this reason fail to meet a necessary condition for virtuous action. I wish to elaborate on this point here, and then go on to consider in what sense fittingness, as a quality of virtuous actions, corresponds to an aspect of Aristotle's criterion for acting virtuously.

So far, I have not attempted to show that the two conditions for virtuous action identified here are sufficient. It may seem that defining virtuous action as good and fitting, without placing further restrictions on what shall count as a virtuous action, allows in too much. In particular, it may seem that all obligatory actions count as virtuous actions on this definition. Since we have identified the type of goodness attaching to virtuous actions as ethical goodness, and have allowed that one type of ethical goodness is moral goodness, it would seem that no obligatory action can fail to meet this criterion of virtuousness in action. On the other hand, an action done to fulfill a duty may lack the quality of fittingness and hence fail to meet a necessary condition for virtuous action.

For the duty theorist, what is centrally important
is whether or not I have an obligation in a certain situation and whether or not I fulfill that obligation. In general, the duty theorist will not be concerned with the fittingness of the means by which the obligation is met. Yet the fulfillment even of ordinary duties, when looked at from the standpoint of a virtue theory of action, can be seen to admit of fittingness or the lack of it. If, for example, I have promised to return to someone today a book that I have borrowed, the way in which I keep this promise may be fitting or not. The choice between returning the book in the morning or the afternoon does not leave much room for a fitting response and does not involve ethical considerations, but the choice between returning it with a smile or with a sneer, or between placing it in its owner's hands or throwing it through his window does leave room for a fitting response and does involve ethical considerations. From a virtue perspective, or measured against a standard of virtuousness, this aspect of an action that is the fulfillment of a promise is salient and an evaluation of such an action from this perspective will include an evaluation of this aspect of the action. An action done to fulfill a promise that is fitting is judged from a virtue perspective to meet a condition for virtuous action, and action done to fulfill a promise that is not fitting is judged to lack an essential feature of virtuous action. It should be noted further that because fittingness in actions is salient from a virtue
perspective, the description under which the action is examined, given that perspective, will be apt to differ in certain respects from the description under which the action is examined, given a duty perspective. That is, certain features of an action having to do with the way in which the end of the action is promoted or achieved will become relevant, given a virtue perspective, and hence will be regarded as elements in an adequate characterization of the action. Thus, in evaluating an action done to fulfill a promise a virtue theorist is apt to be concerned with how the promise is kept and not merely that it is kept, and therefore will be inclined to notice features of the action which may be overlooked from a perspective of duty.

The fact that an action done to fulfill a duty may lack fittingness and hence fail to meet a necessary condition for virtuous action, shows that the conditions for virtuous action given here are sufficient to distinguish virtuous action from obligatory action. That is, some obligatory actions, namely, those which lack fittingness, are excluded from the class of virtuous actions.

The suggestion that virtuous actions characteristically have fittingness seems to capture the spirit of Aristotle's characterization of acting virtuously as involving doing something "to the right person, in the right amount, at the right time, for the right end, and in the right way." Moreover, as we shall see, the
Aristotelian formula for acting virtuously is instructive for our account of fittingness in action since it helps us to see in what sense the fittingness of an action may come to be bound up with its goodness. The formula appears frequently in the Nicomachean Ethics, and expresses Aristotle's idea that virtue aims at the mean, or at what is intermediate. In Aristotle's ethics, emphasis is placed upon the virtue of a human being. Aristotle is concerned primarily with virtue as a state of character of an individual. Accordingly, the characterization of virtue as "in a mean" is applied directly to virtue of character. A virtue of character is a mean, that is, a state concerned with feelings and actions which themselves admit of excess, deficiency and an intermediate condition. Aristotle states:

> We can be afraid, e.g., or be confident, or have appetites, or get angry, or feel pity, in general have pleasure or pain, both too much and too little, and in both ways not well; but [having these feelings] at the right times, about the right things, towards the right people, for the right end, and in the right way, is the intermediate and best condition, and this is proper to virtue. Similarly, actions also admit of excess, deficiency and the intermediate condition.  

Since actions too admit of excess, deficiency and the intermediate condition, and since fittingness in actions denotes the suitability of an action relative to the context of its performance, fittingness, as a quality of actions, would seem to correspond to that sense of "right" in the Aristotelian formula in which "right" means
"fitting, proper, appropriate; exactly answering to what is required or suitable." Let's call this the 'ordinary' sense of "right". Hence, insofar as Aristotle's formula expresses his idea that actions (as well as feelings) may be in a mean, fittingness, as a quality of actions, seems to be a matter of being in a mean.

Now, "right" in Aristotle's formula is ambiguous. It seems to admit of both an 'ordinary' and an ethical sense, since action in accord with this formula involves doing something for the right end. Hence, the formula suggests that acting virtuously is a matter of acting fittingly and acting ethically. In fact, the formula suggests that these are not sharply distinct activities, but aspects of the same thing—namely, virtuous action, or action in a mean. Now if acting fittingly and acting ethically are aspects of the same thing, that is, acting virtuously or in a mean, it follows that acting ethically is a matter of acting in a mean.

Is it plausible to suppose that the ambiguity of "right" in the Aristotelian formula for acting virtuously means that acting fittingly, or in the right way, and acting ethically, or for the right end, are aspects of the same thing? This formula shows how Aristotle conceives the exercise of virtue. According to Aristotle, the exercise of virtue requires intelligence, or practical wisdom, and since intelligence finds the right actions to be done, it requires a grasp of particulars, since this is needed for
good deliberation leading to correct decision about what to do. The task of grasping particulars is given to two capacities needed by intelligence, namely, perception and understanding. Consider the following remarks by Irwin regarding the uses of the word 'perception' in Aristotle:

We need perception to notice the facts of the situation.

... We also need it to notice the moral features of a situation (e.g., 'This isn't harmless teasing, but wanton cruelty', or 'Giving him the book would be a kind thing to do'). Aristotle distinguishes this awareness of particulars needed by intelligence...from ordinary perception...and calls it a type of understanding, though also (because of its reference to particulars), a type of perception....

'Moral' perception is probably not sharply distinct from 'ordinary' perception, and probably does not involve a specific 'moral sense' beyond the normal five. Aristotle means that the trained judgment of an intelligent person will be able to identify the perceptual features that are morally relevant, and will realize that they are.

What is striking about this explanation of the uses of the word 'perception' in Aristotle is the idea it conveys that 'perception' has both an ordinary and (qua understanding) an ethical sense, and that these two senses of the word refer to capacities in the individual which may come to be bound up with each other in such a way that they cease to be sharply distinct form each other. Now the two senses of perception identified in the passage quoted above are echoed, I think, in the apparent ambiguity of "right"
in the Aristotelian formula for acting virtuously. For, as we have seen, "right" in the formula admits of both an 'ordinary' and an ethical sense. If the two senses of perception identified by Irwin in the passage above correspond to the two senses of "right" in the Aristotelian formula, then by analogy with the way perception works, it would seem that acting fittingly, or in the right way, and acting ethically, or for the right end, are not sharply distinct, but aspects of the same thing.

Now if that part of acting virtuously which involves acting fittingly is not sharply distinct from that part of acting virtuously which involves acting ethically, then perhaps the fittingness of virtuous actions is not sharply distinct from the goodness of such actions. Can we find a way, in the terms of our discussion, to locate in actions belonging to a definite type of actions that which Aristotle has shown to be distinctive about the way in which such actions are produced?

We said earlier that in actions which are fitting, the means to the end, or the realization of the aim, are not merely instrumental, but also show us what counts as achieving the end, so that we find its components. Now if we achieve an end, i.e., realize an aim by means that are fitting, and if fittingness is a mean, and if the means to the end in a fitting action are not merely instrumental, but also show us what counts as achieving the end, so that we find its components, then the end, or what would
constitute the realization of the aim, also will be a mean. We have said that a good action is an action whose aim is good. Hence, if the end is a mean, as it is in fitting action, then the goodness of the end of an action which is both good and fitting will be a matter of being in a mean. Now the goodness associated with virtuous action, we have said, is ethical goodness. Further, virtuous action is both good and fitting. Hence if the goodness of the end of an action which is both good and fitting is a matter of being in a mean, and if the goodness associated with action which is both good and fitting is ethical in nature, than an ethically good end in action is a matter of being in a mean. And since both ethical goodness and fittingness are a mean, they are not sharply distinct, but aspects of the same thing, that is, virtuous action.

This shows that we can, in the terms of our discussion, locate in actions belonging to a definite type of actions that which Aristotle has shown to be distinctive about the way in which such actions are produced. Further, it indicates why the general and fundamental notion of ethical goodness proper to a virtue theory is the notion of a mean. Now in his definition of virtue, Aristotle states that virtue is

\[ \ldots \text{a state that decides, [consisting] in a mean, the mean relative to us, which is defined by reference to reason, i.e., to the reason by reference to which the intelligent person would define it.} \]
Hence, according to Aristotle, a mean, or the mean relative to us, is what is reasonable, or would be known or seen to be reasonable to the intelligent individual. Likening the intelligent person to an archer, Aristotle states further,

... there is a target which the person who has reason focuses on and so tightens or relaxes; and there is a definition of the means, which we say are between excess and deficiency because they express correct reason.  

Commenting on this passage in Aristotle, Richard Sorabji remarks,

Virtue is defined as lying in a mean position which the man of practical wisdom defines. It is sometimes said instead that the mean position is defined by orthos logos (the right rule), but this makes no difference, for it is finally revealed that the orthos logos is in accordance with, or actually is, practical wisdom.

If the orthos logos actually is practical wisdom, then the standpoint of the person of practical wisdom is criterial of correct choice. That is, this standpoint is definitive of value, and this value would not be value but for its relation to this human person. In the context of this theory, it will not do to say that the standpoint of the person of practical wisdom is definitive of value. For, given the definition of virtuous action offered here, virtue itself manifests as goodness and fittingness in
action, but what virtue itself consists in is not given by reference to a virtuous individual, and therefore virtue in action is not given by reference to the virtuous individual, or person of practical wisdom. Rather, as I have indicated, the choice of the person of practical wisdom is, at most, revelatory of what virtue itself consists in. Therefore, while virtue in action qua goodness in action is a matter of being in a mean, and while being in a mean is a matter of what is reasonable, the standpoint of the person of practical wisdom is not definitive of what is reasonable, but is, at most, indicative of what is reasonable or in a mean.

Since virtue in action qua goodness in action is a matter of being in a mean, and since the mean is a matter of what is reasonable, then to find the mean, or ethical goodness—what it consists in in a particular case—we shall have to go by way of the concept of what is reasonable. As Anscombe has pointed out, where the canon is "what's reasonable", it is in principle the case that there is no account except by way of examples. The method which I shall propose in the following section for arriving at an understanding of what counts as an ethically good end in action in the particular case is a method which reflects this insight. It is, moreover, an Aristotelian type of method, insofar as it does not seek a precise formula or criterion of goodness in action in the particular case.

In conclusion, I should like to point out that the
account given here shows how goodness and fittingness may come to be bound up with each other in actions which are at once both good and fitting and gives sense and substance to the suggestion, made in Section I of this chapter, that virtue functions in the sphere of action to bring together, or integrate, the qualities of goodness and fittingness. Moreover, the idea that virtuous action is action in which these qualities are integrated identifies, correctly, I think, what it is for actions to be, in Aristotle's phrase, "in the right state".
Here are some other questions that raise a puzzle. Must one accord [authority in] everything to his father, and obey him in everything? Or must he trust the doctor when he is sick, and should he vote for a military expert to be general? Similarly, should someone serve his friend rather than an excellent person, and return a favour to a benefactor rather than do a favour for a companion, if he cannot do both? Surely it is not easy to define all these matters exactly. For they include many differences of all sorts - in importance and unimportance and in what is fine and what is necessary.

So far in this chapter, I have identified virtuous action as action that is good and fitting and I have discussed the notions of goodness and fittingness as qualities of actions generally and of virtuous actions in particular. The passage quoted above from Aristotle provides a good illustration, I believe, of how we should proceed in seeking an understanding of what it is for an action to be good and fitting, and hence virtuous, in a particular case. Accordingly, I suggest that in order to arrive at such an understanding we should, first, assemble an anthology of cases and, second, reflect upon each one, asking specific questions about each case such as are asked
by Aristotle about different types of friendships in the passage quoted above. By proceeding in this way, we shall see how our ideas of the fitting and the good may cast light upon a particular action and, conversely, how a particular action may cast light upon our ideas.

By the suggestion that the method proposed here aims at reaching an understanding of what it is for an action to be good and fitting, I mean that the method aims at rendering particular cases intelligible by bringing them together under appropriate concepts or generalizations. Our understanding will be satisfactory if it constitutes an adequate conceptual framework by which to evaluate particulars, but such a conceptual framework is not necessarily equal to an exact criterion of goodness and fittingness in action. The method proposed here will not have failed to achieve its purpose, moreover, if it fails to yield such a criterion. The passage I have quoted above continues in a most instructive way. Aristotle states a usual truth regarding the return of favors: "Clearly, however, not everything should be given to the same person, and usually we should return favours rather than do favours for our companions, just as we should return a loan to a creditor rather than lend to a companion." He then goes on to offer a series of qualifications to this general rule, e.g.,

But presumably this is not always true. If, e.g., someone has rescued you
from pirates, should you ransom him in return, no matter who he is? Or if he
does not need to be ransomed, but asks
for his money back, should you return it,
or should you ransom your father
instead? Here it seems that you should
ransom your father, rather even than
yourself.

As we have said, then, generally speaking we should return what we owe.
But if making a gift [to B] outweighs
[returning the money to A] by being finer
or more necessary, we should incline to
[making the gift to B] instead.  

Aristotle concludes by observing that, "as we have often said . . . arguments about acting and being affected are no
more definite than their subject matter." Hence, if we
take Aristotle as our model in these matters, we shall
count our understanding satisfactory if it indicates the
truth about particular actions roughly and in outline.

What sort of actions should we consider? The sort
of cases I have in mind are the kind one finds in history
and literature, that is, descriptions of actions of actual
individuals in actual situations or else the portrayals of
these in works of imaginative literature. Beyond this, we
need not insist upon any particular principle of
selection. In selecting particular cases for study and in
assembling an anthology of these, we should not be
concerned to pick out only those cases which, by their
intuitive appeal, will help to establish this or that
conception goodness and fittingness in action. Rather, in
selecting cases for study, we should as much as possible
lay aside our expectations as to the outcome of our inquiry
and concern ourselves instead with finding out what people have actually done in various circumstances.

In some cases, it will be a simple matter to recognize whether, or to what extent, the action in question is good or fitting, or both; and, if it is good, what kind or kinds of goodness it exhibits and whether, or to what extent, the kind or kinds of goodness exhibited are ethical in nature; and, if it is fitting, to what extent it is fitting, and why, and whether, or to what extent, and in what ways its fittingness contributes to its goodness. On the other hand, where discovering to what extent the action of a particular individual in a particular situation is good and fitting proves more challenging--because the action described is, say, complex or ambiguous, or because the larger context in which the action is performed has an influence on our judgment of the action itself--there we will find occasion to refine our pretheoretical beliefs as to what counts as goodness and fittingness in actions in a particular case.

The method proposed here, then, proceeds by way of examples and in light of the concept of what's reasonable. If the method is a good one, then we may expect to know more about what it is for a particular action to be good and fitting, and hence virtuous, after reflecting on particular cases than we knew before we began.

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In this chapter, a number of claims have been made, and it will perhaps be useful to summarize the more salient of these here. I have claimed that virtue, in relation to virtuous actions and virtuous agency, is primary, and that an action is virtuous if and only if it is informed by or expresses virtue. An action is informed by or expresses virtue, I have said, just in case it is good and fitting. I have introduced the notion of the aim of an action, and have defined a good action as one whose aim is good. The aim of an action was seen to be distinct from the intention of the agent, on the one hand, and from the actual or probable consequences of the action, on the other, and to stand in a definite conceptual relationship to the intended consequence of the action. I have argued that, by means of the definitions given of virtuous action, good action, and the aim of an action, respectively, we have arrived at an adequate analysis of the nature of virtuous action, that is, an analysis which both secures the autonomy of virtuous action relative to virtuous agency, and accommodates the intuition, shared by classical and contemporary philosophers of ethics, that virtuous actions are closely tied to their agents.

Further, I have suggested that the fundamental notion of ethical goodness proper to a virtue theory of action is the mean, or what is reasonable, and that, in the context of this theory, the sphere of the ethical is best understood as inclusive of, but not reducible to, the
sphere of the distinctly moral. I have also identified fittingness as a quality of actions generally and of virtuous actions in particular, and have claimed that in actions which are at once both good and fitting, these qualities are not sharply distinct, but rather are aspects of the same thing, that is, action in a mean, or virtuous action. This, I said, lends support to the claim, made early on, that virtue is an integrative notion or principle, which functions in the sphere of action to integrate the qualities of goodness and fittingness.

By showing that an action which is obligatory may fail to be virtuous, since it may lack fittingness, or a necessary feature of virtuous action, I have shown that our conditions for virtuous action are sufficient to exclude some obligatory actions from the class of all virtuous actions.

Finally, I have suggested that discovering what counts as ethical goodness and fittingness (and, hence, virtue) in actions in the particular case is a matter of discovering what usual ethical truths apply to a particular situation, and not a matter of measuring actions against an exact criterion of ethical goodness or fittingness in action.
The focus in Chapter One was on virtuous action as such. In this chapter, I will be concerned with actions which correspond to traits classically regarded as virtues, such as courage, generosity and temperance. In Section I, I discuss the relation of virtue and virtuous action to 'the virtues' and actions corresponding to these and defend the view that some actions corresponding to some 'virtues' are not virtuous. In Section II, I discuss a certain difficulty which has been seen to attend upon the classification into act-types of actions corresponding to traits classically regarded as virtues. Finally, in Section III, I propose a method for identifying what actions possess the properties of courage, generosity, temperance, and so on.
I. Virtue and the Virtues

Whether or not it is possible for an act which corresponds to a trait clasically regarded as a virtue, e.g., an act of courage, to fail to be virtuous depends upon how one defines courageous action, and similarly for acts named for other traits which have been regarded as virtues. There are at least two ways to approach this question. One may hold either that every courageous (generous, temperate, etc.) action is, by definition, a virtuous action, or assuming that at least some courageous (generous, temperate, etc.) actions are virtuous, one may hold that some such actions are virtuous and some are not. To hold that every, e.g., courageous act is a virtuous act is to say of acts which are not virtuous, but which in some way resemble courageous actions, that they are not genuine instances of courageous action but, as it were, mere imitations. If we call such actions courageous, we do so only by reason of their similarity to genuine instances. Aristotle, for example, defines courageous in such a way that it is always a virtue, and identifies five types of actions that are, he says, called brave but are distinguishable from true bravery. To hold that some, e.g., courageous actions are virtuous and some are not
virtuous is to say that every action of a certain identifiable type (viz., the type 'courageous action') is genuinely courageous, but that some such actions are virtuously courageous while others are not virtuously courageous.

A disadvantage of the first approach is that it is inconsistent with common usage since it requires that we say that some acts are not what we readily call them, e.g., this courageous act is not genuinely courageous, that generous act is not really generous, and so on. In requiring that we designate as mere imitations some acts having salient features in common with 'genuine' cases of courageous, temperate, generous, etc., action, this approach in effect attributes to the terms "courageous", "temperate", "generous", etc. an ambiguousness in meaning which it is not certain they actually have. A disadvantage of the second approach is that it requires saying that courageous, temperate, generous, etc. action is sometimes not virtuous action and, by implication, that courage, temperance, generosity, etc. are sometimes not virtues, a view which in some quarters may appear eccentric.

I shall here adopt the second approach and argue that courageous, generous, temperate, etc. action may sometimes fail to be virtuous action. In claiming that an action corresponding to a trait classically regarded as a virtue may fail to be virtuous I am claiming that such an action may fail to meet the conditions for virtuous action
set forth in Chapter One. Thus, by non-virtuous courageous action, non-virtuous generous action, etc., I mean action that is genuinely courageous or generous but is either good but not fitting, or else is neither good nor fitting. It cannot be denied that, since courage, generosity, temperance, etc. are classically regarded as virtues, the suggestion that actions to which such trait-names are applied are not always virtuous actions may appear odd, or even paradoxical. Yet it seems that we do encounter instances of non-virtuous courageous action, non-virtuous generous action, and so forth.

Later in this section, I will present a series of examples designed to support the claim that some actions corresponding to some traits clasically regarded as virtues are not virtuous and that some actions corresponding to some traits clasically regarded as vices are not vicious. First, however, I want to explain why I think it makes a significant difference whether we regard a certain action which would normally be associated with, say, vanity, as correctly so called but nevertheless non-vicious, or instead regard the action as not genuinely vain because it is not vicious. The following remarks by M.F. Burnyeat will provide a focus for discussion of this point.

For it is not every form of behavior which might be considered vain that is to be expected from a man known to be vain. His failing may be restricted to his appearance or his achievements, and may be expressed either by boasting or by
preening himself in private. Hence his being vain does not explain the prevalence of one rather than another... Nor, conversely, is his behavior, when isolated from the fact of his vanity, of a kind that is necessarily vain; even boasting need not be so, in a Homeric warrior or someone who needs to combat a feeling of inferiority.

In this passage, Burnyeat is concerned to demonstrate that a virtue is not a specific disposition to act in certain ways in certain circumstances and hence does not itself determine the form of its display. As an observation about what a virtue in an individual is (or, rather, is not), the point is well taken. Note, however, that it involves saying that an act which would readily be called a vain act, i.e., boasting, may not be vain, e.g., in a Homeric warrior. Yet there is another way to interpret the case of the Homeric warrior. One may say that his boasting is indeed a vain act -- is correctly called vain -- since it belongs to an identifiable type of actions, the individual instances of which share certain features which make them recognizable as characteristic or typical of vanity. That his boasting belongs to this type is evident from the fact that it serves well to illustrate what "form of behavior" might be "considered vain", and hence might "be expected from a man known to be vain". However, while his boasting is genuinely vain, it is not viciously vain, given its aim and the context of its performance. These two interpretations of the case of the Homeric warrior may be
expressed as follows:

Interpretation (1): This is an act of boasting, but in the circumstances it is not a vain act.

Interpretation (2): This is an act of boasting, and hence a vain act, but in the circumstances it is not a viciously vain act.

Is there a significant difference between these two statements, or is the difference between them merely a verbal difference and of no real importance for an understanding of the nature of virtuous action? I think that there is a significant difference between these two statements, however, why the difference is significant depends upon whether we are concerned with characterizing and judging individuals or with characterizing and evaluating actions.

Suppose it is the former that concerns us. If we know of someone that he is not a vain person, then we are not likely to regard him as an agent of vanity in the event that he performs a characteristically vain action, e.g., boasting. If we know him to be a modest type of individual, we will be likely to regard his boasting as evidence of something else -- perhaps, as Burnyeat suggests, of a feeling of inferiority which needs combatting on this occasion. So we might wish to say of his action that it is not really a vain action, because to call his action vain would be to attribute to him a trait of character he does not actually have. Notice, however,
that in saying of his action that it is not really vain, we are regarding his action in a special light, namely, as evidence of a quality in him. In other words, in saying of his action that it is not really vain, we are saying that it is not evidence of vanity in the agent, and hence does not alter our previous assessment of his person (or his character). Hence, if our concern is to properly assess the individual, we might favor the interpretation, expressed in (1) above, according to which an act of boasting, despite its similarity to genuine acts of vanity, is not vain here.

Suppose, on the other hand, that we are concerned with characterizing and evaluating actions that correspond to traits in individuals, not as evidence of a trait in an individual, but in abstraction from agency. In that case, we will be concerned that the terms by which we identify such actions are correctly applied. Moreover, we will be concerned that our assessments of such actions are based upon qualities of the acts themselves and not upon qualities of their agents. Thus, we will wish to be able to say of an action, e.g., boasting, which has all the characteristics associated with a given trait-name, e.g., vanity, that it belongs to that type and hence is a vain act (is correctly so called). However, our calling the action vain, or typically vain, while it identifies the action as belonging to a definite type of action, might not be equal to an assessment of the action. For such and such
an act of boasting, which is a typically vain act, might have a good aim, e.g., if, as in the case of the Homeric warrior, it is true, or at any rate, not a bad one, e.g., combatting a feeling of inferiority, and then it will be a typically vain action which is not viciously vain. Since it is possible for an action to be typically vain, but not viciously vain, we need to allow for a distinction between characterizing actions according to their types and assessing actions according to the nature of their aims. The interpretation expressed in (2) above allows us to do this and hence allows us to properly identify and assess actions. That is, since the interpretation expressed in (2) above allows us to speak uniformly of actions that correspond to traits as characteristic of those traits, and to name actions, correctly, according to their types, without thereby ascribing to them ethical worth or the lack of it, it is to be preferred over the interpretation expressed in (1) when our concern is with characterizing and evaluating actions per se, as opposed to actions qua evidence of traits in individuals. Moreover, the interpretation expressed in (2) allows us to associate virtuous, or, at any rate, non-vicious, action with a non-virtuous trait and this, I think, is significant. For as it is not always possible to act both virtuously and in a way that is characteristic of 'a virtue', to insist on the conflation of virtuous action and action characteristic of 'the virtues' is in effect to restrict the sphere of
ethical action. I shall return to this point below. In sum, I take it that the distinction made here between two possible ways of approaching the question, whether an act that corresponds to a trait classically regarded as a virtue (vice) may be non-virtuous (non-vicious) is not merely a verbal difference, but a distinction of some importance for understanding the nature of virtuous action.

The following examples and discussion of them will, I hope, serve to further indicate why, at least with respect to actions, we do better to separate virtue from 'the virtues' and allow that an action corresponding to a trait classically regarded as a virtue may be non-virtuous, and that an action corresponding to a trait classically regarded as a vice may have virtue in it.

The first example is of a courageous action that is not virtuous. In connection with this example, I shall here offer a definition of courageous action. In offering this definition, I shall, for the moment, ignore certain difficulties having to do with the identification of actions possessing properties such as courage, temperance and generosity. These difficulties will be discussed in Section II. In Section III, I shall have more to say about how one may arrive at a definition of the sort offered here.

Now, it is possible to state in general terms what is distinctive about courageous action without specifying whether the end at which it aims is ethical or not.
Consider the following: characteristically, courageous actions are performed in circumstances of danger and are a response to danger of a certain kind. Not every response to danger is courageous, of course. We may identify three elements which are essential to courageous actions. Like all cases of risk-taking, an act of courage involves some sort of danger, a benefit which is expected to result from the successful outcome of action and a set of parameters which constrains the choices open to one who performs the action. Let us first consider what kind of danger is involved in characteristically courageous action. In the main, courageous action takes place in response to danger which threatens the life or limb of the agent. Another type of danger which may be the occasion for courageous action is that which threatens a person's reputation or standing in the community. Less typically, the danger involved in courageous action might be that of a loss of self-esteem, or a condition, such as illness or poverty, which is extended over a long period of time. Not only is the type of danger significant in determining whether an act is one of courage, the degree of danger also is an important factor. The degree of danger must be sufficiently formidable as to make meeting and overcoming the danger genuinely difficult.

Secondly, the benefit which would be gained from the successful accomplishment of a courageous action must be one which is truly worth the danger faced in the
performance of such action. One who confronts significant danger to achieve a trivial benefit acts recklessly rather than courageously. One may be reckless either when one confronts too great a danger for the sake of too small a benefit, or when one confronts great danger for the sake of winning a benefit which it is not likely will be gained by acting. The estimation of two probabilities are involved in the performance of courageous action: first, the probability, given the amount of risk to which one exposes oneself, that one will suffer harm in performing the action; second, the probability that the benefit sought will be won, even if one escapes harm. The benefit sought must be such as to justify the performance of the action given the probability that one will come to grief if one performs the action and the probability that the benefit will be achieved.

Finally, the context of the choices open to one who performs a courageous action must be such that the benefit sought cannot be attained by means of the performance of an action which is less risky in either of the senses above than the action taken.

In light of this characterization of courageous action, let us consider an example of a courageous action which is non-virtuous.

A young man, a member of a college fraternity, is told to go to a rival fraternity house, climb up to the second
story, break in and steal a basketball
trophy from last year's tournament from a
locked glass case. The young man does
this and is accepted into the fraternity.

This example describes an action which is dangerous
in the appropriate sense in that it involves a substantial
risk to the life and limb of the agent, and to his
reputation. He might fall while climbing, be caught by the
members of the rival fraternity and beat up, be convicted
of breaking and entering and/or be thrown out of school.
Moreover, the benefit sought is worth the danger involved,
at least from the young man's point of view, since
membership in a fraternity is an important element in a
successful college career. Finally, the benefit sought
cannot be attained by means of the performance of an action
which is less risky than the one taken, since only by
performing this action will he be accepted into the
fraternity.

This evidently courageous action is not virtuous,
however, since the end at which the agent aims in acting,
namely, membership in a fraternity, is not good in the
sense of ethically good. The benefit sought, while it
appears good to the agent and to him is worth the risk
involved, does not, it would seem have an ethical aspect.
One might hold that the truly courageous act in this case
would be to refuse to do what is required for membership in
the fraternity on the grounds that to refuse would involve
some risk, i.e., of ridicule, or of a loss of a successful college career, and might also have an ethical aspect, but given that achieving the desired benefit, i.e., membership in the fraternity, is worthwhile to the agent, the act of refusing to engage danger would look very much like cowardice, and in any case could not be represented as courageous.

The second example is of a cowardly action that is not vicious.

A World War I footsoldier deserts the field of battle. All around him other soldiers are being gassed and shot. The situation is so chaotic that he escapes the field without being noticed by his superiors. In any case, his fear of being punished as a deserter is overshadowed by his fear of death. The soldier intends to return to his wife and children to provide for them. The soldier does not want to kill any more people in a war that he judges has degenerated into a senseless struggle and believes that he can be of better service at home as a husband and a father.

One might doubt whether what I have described in this example is a genuine instance of cowardly action on the grounds that an agent of cowardly action characteristically
aims just at securing his own safety and not at some higher end. However, this cannot be a basis for claiming that the action described here is not cowardly, since the example describes an action whose primary aim is that of securing the agent's own safety. It might be claimed, however, that an action cannot be cowardly unless its aim is, in context, objectionable, whereas in this case, the agent's aim in acting, i.e., securing his own safety, has its admirable side. But to say that an agent of cowardly action characteristically aims at self-interested ends which are inherently objectionable seems to attribute more to cowardly action than it necessarily involves. In other words, while it is clear that an agent of cowardly action characteristically aims at ends which may be described as self-interested, it is not clear that acting in one's own interest must be in every case objectionable on ethical grounds, or vicious. In the example given, the agent undoubtedly acts to save himself, but since saving himself appears in this context to be a reasonable end, we may doubt whether it can be said to be a vicious end. This distinguishes vicious action from cowardly action in terms of the ethical character of the end of action and allows that cowardly action may be tied both to non-ethical and to ethical ends, and is or is not vicious accordingly. E.g., when the goal to which courageous action would aspire collapses; when, as in the case of the footsoldier of our example, the battle seems to the soldier senseless and
immoral, it might be judged as reasonable, and perhaps even virtuous, that he give way to his fear and run away and save his life.

It may be claimed that the action described here does not serve to show that an action may be both cowardly and non-vicious, for the war in question, it may be thought, was necessary as a means of combatting evil, and, moreover, the soldier presumably had taken an oath to serve his country. Hence, the soldier, by running away from battle, did a vicious thing.

Obviously, in certain cases, an act of cowardice in battle would be vicious for the reasons cited. In this case, however, it is at least open to question whether these considerations undermine the argument, which the example is intended to support. To the soldier, the war seems not necessary but senseless and immoral; in light of this, the oath he has taken may to him seem to have ceased to be binding. It is a substantive question whether the values which inform the soldier's action are the relevant values in these circumstances. The case depends upon our being able to allow that wars sometimes are senseless and immoral and that soldiers may be correct in judging them so, although such a judgment reflects values which may be in conflict with the beliefs of others.

The circumstances of a ritual feast may provide us with an illustration both of virtuous intemperance and non-virtuous temperance.
A large family sits down to a meal -- the celebration of a fiftieth wedding anniversary of the grandparents -- that will go on late into the night, consist of many courses, and involve eating and drinking conspicuously more than is necessary to satisfy hunger or to slake thirst. There is one person at this occasion who, out of obedience to the principle of temperance, eats and drinks no more than what he would eat or drink normally and who is thereby perceived as offensive to the other people at the gathering (especially the grandparents), since he disregards that the point of the feast is to loosen restraint and give oneself over to the enjoyment of sense pleasure as a way of celebrating family feeling and reaffirming the values and achievements of the family.

In context, the temperate individual's moderation, which is characteristic of temperance, appears distinctly non-virtuous since it lacks both fittingness and a good aim. I say that the temperate individual’s moderation is characteristic of temperance because temperance in action is a matter of moderation with regard to eating, drinking and sex, or the pleasures of taste and touch. Now, the
temperate individual may not restrict himself to moderation in eating and drinking on every occasion, and his over-indulgence in these pleasures on a given occasion need not be incompatible with his being a temperate character. Our concern here, however, is with the characterization and assessment of actions, and so we should allow that actions having all the characteristics associated with the trait-name 'temperance' belong to that type and are correctly so called. Now the temperate individual's behavior, as described in the example, has the characteristics associated with temperance and is therefore correctly identified as temperate behavior. His temperate behavior is inappropriate in the circumstances, however, and lacks a good aim, since the end at which he aims in acting is a foolish consistency that disregards the feelings of others. On the other hand, everyone else's intemperate behavior seems to have virtue in it since its aim is that of honoring the grandparents and affirming family values and it also is well-suited to the occasion of action. And here the designation 'intemperate behavior' also names a set of actions according to their type, but is not equal to an assessment of the actions, for in this case over-indulgence in the pleasures of taste and touch is fitting and tied to an ethically good end, and hence is not vicious intemperance.

The following example is of generosity that fails to be virtuous.
A fifteen year old boy who has no experience with drugs asks his father for money to buy heroin. Though the amount asked for constitutes about a quarter of the father's weekly salary, he gives the money freely, without asking to be repaid, and tells the son to go ahead and have a good time.

The action described here is generous on three counts. The agent gives away something of real value, and it is his to give and he is under no obligation to give this money away. The action fails to be virtuous in two ways. First, the action lacks fittingness. Suppose that the end at which the father aims in giving the money is that of giving his son an opportunity to learn the hazards of drug taking on his own. If that is the aim of the action, then the action lacks fittingness because heroin is highly addictive and taking it once is liable to promote the desire to take it a second time, and then a third, and so on. On the other hand, the action would fail to be virtuous in lacking an ethically good aim if the aim of the action was to do harm, or if the father was so heavily invested in the idea of himself as a man of generous character that the end at which he aimed was the preservation of this idea of himself, so that, given this, he could not bring himself to refuse his son's request for money, even though the son were to use the money to bad purpose.
Several philosophers have suggested that generous actions characteristically are done with the intention of benefitting the recipient. What I wish to suggest, and by this example show, is that while the intention to benefit others (say, out of a concern for their well-being) may be inferred from actions characteristic of virtuous generosity, an action may be generous without being tied to the sort of end which would allow us to infer such an intention and hence may fail to be virtuously generous.

In the rest of this section, I want to address a possible objection to what has been claimed so far. The objection is as follows: it is not every trait, to which an identifiable type of acts corresponds, which may be a virtue. It seems that some traits to which a type of acts correspond function more readily as virtues than do others. But if these traits are such that they function readily as virtues, then what is it about them that makes them, as it were, only potentially virtues and their corresponding actions only potentially virtuous? In other words, on what basis are some traits, and the actions corresponding to them, and not others, picked out as suitable candidates for virtues and virtuous activity? Would it not be that they are virtues and the actions corresponding to them virtuous actions, after all, and best identified as such?

The question, why certain traits have traditionally been called virtues, is a large one which cannot be fully
addressed in this work. I shall here simply suggest that one reason why courage, generosity, temperance, honesty, and so on, have been traditionally regarded as virtues is that these are expansive traits, the exercise of which is inherently pleasurable, while their contraries are constrictive traits, the exercise of which is not inherently pleasurable. At the same time, since it is possible for virtuous action to proceed from a trait classically regarded as a vice, and for vicious action to proceed from a trait classically regarded as a virtue, we should not, I believe, insist upon the conflation of virtuous action and action characteristic of 'the virtues', for to do so would be to limit unnecessarily the sphere of ethical action.

In this section, I have tried to show that the, perhaps unconventional, view that an action corresponding to a trait classically regarded as a virtue (vice) may fail to be virtuous (vicious) has plausibility and merits our consideration. In the next section, I will consider some questions having to do with the classification of actions corresponding to traits classically regarded as virtues.
II. Classification Questions

Several philosophers writing about what are classically regarded as virtues have pointed out that the actions corresponding to these traits are not like acts of other sorts in that they resist being classified or grouped into act-types. Consider, for example, the wide variety of acts that may be correctly characterized as courageous: on what basis are they called thus? What kind of criteria are appropriate for deciding that these many actions all are manifestations of the same thing? The purpose of this and the following section is to explore answers to these questions.

The questions are complicated somewhat by the assumption that actions corresponding to traits classically regarded as virtues may fail to be virtuous. One's view of what may be correctly characterized as courageous action will depend in part upon whether or not one holds that courageous action may be distinguished from virtuously courageous action. If this distinction is maintained, one may expect to find included in the act-type, "courageous action", both virtuously courageous acts and non-virtuously courageous acts, whereas if the distinction is denied, the act-type "courageous action", will be restricted to just
virtuously courageous acts. That is, to deny the distinction is to hold that the only acts which may be correctly characterized as courageous are those which I have called virtuously courageous acts. What I have called non-virtuously courageous acts would not, on this view, be genuine instances of courageous action, and hence would not belong to the act-type, "courageous action". Consequently, criteria for determining which acts are courageous will vary with one's view of what may be correctly characterized as courageous action. In either case, however, there seems to be an initial difficulty connected with determining that an action, or many different actions, belong to an act-type designated in terms of what are classically described as virtues.

The difficulty has to do with the fact that what are classically described as virtues are traits of individuals which, in the actual case, may issue in a wide variety of actions, since having a particular virtue does not determine an individual to a specific type of action. Having a virtue does not determine an individual to a specific type of action because the relation of a specific virtue to the actions associated with it is not that of a disposition to act and the actions which the disposition is a tendency or capacity to produce. For, if the virtues were merely dispositions to behave in certain ways under certain circumstances, then two people who exhibited the same behavior on the same occasion would have the same
virtue. But it does not follow, from the fact that two people exhibit the same behavior on the same occasion, that they both have the same virtue, for having a particular virtue involves having beliefs and desires as well as feelings, and also involves choice. But neither beliefs nor desires are uniquely identifiable with a tendency to produce a certain publicly observable behavior. Hence, virtues are best not characterized as dispositions. 7

Now while the specific virtues are essentially connected with action, the fact that they are not dispositions means that their connection in actual cases is with act-particulars and not with act-types or act-categories. 8 But it seems that courage, temperance, generosity and so on, are predicated of actions by reference to these traits of individuals. So, if these traits cannot be associated with definite act-types, but only with various act-particulars, the question arises, how shall we go about deciding that the various act-particulars which may spring from a given trait all are manifestations of the same thing? How do we identify what acts possess the properties of courage, temperance, generosity, etc?

The idea that acts corresponding to specific virtues resist classification into act-types because they arise from qualities or traits of individuals that do not determine an individual to a specific type of action, depends for its plausibility upon the assumption that the primary object of predication of courage, temperance,
generosity, and so on, must be an individual, or a quality or trait of an individual, and that actions have these predicates applied to them only because of some reference, direct or indirect, to that individual or to the relevant quality of character.\(^9\)

The method of appealing to an individual of a certain character as a means of saying that actions are properly called after a specific trait, such as temperance, is motivated it seems by the insight that in the actual case, such actions are the outcome of a highly individual and essentially unrepeatable convergence of character, motive and opportunity, and hence are perforce radically particular. Given their radically particular nature, it would seem that to adequately characterize such actions as, e.g., temperate, one must refer back to the behavior that may be expected of individuals who, because they are known to possess temperance, can be relied upon to act as agents of temperance with due regularity.

Yet the fact that the actions issuing from the temperance of an individual are apt to be the outcome of a highly individual and essentially unrepeatable convergence of character, motive and opportunity, has led to a measure of skepticism on the part of some philosophers about the possibility of picking out isolated acts of temperance or courage, without further consideration of the agent's character in the light of other actions and even other virtues.\(^{10}\) Among those less skeptical about the
possibility of picking out isolated acts of courage or temperance are Stephen Hudson and N.J.H. Dent, each of whom has proposed a method for identifying what acts possess these properties. In each case, the method proposed proceeds on the assumption that the primary object of predication of these properties is an individual or a quality or trait of an individual, but purports to resolve the difficulty, which would seem to follow upon this conception of the relation of particular virtues to the actions corresponding to them, in different ways. The general form of the method proposed by each is, however, the same, and is suggested by Aristotle's observation that "... actions are called just and temperate when they are the sort that a just or temperate person would do." According to Dent, this observation can be taken as "laying down the order of dependence between predicking temperance or justice of an act and predicking temperance or justice of a man." Hence, if we follow Aristotle on this, it would seem that an act or a kind of act gets rightly called, e.g., just or temperate, if and only if it is such or of such a kind as a just or temperate person would do.

In the rest of this section, I shall examine the methods for identifying what acts possess, courage, temperance, generosity and so on, proposed by Hudson and Dent, and try to show that each is problematical in certain respects, primarily because each assumes that the primary object of predication of these peroperties must be an
individual or a quality or trait of an individual and that actions have these predicates applied to them only because of some reference, direct or indirect, to that individual or to the relevant quality of character. Then, in Section III, I shall propose an alternative approach to identifying what acts possess courage, temperance, generosity and so on, which does not proceed on this assumption and hence, I believe, avoids the difficulties inherent in the methods proposed by Hudson and Dent. Moreover, since the difficulty connected with the classification of acts corresponding to particular virtues, which I have outlined here, was seen to depend upon this assumption for its plausibility, in showing that we can dispense with the assumption and still identify what acts possess courage and other properties, we cast doubt upon the suggestion that acts corresponding to traits classically regarded as virtues resist being classified into types.

According to Hudson, for each virtue, we may appeal to a conception of an agent who ideally exemplifies this virtue. The courageous person, for example, is a sort of ideal type who is the exemplar of courage, and we pick out what acts possess courage by reference to him. Hudson states:

According to Aristotle, once we have got our hands on this type of character, we can decide (by reference to what he would do in particular circumstances) whether what others do is likewise the courageous thing to do. Let's call such acts
typical of a virtue: they are the sort of thing a courageous or honest person would do in such circumstances, however they might be motivated in a particular case.

Hudson assumes that, "Predicates such as 'courageous,' 'generous,' and 'honest,' apply primarily to persons, not actions. . . ." and the method proposed by him for deciding what acts possess these properties proceeds on this assumption. In this case, however, the individual, by reference to whom we pick out what acts possess courage, generosity, honesty and so on, is conceived as an ideal type in the relevant respect. Further, we identify what acts possess these properties by reference to what an ideal character of a certain type would do in particular circumstances. By stipulating that the individual by reference to whom we pick out what acts possess, e.g., courage, be an ideal type who is the exemplar of courage, Hudson avoids the difficulty outlined above. For we need not suppose that the behavior of an agent who ideally exemplifies courage will be a wide variety of particular actions, each the outcome of a highly individual and essentially unrepeatable convergence of character, motive and opportunity, as we would in the case of the behavior of an actual individual known to possess this property. Hence, we need not suppose that the behavior of such an agent will resist classification into
types. Rather, we may regard the behavior of this ideally courageous individual, by reference to which we are to identify what acts possess courage, as characteristic or typical of courage, and hence as determining a type of actions. Moreover, since an action, which is determined by this method to be typical of courage, is so however it might be motivated in the particular case, we can, on this approach, identify isolated acts of courage in abstraction from agency, that is, without further consideration of the agent’s character.

This method of determining what actions possess courage or honesty will be inadequate, however, unless the ideal type by reference to whom we pick out what actions possess these properties can be identified by reference to something other than the type of actions he performs. For if the agent who ideally exemplifies courage, for example, can be identified as such only by reference to the type of actions he performs, then this method is threatened with circularity.

One way in which this circle may be broken is by appealing to an individual of a certain sort and identifying him, not by reference to the type of actions he performs, but instead by reference to his inner condition. This approach is recommended by Dent, for at least some virtues. Like Hudson, Dent assumes that what makes an act characterizable as, say, temperate, is given by its being such as an individual of temperate character would do
in the circumstances. Dent recognizes however, that if we say that what was done was a temperate act because it was such as a temperate man would do, then temperance "... must originally repose in something other than what is done."\(^{17}\) Dent proposes that we tell which men are temperate by looking to something other than their exterior performance, namely, "... to the quality of a man's condition or state -- to the order and regulation of his passions or appetites with a view to the best state for a man to be in."\(^{18}\) He states further,

> We isolate what passions a particular virtue is concerned with. ... We determine, by reference to the proper end of a man's life, what standing rightly with reference to these would be. Then whatever acts issue from the passions of a man who so stands rightly will be describable as temperate or just acts. That is how we identify what acts possess these properties.

On this approach, an act characteristic of, say, courage, is one which would be performed by an individual of courageous character in relevant circumstances, but the courageous individual need not be defined as one who performs characteristically courageous acts, for this would be circular. Instead, assuming that we could give an account of what it is for an individual to have gained proper control of her fears, we might take an individual of courageous character to be one who has such control.

This method seems initially promising. However,
depending on how we understand it, this method appears either to fail to resolve the initial difficulty outlined above, or else to be open to the same objection that was raised against the approach proposed by Hudson, namely, that the individual by reference to whom we identify what acts possess, e.g., temperance, may not after all be identifiable except by reference to the type of actions he performs. Hence this method also is threatened with circularity, although the circle involved in this case is somewhat larger.

This approach fails to resolve the initial difficulty outlined earlier if we understand the individual, by reference to whom we identify what acts possess temperance, to be an actual individual known to be temperate. For, as we have seen, in the actual case, or when the individual who is our standard of reference is an actual individual known to possess a particular virtue, his having that virtue (or, in this case, the proper stance with reference to the passions with which that virtue is concerned), does not determine the individual to a specific type of action. Hence, the actions which issue from the passions of such an individual will be particular actions, indeed a wide variety of particular actions, and even if we stipulate that the passions in question are just those passions with which a particular virtue is properly concerned, we still may expect to find among the actions issuing from these passions a wide variety of particular
actions. To be sure, all of the actions issuing from, e.g., the temperance of a temperate individual will be associated with that particular virtue, or with the passions with which his temperance is properly concerned, but this does not ensure that these actions all will have a set of characteristics in common since, as we have seen, it is not every form of behavior which might be considered temperate which is to be expected from an individual known to be temperate. Hence, we still will need to find some appropriate criteria for deciding that all of these actions are manifestations of the same thing.

Now it may be that Dent means the individual who is the standard of reference on this method to be an ideal type, for he identifies this individual as one who stands rightly with reference to the passions a particular virtue is concerned with, where what it is to stand rightly with reference to a set of passions is itself determined by reference to the proper end of a man's life. This seems to amount to a description of a fully virtuous individual, or least of an individual who is fully virtuous at least with respect to one of the virtues, and while we may suppose that Dent has in mind an actual individual who is known to have achieved this level of ethical development, we also may suppose that he means to describe an ideal type, or an exemplar of virtue or of a particular virtue.

If it is the latter that Dent means to pick out with his condition that the individual who is our standard
of reference here be one who 'stands rightly' with reference to a given set of passions, then his account, like Hudson's, is threatened with circularity. For in order to specify what it is to stand rightly with reference to the passions a particular virtue is concerned with we will need to have in hand some general notion of what is characteristic of that virtue. But then if we have in hand a general notion of what is characteristic of a particular virtue, by which we determine what are the proper passions associated with that virtue, then in appealing to those passions we shall in effect be appealing to our prior notion of what is characteristic of the virtue in question. And since it is the acts which can be expected to issue from these passions that are supposed to determine what acts possess, e.g., temperance, it will in effect be our prior notion of what is characteristic of temperance that gives the sense of 'temperate action', and not the inner condition of an individual of a certain specified sort.

How shall we come by a notion of what is characteristic of temperance and other traits classically regarded as virtues? It seems that so long as we attempt to identify what acts possess temperance by reference to what an individual or type of individual would do in particular circumstances, we will in the end need to identify that individual by reference to the type of acts he performs. For it is only the actions of the individual
of temperate character that are characteristically temperate that are useful in determining what temperate action is. That is, what the exemplar of temperance would do in relevant circumstances will give the sense of 'temperate action' only to the extent that the hypothetical choice of such an individual is characteristic of temperance. So we shall need a prior notion of what temperate action is in order to be able to decide which choices or actions of this individual are characteristic of temperance, and then we will be picking out the temperate individual by reference to the type of actions he performs, and in that case it cannot be said that what the individual of temperate character would do in relevant circumstances gives the sense of 'temperate action'.

In short, it seems that the method of appealing to individuals of a certain type, or to what they would do in particular circumstances, in order to identify what actions possess courage, temperance, generosity, and so on, is without promise. Now this approach to the problem of how to classify acts corresponding to particular virtues is in general an attempt to overcome the difficulty outlined earlier while still regarding individuals as the primary object of predication of courage, temperance, generosity, and so on. Yet it seems that we need not accept this assumption about the order of dependence between predicking these properties of actions and predicking these properties of individuals. For we may suppose that
in certain cases it is actions that are the primary object of predication of particular virtues. For, after all, we do not have the ability to recognize the virtue in virtuous people except through the observation of the acts they perform. It is on the basis of their activity that we judge persons to have properly mastered their passions and appetites. Hence while we may in some cases look to an individual known to be virtuous in some respect in order to enrich our understanding of what it is for an action to be virtuous in that respect, we may in other cases look to actions which we recognize to be virtuous in some respect for evidence that their agents are virtuous in that respect.

In the following section, I shall propose an alternative approach to identifying what acts possess the properties of courage, temperance, generosity, and so on, which does not proceed on the assumption that the primary object of predication of these properties must be a quality or trait of character of an individual. The method I shall propose makes use of the notion of an act characteristic or typical of a particular virtue, although it does not define such acts by reference to the behavior characteristic of a type of individual.
The very notion that an action may be characteristic or typical of a virtue, suggests that actions corresponding to a particular virtue actually do constitute an act-type and need not be seen just as a variety of act-particulars whose only common feature is the fact that they spring from a trait of character of an individual. We have seen, however, that we shall need to be able to define the notion of an act typical or characteristic of a virtue by reference to something other than what an individual who is an ideal type in that respect would do, for this approach is potentially circular. If we dispense with the assumption that the predicates "courageous", "temperate", "generous", and so on apply primarily to individuals, and not to actions, then we may suppose in certain cases it is actions that are the primary object of predication of these terms. That is, we may suppose that in certain instances it is obvious that an action is, e.g., courageous. We may not recognize types of acts as courageous, but it seems that various specific acts, such as heroic acts, which are evidently courageous are recognized as such. Thus we may be able to pick out situations, real or imagined, which it is strikingly
obvious are instances of courage in action. It is a commonplace among philosophers today that the impossibility of drawing a precise distinction does not indicate that no distinction exists. Such may be the case with acts typical of traits such as courage or temperance or generosity. We have reason to believe that there is a real distinction between acts which are and those which are not characteristic or typical of such traits, for we can recognize at least certain situations as those in which an agent is acting courageously or temperately or generously.

Now, if we may suppose that in certain instances it is actions that are the primary object of predication of courage, temperance, generosity, and so on, then we might define acts typical or characteristic of these traits by reference to these specific actions, rather than by reference to the behavior characteristic of a certain type of individual. That is, by reflecting on situations which it is strikingly obvious are instances of, say, courage in action, we may be able to say something about what the actions that are performed in such situations have in common which makes them characteristically or typically courageous. Then, our notion of what is characteristic or typical of courage will be given by the features common to all of the actions performed in such situations, which we have determined by abstracting away peculiarities of the situations, including the presumed motive or intention of the agent.
Supposing that we may in this way arrive at a notion of what is characteristic or typical of a particular virtue, we might derive a definition of a type of actions from our notion of what is characteristic or typical of a particular virtue, augmented by an understanding of various limiting or atypical cases of that virtue in action. Now, our definition of a type of actions, e.g., courageous action, will consist of a set of features, which set of features will constitute the defining characteristics of the type of action in question. Then, by reference to such a definition, we may identify what actions possess courage, or belong to the act-type, 'courageous action', and similarly for other traits classically regarded as virtues.

It is important that the definition of a type of actions, which is derived in this way, reflect an understanding of various limiting or atypical cases of a particular 'virtue' in action. For since actual instances of, e.g., generous action, come in many different varieties, an account of what makes an action typically generous may leave out acts of generosity which strike us as truly generous yet which may not conform to our sense of what is paradigmatic of generosity. Hence we shall need to recognize that some instances of generous action will fail to be typical of generosity while at the same time being bona fide instances of generous action. However, so long as we allow such atypical cases to inform our definition of a type of actions, we shall by this method be able to
account for all genuine cases of actions belonging that act-type.

It seems plausible to suppose that definitions of act-types designated in terms of particular virtues, consisting of a set of features which constitutes the defining characteristics of the type of action in question, can be given, for such a definition was actually given in Section I, in connection with an example of courageous action. What I have offered here is a method by which to arrive at a definition of the sort offered in Section I, and similar definitions of act-types designated in terms of other traits classically regarded as virtues.

Now, given the position outlined in Section I of this chapter, according to which an action may be genuinely, e.g., generous, without being virtuously generous, it follows that a definition of generous action is not yet a definition of virtuously generous action. As we saw in connection with the example of non-virtuous generosity given in Section I, an action may have the sort of aim that is characteristic of generous action, that is, its aim may be the sort of end that an agent might aim at in giving away freely something of value, without it being the case that the aim of the action is ethically good. Hence in order to arrive at a definition of virtuously generous action, we shall need to stipulate that the actions which we identify by reference to our definition of generous action also meet the conditions for virtuous
action set forth in Chapter One. Now the features associated with virtuous action are ethical goodness and fittingness. When these features are present in an action belonging to a certain identifiable type of action, such as generous action, they assume a definite form. Generosity in action has to do with giving away something of value and giving it freely. The sphere of activity marked out by the notion of generosity, then, marks out a kind of activity and also a kind of situation or occasion for action. So, the condition for virtuous action which I have called fittingness will, in the case of virtuous generosity, take the form of attentiveness to the actual in situations which provide occasion for giving away freely something of value. Associated with generous action also are various definite aims, that is, as we have said, the sort of ends that an agent may aim at in giving away freely something of value. Since virtuous action always is associated with aims that are ethically good, virtuously generous action will have aims that are, at once, those associated with generous action and of an ethically good nature. Thus, a virtuously generous action will be an action that conforms to the definition of generous action and also meets the conditions for virtuous action: it will be a virtuous action of a certain specific cast.

In this chapter, I have claimed that actions
corresponding to traits classically regarded as virtues (vices) may fail to be virtuous (vicious). I have also argued that courageous, generous, temperate, etc., actions constitute act-types which may be defined in terms of a set of characteristics common to all of the actions belonging to the type in question. In order to determine what features constitute the defining characteristics of a given act-type, I suggested, we need not look to the behavior characteristic of an individual known to possess the corresponding trait, or to an ideal type in that respect, but rather we may look to specific actions which are typical of the trait or quality in question, and the situations in which such actions are performed, as well as to various specific limiting or atypical cases of that trait or quality in action. Once we have by this method arrived at a definition of a particular act-type, e.g., the type 'courageous action', we may then identify what acts possess the relevant quality by reference to that definition. Acts which conform to the definition of a particular act-type, such as the type 'courageous action', and which also meet the conditions for virtuous action, are virtuously courageous, and similarly for acts corresponding to other traits classically regarded as virtues.

This shows that virtuous actions of a specific cast need not be regarded as expressions of a particular trait in an individual, or of a type of motive which may be associated with the trait. Hence, we may allow that in
some cases the behavior characteristic of an individual known to be, say, generous, or of an ideally generous individual, will inform our notion of what constitutes generous or virtuously generous action, without defining such action by reference to that individual or the type of actions he performs. This in effect restores to virtuously generous, virtuously courageous, virtuously temperate, etc., action a primary place in ethical theory. Moreover, it shows that such action does not derive its whole value from the motives or character of the agent, but rather may be assessed independently of these. I shall turn now to a consideration of a special group of virtuous actions, namely, those whose value is of a decidedly moral type.
CHAPTER THREE

VIRTUE AND MORALITY

This chapter has two main purposes: to indicate some differences between the ethical perspective associated with the idea of virtue and the ethical perspective associated with morality, and to show that there are actions which are virtuous and morally good, but not obligatory.

Chapters One and Two were devoted to discussing virtue in relation to virtuous action and in relation to the virtues. In this chapter I shall be concerned, in a limited and specific way, with the relationship between virtue and morality. In Section I of this chapter, I outline my reasons for including in this work on virtuous action a separate discussion of certain issues which are of concern primarily to the moral theorist. Chief among these issues is that of the place of duty in morality. Section II, therefore, is devoted to a discussion of the concept of moral duty. In Section II.i, I offer some criteria or guidelines for marking off obligatory from non-obligatory actions and, in Section II.ii, I discuss various technical
and non-technical senses of duty and obligation. In Section III, I present four examples of virtuous actions which, given a distinctly moral perspective, are problematical in that they appear to be both morally good and non-obligatory. In discussing the non-obligatory nature of the actions described in these examples, I draw on the guidelines offered in Section II.i. The discussion of these examples includes also consideration of the concepts of special obligation, supererogation and imperfect duty, and a comparison of these concepts with the concept of virtuous action.

Except in the second part of Section II, where I am specifically concerned to distinguish their different senses in common speech, the terms 'obligation' and 'duty' will, in the discussion to follow, be regarded as equivalent, as they have generally come to be when used in a technical sense.
I. Virtue From a Moral Point of View

So far in this work, I have attempted to say what are the constitutive elements of virtuous action and also how such action may be identified. The perspective assumed in these discussions was the perspective of virtue. As I indicated in Chapter One, the perspective of virtue is a non-moral perspective. Drawing upon evidence provided by classical virtue theories, and by reflection on the nature of virtue and of virtuous action, and taking into account the distinctive content of the word "moral" as it is now used, I suggested in Chapter One that virtue is best conceived as an integrative rather than as a moral notion. Accordingly, I proposed to characterize virtuous actions as, simply, good — rather than as moral or morally good — and as fitting, and I suggested that virtue in the sphere of action functions to bring together or integrate, these qualities of goodness and fittingness.

From the perspective of virtue, a salient feature of actions is their goodness, and as there are many kinds of good, so may the ends to which virtuous actions aspire be good in various ways. For example, some virtuous actions are such that the ends to which they aspire (their
aims) are good in the sense of aesthetically good, and the aims of some such actions possess a kind of goodness which might be described as natural, that is, which pertains to the sphere of natural relationship, as when a father makes a great sacrifice for his child. These kinds of good generally are regarded as non-moral. Although the concept of moral goodness is interpreted in various ways, even in its broadest interpretation it usually is taken to exclude aesthetic goodness, "natural" goodness, and also other types of good. At the same time, while the distinctly moral excludes some types of good, the good encompasses the distinctly moral. We may expect to find, therefore, among the virtuous actions, some whose aims are good in the sense of morally good. These virtuous actions would differ from other virtuous actions with respect to the nature of the good at which they aim, and would comprise a proper subset of the set of all virtuous actions, viz., that subset which contains all and only those virtuous actions whose aims are good in the sense of morally good. In Section III of this chapter, I shall discuss four examples of actions which belong to this subset.

There is another way in which some virtuous actions differ from all other virtuous actions. Some virtuous actions are such that the virtue present in them is, so to speak, "visible". Actions in which virtue is "visible" display the qualities of goodness and fittingness in a conspicuous way, or remarkably. This distinguishing mark
of some virtuous actions brings together virtuous actions which differ from one another in respect to the nature of the goodness of their aims. Hence the qualities of goodness and fittingness might be displayed in a conspicuous way, or remarkably, both in a virtuously courageous, non-moral action and in a virtuously courageous moral action. Also, among the virtuous actions which are distinguished by the morally good character of their aims one may expect to find actions in which virtue is "visible" — e.g., an act of moral heroism — as well as actions in which the presence of virtue is not easily detected — e.g., an act which fulfills an ordinary duty, such as paying back a debt. Again, an action may be good, in a non-moral sense, and fitting, without displaying these qualities in a conspicuous way.

The actions described in the examples presented in Section III are distinguished both by the morally good character of their aims and by the fact that they are actions in which virtue is "visible". Actions in which virtue is "visible" may be such for various reasons. For example, they may be highly dangerous or risky, or highly other-regarding in the sense that the agent places the interests of others before his own in circumstances in which this would not ordinarily be expected of him or is especially difficult, or they may be remarkably apt responses to a complex or subtle situation. Now, as it happens, some of the kinds of circumstances which provide
occasion for a conspicuous display of goodness and fittingness in action also provide occasion for action which is clearly morally good and yet seems to transcend duty. Thus, it is sometimes the case that when someone performs a highly dangerous action which is virtuously courageous, and does this for the sake of another and thereby risks his life or way of life, we are hesitant to describe the action as obligatory or required by morality and yet do not doubt its moral worthiness or value.

The question, whether an action may be morally good and yet non-obligatory is strictly speaking a question for morality. It is, moreover, a live question because the view that all and only those actions which are duties or which we have an obligation to perform are morally good actions has long been the dominant view in moral philosophy. To raise the question is to cast doubt upon the deontological doctrine according to which no action which is beyond duty can be morally good, and the utilitarian doctrine according to which no action which is morally good can be non-obligatory. If there are actions which are morally good and non-obligatory, then these actions comprise a category of actions which poses a theoretical and normative problem for the strict deontologist or utilitarian.

With respect to this question of the limits of duty within morality, the position taken in this chapter is that our reluctance in some cases to treat as morally obligatory
an action whose moral worthiness is beyond doubt reflects a real division of categories of moral action. Establishing the possibility of morally good, non-obligatory action is the main task of the second and third sections of this chapter. In taking up this task, in addressing the problem of whether or not, contra moral doctrine, there are actions which are beyond duty and morally good, or morally good and non-obligatory, we adopt a distinctly moral perspective, as opposed to a perspective of virtue. At the same time, this problem, which is strictly speaking a problem for the moral theorist, or from a moral point of view, is of interest to the virtue theorist since there are actions which, from the perspective of virtue, meet the conditions for virtuous action -- are good and fitting -- and at the same time, from the perspective of morality, belong to that group of actions which is conceptually and normatively problematical.

In this chapter, then, the perspective assumed is primarily that of morality, rather than that of virtue. Taking up the moral perspective or point of view brings into focus certain issues which are pertinent from that point of view and allows us to consider how those issues bear upon our understanding of virtuous action.
II. The Concept of Moral Duty

In this section, as a preliminary to examining some examples of virtuous actions which, given a moral perspective, are morally good and, given a certain interpretation of the scope of duty or obligation in morality, are also non-obligatory, I will concentrate briefly on the concept of moral duty itself. In Section II.i., I shall discuss the scope or range of application of the concept of duty or obligation in morality. In Section II.ii., I shall discuss the various interpretations which this concept has been given in moral philosophy.

In the first part of this section, some points of demarcation of duties and non-duties will be presented in anticipation of the discussion of specific acts of virtue described in Section III of this chapter. The discussion of these specific acts of virtue will help us to determine (though not with precision) the boundaries of the sphere of duty within morality. It will be useful, however, to mention here what sorts of considerations will be brought to bear when it is claimed that a particular example of morally good virtuous action, e.g., an example of virtuously courageous action, is non-obligatory. I will
here discuss several features of duties and obligations which limit the range of application of these notions to the actions we regard as distinctly moral.

The force of the claim that there are acts which are morally good but not obligatory plainly depends upon how broadly or narrowly the notion of moral duty is interpreted. A review of various senses of duty and obligation in ordinary language and in the technical language of moral philosophy will reveal that these notions admit of both a very narrow and very wide interpretation. An interpretation which avoids both of these extremes will be adopted here. Further, it will be suggested that even if the notions of duty and obligation are not interpreted narrowly, the scope of duty within morality is limited. The narrow interpretation of duty will be rejected here as ruling out certain "natural", non-institutional duties which it seems reasonable to suppose exist. The broad interpretation of duty will be rejected as failing to conform to our common sense thinking about morality and also for reasons of a non-theoretical nature. The adoption of a middle position with respect to the proper interpretation of the concept of duty and obligation in effect makes room within the moral sphere for actions which are not duties or obligatory.
II.i. The Limits of Duty

Certain features of duties and obligations themselves suggest the range of application of these concepts in morality. I shall here discuss several such features. Out of them, some general criteria of non-obligatoriness will be developed. These criteria will be used as a guide, in Section III of this chapter, to the determination of conditions under which various morally good acts of virtue are non-obligatory. The criteria are not necessarily exhaustive. It may be that there are conditions, not mentioned here, under which an act would fall outside the sphere of duty. The scope of duty within morality is hard to determine with precision, and the views of moral philosophers on this issue are not uniform. The purpose of this and subsequent discussions is to indicate, from various perspectives, what kind of considerations are relevant to the demarcation of duties and non-duties.

In developing these criteria, I have been concerned to discover features of duties or obligations which suggest the limits of duty or obligation where "duty" or "obligation" are understood in their usual sense. In the next part of this section, I shall attempt to indicate what I mean by "the usual sense" of duty or obligation. Hence,
as we shall see in Section III, an action may meet one or more of the criteria of non-obligatoriness suggested here and still be regarded as a special obligation or imperfect duty by a duty theorist. The criteria offered here do not delimit the range of application of such super-duties, but only the range of application of duties or obligations in the usual sense.

In virtually every account of the nature of duty and obligation, it is held that the notions of duty and of obligation are tied essentially to that of blame. Blame of one kind and degree or another is deserved in the event of failure to fulfill a duty or obligation. To be obligated or to have a duty is to be responsible or answerable for something — here, the performance (or forbearance from) an action. When an individual is answerable for the performance of (or forbearance from) an action, then in the event that he fails to perform it (or forbear from performing it), he may be called upon to 'answer for' his failure. In such calling to account there is an implication of criticism, censure or blame. When no valid excuse is offered or mitigating circumstance adduced, censure in some degree is warranted. Hence, sanctions, at the least to criticism and disapproval, against failing to fulfill a duty or obligation are held to be justified in the absence of excusing or justifying considerations.

Given this essential link between obligation and blame, where the omission of an act is not blameworthy, we
have good reason for regarding the act as non-obligatory or a non-duty. Hence, as one criterion of non-obligatoriness, we may recognize the following: an act is non-obligatory (or a non-duty) if its omission is not blameworthy. At the same time, if the omission of an act is not immune from critical reaction -- is deserving of blame -- the act may or may not be a duty. Some acts which we ought to perform but have no duty to perform, also are such that to fail to perform them would be blameworthy, but here blameworthiness is not evidence of non-obligatoriness.

It may be objected that in at least one kind of case, viz., one in which I owe compensation as a result of neglecting my duty or obligation, the fact that I cannot be blamed for failing to perform a particular action is not evidence of non-obligatoriness. This objection assumes that the existence of a requirement to provide compensation in the event that one fails to discharge one's duty or obligation replaces or cancels the blame which normally would attend upon such failure. However, where compensation is an issue, it is not the case that one has an obligation to do x, the failure to do which has itself two alternative consequences: that one must either pay compensation or suffer blame. Rather, compensation enters in at the level of obligation. One has, as it were, a disjunctive obligation in such cases; one must either do x or else one owes compensation, and in either case, failure to meet one's obligation is grounds for criticism of some
kind in some degree. Hence, where compensation is involved in a matter of obligation, it is as an alternative to obligation, and not as an alternative to blame. Compensation is itself a matter of obligation in such cases, and shares with other obligations the feature of being tied essentially to blame.

A second feature of duties and obligations is that they are required; or, as one contemporary philosopher has put it, "moral obligation is inescapable." The concept of moral obligation belongs to that aspect of morality which is concerned to determine when a person's freedom may justifiably be limited. The principles or rules from which duties and obligations are derived provide a justification for limiting a person's freedom, and controlling how he should act. One formulation of this feature of obligations is given by Kurt Baier. According to Baier, obligations arise when and only when a morally binding directive gives rise to a task. No obligation of any type arises unless a morally binding directive is involved. To say that a directive has moral binding force means, according to Baier, that it is not solely the addressee's business to decide whether or not to follow the directive. The directives concern themselves with issues and problems whose solution is not solely the agent's business but also that of others who have a legitimate concern about whether or not the person to whom such a directive applies follows it or not. These
directives license interference and so narrow what a person is free to do.⁵

If being required is a necessary feature of all duties and obligations, then as a further criterion of non-obligatoriness, we may recognize the following: an act is non-obligatory (or a non-duty) if it is not a requirement of morality. Various factors may be relevant to the determination of the status of an action vis-à-vis this condition.

One such factor is risk. Risk may be a factor in determining whether or not an action is a requirement of morality in several ways. For example, actions done for the sake of others whose performance involves great self-sacrifice, either in terms of risk or of actual loss to the agent, may for this reason fall outside the purview of the requirements of morality. Saintly and heroic actions are good examples of conduct which, because of the great burden it places upon the agent, is not a matter of requirement. The fact that an action involves great self-sacrifice on others' behalf tends also to tell in favor of the act's moral goodness, especially if the benefit secured to others is great relative to the loss to the agent that is involved in performing the action. Further, such actions tend to be both praiseworthy and meritorious.

In another sort of case, actions aimed at the enhancement or improvement of the agent's own life whose
performance involves risking the life itself seem also to fall outside the range of moral requirement. An individual who chooses to risk his life in order to improve it cannot in general be obligated to do this.

Because the fulfillment of certain requirements of morality may entail considerable risk to the agent, not every highly risky act is ipso facto non-obligatory. The circumstances of the case are important in deciding when the risk or loss to the agent involved in performing an action provides grounds for exempting it from treatment as a duty. At the same time, while the agent may earn praise for doing his duty in highly risky circumstances, he cannot thereby earn merit. Praise is acquired through public recognition and the favorable attitude of others, and the conditions under which it is bestowed may change from person to person and society to society. Merit, however, is acquired independently of how an action is actually appraised by others, and also independently of the agent's motives, traits of character, or the moral expectations of society, and is to this extent more objective. Hence, in distinguishing highly risky acts of duty from highly risky non-duties, it may be relevant whether the act is merely praiseworthy or is both praiseworthy and meritorious.

An act may be done with the intention of fulfilling a duty and yet not be a duty. This is important in the case of highly risky acts, since it may be the case that
the agent believes that his self-sacrifice is obligatory when it is not. Acts which, from an objective point of view, are properly exempted from treatment as duties because of the great cost to the agent they entail, have this character regardless of what the agent may feel or how the act may present itself to him. In terms of blame, which was discussed earlier, while the agent may reproach himself for failing, as he sees it, to do his duty, unless his action is objectively a duty, no one is in a position to reproach him. 7

Beside highly risky acts, there are acts which are not required precisely because they do not belong to that aspect of morality which is concerned to determine when a person's freedom may be limited. These actions are by definition not a matter of requirement. Many acts of giving have this character, especially acts of generosity and kindness, and some favors. It is usual to contrast generosity and other kinds of benevolence with justice as these seem to mark off distinct dimensions of morality. The difference lies principally in this, that whereas justice can be claimed as a moral right, we can expect generosity and kindness from others, but we cannot claim these as our due. Again, it is characteristic of acts of generosity and kindness that they are performed without regard for what is deserved.

There is another factor which may be relevant in determining the status of an action vis a vis the condition
of requirement, namely, whether or not an action would be right, or could be recommended as a right choice of action, for any agent in the same or similar circumstances. It is a generally recognized feature of requirements of morality that, while they involve some basic assumptions about the capabilities of those to whom they apply, they are blind to differences among agents that lie outside the range of these relatively basic capabilities. Requirements of morality apply, as it were, indiscriminately, to everyone. Hence, whatever is a requirement for an agent, A, is a requirement for any agent in the same or similar circumstances. Yet there are actions which, while they would be right for some agents in the circumstances, would not be right for everyone in those same circumstances. That is, some moral actions are such that the condition of the agent is a relevant factor in the determination of the rightness of the action in those circumstances: the same action is right for this agent (or for this agent at this time) in these circumstances, because, e.g., he is capable of successfully performing the action and thereby achieving his aim by these means, but is not right for that agent (or for that agent at this time) in these circumstances, because, e.g., he is not capable of successfully performing the action and hence not able to achieve his aim by these means. But if actions whose rightness derives from the fact that they are requirements of morality have this character independently of who performs them, then an
action whose rightness in the circumstances is tied to the condition of the agent could not be represented as a requirement of morality, since it does not have this character independently of who performs it. The requirements of morality are conceived in abstraction from the specific identity of the agent, for these requirements give a sufficient reason for doing a certain action in the circumstances, and if something is a sufficient reason for a certain action in one case, then it is so in another, regardless of who is acting. But if an action is such that it is right for some agents and not right for others in the same circumstances, then what would count as a sufficient reason for doing the action would vary with the agent and could not be given in the form of a general rule stating a requirement that would be a requirement for anyone in a situation to which the rule applied. Hence, an action may fail to be a requirement of morality if it is the sort of action whose rightness in the circumstances depends upon who is acting, for actions whose rightness derives from the fact that they are requirements of morality have this character independently of who performs them.

By considering features common to all duties and obligations, we have arrived at some general criteria of non-obligatoriness in actions. In Section III of this chapter, some examples of morally good acts of virtue will be discussed which, on the one hand, meet these criteria and, on the other, serve to illustrate their plausibility
as criteria of non-obligatoriness. Taken together, these criteria may be regarded as hypotheses concerning the locus of the points of demarcation of duties and non-duties. They draw initial support from their connection to recognized features of duties and obligations; their application in specific cases will help to further establish their acceptability.
II.ii The Senses of Duty

The concepts of duty and obligation may be interpreted narrowly or broadly. In the narrow, or ordinary, sense, a person's duties are the tasks or assignments for which he is responsible as a result of taking on a job, role or office, while a person's obligations have their source in prior transactions -- promises, contracts and other agreements, voluntarily undertaken. Interpreted broadly, "duty" and "obligation" are technical terms and may be used "... quite indiscriminately to refer to particular obligations, moral principles, or indeed to anything which is held to be a requirement of conscience." 8

Among those who concern themselves with duties of the ordinary sort there is general agreement as to the nature and source of duties and obligations. For example, E. J. Lemmon regards duties as related to a special status or position. 9 Hence, one has duties as a policeman or as a headmaster, as a father or mother, and (though these are less clearly delineated) as a host, friend, and citizen. Obligations, according to Lemmon, are typically incurred by "previous committing actions", such as promising, giving one's word, or signing one's signature.
Less clearly delineated cases of obligation are the obligation to return hospitality having received it and the obligation to give money to a beggar having been asked for it. In a similar vein, Joel Feinberg regards duties as deriving from laws and authoritative command (the "duties of obedience"), or from the assigned tasks which attach to stations, offices, jobs and roles, and obligations as actions to which we voluntarily commit ourselves by making promises, borrowing money, and so on. Further, according to Feinberg, all duties and obligations share the common character of being required, which in turn involves coercion or pressure; hence, liability for failure to perform is an essential part of what we mean by "duty" and "obligation". Again, C.H. Whiteley refers to the usual sense of the words "duty" and "obligation" in common speech in which, "... a duty or obligation is a consequence of a contract or undertaking, either explicit or implicit." Or, as Whiteley further says, in the ordinary sense, a duty or obligation is "... a function of a trust-relationship." The fact that duties and obligations can be understood in an everyday sense is taken to follow in part from the fact that common speech includes such expressions as "the duties of a professor"; a policeman being on "point duty"; "putting a person under obligation"; and so on. R.B. Brandt regards such expressions as these as "paradigm" uses of these terms; but the terms have "extended" uses as
well, according to Brandt. For example, nations are sometimes charged with the duty to oppose intervention into other nations; it is sometimes claimed that we all are morally obligated to report cases of cruelty to animals; and so forth. On the other hand, extended uses of "duty" and "obligation" represent fairly recent developments of the language while their use in paradigm contexts remains the most natural. Hence, according to Brandt, the word "obligation" has paradigm use in contexts in which a specifiable service is "required" of one person; two parties are involved; and a prior transaction, such as a promise or the bestowing of a benefaction, is the source of the relationship. In these contexts, the original sense of "obligation" as involving some sort of bond is preserved. Outside of paradigm contexts, however, an obligation need not be an obligation to some other person, nor is it the case that every obligation derives from some prior agreement, for one may have an obligation to give help to one in dire need. Brandt offers a comparable analysis of the paradigm and extended senses of "duty".  "Duty" and "obligation" in the ordinary sense get their meaning from expressions of common speech. In the wide or technical sense, however, these terms normally are used in a sense in which "my duty" or "what I am obliged to do" is equivalent to "the right thing to do", "the best thing to do", "what a virtuous man would do." The difference in meaning between the wide and narrow senses of
"duty" and "obligation" is reflected in the different roles which the concepts of duty and obligation may be understood to play in practical reasoning. If understood in the narrow sense, the concept of duty or obligation plays a limited role in practical reasoning since a person's duties and obligations, thus understood, are only one among several factors to be taken into account in deciding what to do. Hence, on this interpretation, believing that one's duties and obligations entailed doing something or other would be a reason, but not a conclusive reason, for doing that thing. Duties and obligations here count as one of the considerations which may guide and constrain rational choice. By contrast, if the concepts of duty and obligation are understood in the broad sense, as designating the right or best thing to do in the context of a practical choice, then the fact that something is my duty or obligation is (or may be) a sufficient reason for doing that thing.

Rawls gives a narrow interpretation to "obligation", but recognizes also a category of "natural" duties. According to Rawls, obligations differ from natural duties in three features: they arise from voluntary acts and undertakings; their content is always defined by an institution or practice; and they are owed to specific people. Natural duties, on the other hand, apply to us without regard to our voluntary acts, have no necessary connection with institutions or social practices,
and are owed not only to definite individuals but to persons generally: they apply to every man as man. Hence, natural duties are wider in scope than are duties of the ordinary sort. As examples of natural duties, Rawls cites the duty of helping another when he is in need or jeopardy, provided that one can do so without excessive risk or loss to oneself; the duty not to harm or injure another; and the duty not to cause unnecessary suffering. Rawls divides natural duties into negative and positive, the former having priority over the latter.\(^\text{17}\)

The notion of duty is given its widest interpretation in Kantian ethical theory and in the works of philosophers in the Kantian tradition, such as David Ross and H.A. Prichard. In Kantian, or deontological, morality, duty is the central moral concept; further, the moral act is always obligatory; it is always performed in obedience to a binding command or law. Where duties and obligations are catalogued, as in the writings of Kant and Ross, their range is more extensive, and their content more varied, than ordinary usage would support. For example, Ross includes in the list of duties, the "duties of gratitude" -- to do good to those who have done services for you -- and also the duty to bring into existence, in ourselves and in others, the "three main things that are intrinsically good--virtue, knowledge, and with certain limitations, pleasure" and "to bring as much of them into existence as possible."\(^\text{18}\) Similarly, in the category of wide or
"imperfect" duties, Kant includes those of cultivating one's mental and physical powers or talents, of positively promoting the happiness of others, of actively sympathizing with the lot of others, and of showing gratitude to the ancients.\(^{19}\)

Those who, like Kant and Ross, understand duty in its widest sense are apt to assimilate all counsels of morality to the category of the obligatory. Yet it is appropriate to ask whether the concept of duty actually has the wide scope which it is given in deontological theories of morality. And, if it does not, then it is not only appropriate but important to ask the further question, wherein lie the limits of moral duty? (It is equally worthwhile and important to ask why and how the concept of moral obligation came to acquire its vast purview in moral theory, but this issue will be passed over here. As Bernard Williams has recently observed, "It is a mistake of morality to try to make everything into obligations. But the reasons for the mistake go deep."\(^{20}\))

In this work, it will be assumed that it is plausible to understand the notion of moral duty, if not in its narrowest sense, than at least in a sense which allows for the existence of moral actions which are not duties. Hence, it will be assumed that those in the Kantian tradition are wrong about the scope of duty. This position is not now as controversial as it may once have been, since, as we have seen, moral philosophers have been
willing to revert even to the very narrow, ordinary senses of "duty" and "obligation" in their treatment of this subject. The very narrow interpretation of the notions of duty and obligation is to be avoided, however, because it leaves out of account the category of natural, non-institutional duties, a category which is generally recognized to exist, even if there is disagreement as to the specific duties it includes. On the other hand, the wide sense of duty is also to be avoided, for several reasons. First, it is clear that duty and obligation can be understood in a sense in which obligatory actions form a proper subset of the moral actions. Moreover, the wide sense of duty fails to conform to our common sense thinking about morality, for there is a variety of ethical ideas and actions which are not readily forced into the mold of obligation. Interpreting such ideas and actions as, for example, less stringent or imperfect duties, runs counter to our intuitions. On this point, Bernard Williams writes:

It is hard to agree that the course of action which, on a given occasion, there is most moral reason to take must necessarily count as a moral obligation. There are actions (also policies, attitudes, and so on) that are either more or less than obligations. They may be heroic or very fine actions, which go beyond what is obligatory or demanded. Or they may be actions that from an ethical point of view it would be agreeable or worthwhile or a good idea to do, without one's being required to do them. The point is obvious in terms of people's reactions. People may be greatly admired, or merely well thought
of, for actions they would not be blamed for omitting. 21

Apart from such theoretical considerations, there are considerations of a normative type which justify limiting the scope of duty. These have to do with whether or not certain actions, such as acts of generosity, ought to be required as duties, however people may think of such acts. It may be argued that some non-obligatory acts must exist because society cannot demand of an individual every act that would promote the general good and because, up to a certain point, an individual is entitled to pursue his own ends regardless of their social utility. Moreover, some non-obligatory acts must exist if the individual is to have the freedom to exercise certain virtues, and the opportunity to determine and aspire to his own standards of moral behavior. 22

I have stated that the concept of duty will be understood in this work in a sense in which there may be moral actions which are not duties or obligatory. More specifically, the virtue theorist may allow for the existence of, for example, some natural duties in the Rawlsian sense, e.g., the duty of mutual aid. Even if there are such duties, it still is the case that there are many actions which it would be morally good to perform yet which are not duties.
III. Four Virtuous Actions

In this section I will discuss four examples of virtuous actions. As with all virtuous actions, the actions described in these examples are such that the ends to which they aspire (their aims) are good. However, the actions described in these examples differ from some virtuous actions in that the goodness of the ends to which they aspire is of a distinctly moral kind. Hence, the actions described in these examples belong to a proper subset of the set of all virtuous actions, viz., that subset which contains all and only those virtuous actions whose aims are good in the sense of morally good.

From a moral point of view, the actions described in these examples differ from some actions belonging to the moral sphere by the fact that it is at least open to question whether or not these actions are morally obligatory, or required. The distinctively moral character of these actions - the fact that the ends to which they aspire are good in the sense of morally good - together with their seemingly non-obligatory character, makes these actions problematical from a moral point of view. In the first section of this chapter I outlined some of the problems that arise in connection with such actions. Here I shall address these problems in the context of discussion.
of specific examples of such actions.

The central question which these and similar actions raise, is this: are there morally good, non-obligatory actions? Further, if there are such actions, what is the basis for supposing them to be non-obligatory (and yet morally good)? I have in previous sections of this chapter given reasons for supposing that duty has its limits within the moral sphere. Since some virtuous actions fall within this sphere, the question of the limits of moral duty becomes a matter of interest for the virtue theorist, even though it is not an issue which the virtue theorist can address from within his own theory. By examining the examples presented here, we will see, in the context of specific cases, where the virtue theorist's (extra-theoretical) interests coincide with those of the moral theorist with respect to the question of the limits of duty within morality.

The first three examples I shall discuss in this section are of morally good courageous action, which is also virtuously courageous; the fourth example is of an act of morally good generous action, which is also virtuously generous. I have focused on these types of actions because they illustrate well the issues relevant to this discussion. Undoubtedly, there are other sorts of virtuous actions which also would serve to illuminate these issues. In connection with each example, I will discuss the alleged moral goodness of the action (or its aim), and its alleged
virtuousness, and I will argue that each is a case of non-obligatory action. In attempting to establish the non-obligatory character of these actions, I will appeal to the criteria of non-obligatoriness outlined in the previous section. The examples will be seen to meet one or more of the criteria and at the same time to illustrate their plausibility as criteria of non-obligatoriness.

I shall here attempt to show that the actions described in these examples are non-obligatory in the sense that they are not basic requirements of morality. In the course of discussion, we will have occasion to consider a variety of deontic concepts - special obligation, supererogation and imperfect duty - which treat of actions that do not belong squarely within the category of the morally obligatory and which introduce special problems of their own. I turn now to the examples of courageous action.

The model of courageous action is the act of valor in battle or some other circumstance in which the danger to be faced is immediate and brings the risk of death or bodily harm. Valorous exploits are the most typical of courageous acts. This reflects the traditional association of courage with manliness. In Greek, the term 'andreios', 'brave', is cognate with the term 'androdes', 'manly'.²³ Courage is shown also in other kinds of acts, and even in choices of action. Not only the perils of war but also those of poverty and sickness may also give rise to acts of courage. The threat of ostracism or censure provides
occasion for courageous action, and one may speak also of artistic and intellectual courage. Here, I will concentrate on two varieties of courageous action: first, "model" courage, that is, courage in battle or some other emergency, and, secondly, courage in the face of sickness.

Typically, courageous actions are not performed without some end which the agent regards as worthwhile, but the fact that an act is courageous does not by itself imply that the agent's end must be a good or morally good one. As we saw in Chapter Two, this suggests that one can show courage in the pursuit of bad or morally reprehensible ends as well as good or morally good ones. The examples presented here, however, describe courageous actions which aim at morally good ends and also have the quality of fittingness.

There are two vices associated with virtuous courage, cowardice and recklessness. The former involves error in the direction of fearfulness, the latter, error in the direction of confidence. In our discussion we will be concerned with these vices only to the extent that it is necessary to refer to them in establishing that the acts described in our examples are genuine cases of virtuous courage. Otherwise, there will be no mention of them. Here is the first example.
Muslims say of Ali, who was the prophet 'Mohammad's son-in-law and (according to the Shi-ites) his chosen successor, that during the Battle of Ohad he fought single-handedly against six men, killing two of them and scattering the rest; that he then rescued the wounded prophet and, while attacking the rallying armies of the enemy, managed to gather the fleeing Muslims under his command and to lead them to victory. All of this he is said to have done after receiving sixteen wounds himself.

We typically associate courage with bold and singular deeds that are unplanned and often heroic. Ali's action on the field of battle may strike us as exemplary in this way and as a clear example of "model" courage. Certainly it conforms well to Aristotle's definition of courage; indeed, Aristotle seems to have had acts such as this in mind when he stated that

... someone is called brave to the fullest extent if he is intrepid in facing a fine death and the immediate dangers that bring death -- and this is above all true of the dangers of war.
Let us suppose, then, that we have here an example of courageous action.

Is the action morally good? Is it virtuous? The virtue theorist, unlike the deontologist or the consequentialist, does not bring to the assessment of actions his own criterion of moral rightness or goodness. As virtue theorist, he is non-committal with respect to received moral doctrine. At the same time, this impartiality with respect to moral doctrine need not be taken to imply a general rejection of recognized moral principles. Such impartiality is compatible with acceptance of the authority of recognized moral principles insofar as these principles are seen to capture certain moral intuitions, e.g., the intuition that some actions are intrinsically right (or wrong) or the intuition that we should sometimes act to promote the good. Hence, a non-committal stance with respect to moral doctrine need not rule out appeal to recognized moral principles in the assessment of actions. However, it is one thing to begin with the notion that some actions are intrinsically right (or wrong) and another thing to insist that no action which is beyond duty can be morally good. Similarly, it is one thing to acknowledge that we ought sometimes to act so as to promote the good (and that in general we ought to attend to the consequences of our actions) and another thing to insist that no action which is morally good can be non-obligatory. So while a non-committal stance with
regard to moral doctrine need not imply a rejection of recognized moral principles, neither does it imply acceptance of the thesis that duty (or, alternatively, utility) is the primary principle of the moral value of any action. But if morality is not simply equivalent with duty, what else does it comprehend or include?

Perhaps if we look to what gives rise to the intuitions upon which doctrine is based, we shall gain a general notion of what morality comprehends. Presumably, the idea that it is intrinsically right to keep one's promises, tell the truth, and so forth, is based upon a general recognition of the importance of respecting other persons; that it is intrinsically wrong to kill innocent persons presumably is based upon a general recognition of the sanctity of life; that we should sometimes promote the good presumably arises from a general recognition of the truth that on the whole life is enhanced when the balance of good is tilted, and so forth. Respect for persons, the sanctity of life, and enhancement of life are among the values which inform our moral intuitions and, hence, our moral principles. Beyond this, we recognize also the importance or value of acting for the sake of others' interests rather than our own, of attending to the consequences of our actions, of acting with good intentions, and of acquiring happiness and contributing to the happiness of others.

Now, I suggest that in justifying the contention
that the action described in this example is morally good, we may point to that substratum of values which underlies our moral intuitions, rather than to moral doctrine. In that case, we will call the action in question morally good, on the grounds that it has features which reflect some of these values: it is highly other-regarding, it aims at the enhancement of life, its consequences are good, and it would appear to be done from praiseworthy motives.

If the action is morally good, then it is good, and hence meets one of the conditions for virtuous action. The action also is fitting since it is an apt response to the circumstances of action which achieves its aim. It is correct, then, to characterize this action as virtuously courageous.

It may now be asked, first, whether Ali was in any way obligated to perform the (set of) courageous actions he performed. The example of Ali is an example of heroically courageous action (or perhaps, from a religious standpoint, of saintly action) and conforms to and serves to illustrate two of the criteria of non-obligatoriness cited in the previous section. There it was suggested that an act is non-obligatory, or a non-duty, if its omission is not deserving of blame. It was also suggested that an act is non-obligatory, or a non-duty, if it is not required, and that risk or sacrifice is one factor relevant to the demarcation of acts that are required and acts that are not required. It is of course a substantive question whether
the failure to do a particular action in a given situation would or would not be deserving of blame. In this case, it seems indisputable that, had Ali failed to do what he did -- that is, fight singlehandedly against six men, rescue the wounded prophet, attack the armies of the enemy, and lead the Muslims to victory, while all but mortally wounded himself -- no one could justly have reproached him. Similarly, it is a practical and substantive question how much danger an action must pose in order that the risk or sacrifice involved in performing it be sufficient to warrant exempting the action from treatment as a duty. In this case, the exceptional risk incurred by Ali in overcoming the dangers he faced seems to provide good grounds for regarding his action as a matter of free choice, as one he was in no way required to perform, and hence, as non-obligatory.

It might be objected, however, that Ali was obligated to do what he did because the action, or set of actions, that Ali performed involved saving the life of a person regarded as a prophet of God, or because Ali himself filled a special role as a leader in the community or as a military leader. Let us take these considerations one at a time.

It is necessary to distinguish, in the first instance, between the view that Ali's action was obligatory because there is an objective duty, which is a duty for all of us and from every point of view, to save the lives of
men who are prophets of God (as far as anyone can be known to deserve this title) no matter the risk involved, and the view that Ali's action was obligatory because Ali regarded himself as bound by duty to save the life of Mohammad, whom he believed to be a prophet of God.

Now if it is thought that there is a basic requirement of morality or that, given the opportunity, we all do have a duty, in the usual sense, to risk our lives saving the lives of prophets, and that failure to discharge this duty is grounds for censure or criticism, then a reply may be given in terms of one of the factors relevant to the determination of the status of an action vis à vis the condition of non-requirement, which was discussed in the previous section. In that section, I argued that an action whose rightness in the circumstances is tied to the condition of the agent could not be represented as a basic requirement of morality since actions which are basic requirements of morality have this character independently of who performs them. Actions whose rightness in the circumstances is tied to the condition of the agent, on the other hand, are such that they may be right for this agent because, e.g., he is capable of successfully performing the action and thereby achieving his aim by these means, but not right for that agent because, e.g., he is not capable of successfully performing the action and hence not able to achieve his aim by these means. The action under consideration here seems to be a case in point. That is,
it is an action whose rightness in the circumstances is tied to the condition of the agent, and hence an action which cannot be represented as a basic requirement of morality. For suppose we all did have a moral duty to save the lives of men who are prophets of God no matter the risk involved and that the action described in the example above was an instance of this duty. Then the action described there would be a duty for any agent in the same or similar circumstances; but not every agent could have performed this action, and for someone who could not, the action would be at least reckless. But a person cannot be obligated to perform reckless actions; in fact, for an agent for whom the action was potentially self-destructive, the action might be morally forbidden. But if the action were morally forbidden for some agents, then it could not be right for those agents and hence not right for all agents in the same or similar circumstances. The rightness of the action, then, is here tied to the condition of the agent; in particular, to his skill and prowess as a warrior, his physical readiness and perceptive judgment, and these (or the lack of these) all are factors in determining the rightness of this action for an agent in these or similar circumstances. Yet the basic requirements of morality are blind to differences of this kind among agents. Requirements of morality give sufficient reason for doing an action in the circumstances, and if something is a sufficient reason for doing an action in one case,
then it is so in another, regardless of who is acting. But if an action is such that it is right for some agents because, e.g., such agents are skillful or possess physical readiness, and not right for others in the same circumstances because, e.g., they lack skill or physical readiness, then what would count as a sufficient reason for doing the action will vary with the agent and cannot be given in the form of a general rule stating a requirement that would be a requirement for anyone in those circumstances. It follows that such an action could not be represented as a duty in the usual sense, or as a basic requirement of morality. Hence, it is implausible to suppose that Ali's action was obligatory because there is such a requirement of morality to save the lives of men who are regarded as prophets of God, no matter the risk involved.

It might be objected here that we could represent cases such as this as basic requirements of morality by saying that everyone has the obligation to perform heroically courageous actions to save the lives of men who are regarded as prophets of God, no matter the risk involved, subject to the condition of ability, because ought implies can. This objection, however, overlooks the fact that there is a substantive difference between the type of ability which is a condition for having obligations of the usual sort and the type of ability which is a condition for having an obligation to perform actions like
Ali's, and therefore merely postpones the problem raised by cases such as that of Ali. To say that everyone has the obligation to do \( x \), where \( x \) refers to, for example, a heroically courageous action, is problematical on the face of it because the type of ability subject to which someone has the obligation to perform heroically courageous actions, viz., exceptional prowess, is not had by everyone or nearly everyone. So while we can say that everyone has the obligation to perform acts of heroic courage subject to the condition of ability, when we spell out the limitations on this sort of obligation that the condition of ability imposes, we find that we do not mean the same thing by "everyone" that we mean when we say that everyone has an obligation to keep promises or pay back debts. For the type of ability subject to which someone has these obligations, viz., being in full possession of one's faculties, is had by everyone or nearly everyone. It is because the type of ability subject to which we have usual duties is a type of ability which it can be supposed most people have, and which most people can be expected to have, that we recognize the existence of basic moral duties which are incumbent upon all rational agents. On the other hand, it is because merely being a rational agent is not sufficient for the performance of heroically courageous actions that we have reason to doubt whether such actions can be represented as a basic requirement of morality. Hence, it seems that there is a difference between saying
that everyone has an obligation to keep promises and pay back debts, subject to the condition of ability, and saying that everyone has an obligation to perform heroically courageous actions, subject to the condition of ability, and that once we specify the type of ability which is involved in cases of the latter sort, we find that we are dealing with moral requirements of an unusual kind, if we are dealing with moral requirements at all.

Now, if it is the case that we are dealing with requirements of an unusual sort, it might be said that the agent's (that is, Ali's) physical prowess and skill constitute in this case the basis for a special obligation, and that Ali had a special obligation, by reason of his exceptional abilities, to perform these extraordinary feats and save the life of the prophet. The notion of a special obligation based on the exceptional abilities of the agent raises interesting questions. For instance, who prescribes these obligations? Does the agent prescribe them for himself? Does the community or society prescribe such obligations? Does God, or reason? I shall consider below the notion of a special obligation arising out of an individual's role in the community. In certain contexts it is both practicable and desirable for the community to require things of an individual, by reason of his special status in the community, that would not be required of everyone in that community. Special obligations founded upon the abilities of the agent differ from special
obligations arising out of social position, however, in that the sort of things that are abilities (physical prowess or skill, good judgment, quick-wittedness, etc.), whether natural or acquired, are attributes of a person which may not be, and are not necessarily, linked to his role in society. They are individual excellences, personal traits which distinguish individuals from one another, and often are the basis for admiration or praise of individuals. The question is, then, what connection might there be between having a special ability or individual excellence and being under a special moral obligation? The connection is, at the least, not straightforward.

The intuition that we can incur special obligations by reason of our natural or acquired abilities or excellences seems to come of a sense that when we are well-endowed, through nature or by our own efforts, we have a responsibility in certain circumstances to make use of these gifts for the sake of others, and are not free merely to enjoy them or use them solely to our own advantage. This is plausible in general terms, and we may even be able to indicate the types of situations which support this intuition and which would be likely to give rise to a genuine case of special obligation. For example, when someone is in serious danger or distress and needs help and the circumstances are such that helping or saving them would require having a special skill or ability and we have
that skill or ability, we might then incur a special obligation to help that person, since we are particularly and exceptionally able to do so, whereas those without this skill or ability would not in those same circumstances be so obligated. Or we might have a special obligation to work to cultivate a certain natural talent or gift, whereas someone without that natural talent or gift obviously would not be under such a special obligation. And there might be other types of situations which would be likely to give rise to special obligations. However, even if a given situation is of a type likely to give rise to a special obligation, it will not actually give rise to such an obligation unless certain quite specific conditions obtain -- e.g., the individual is actually able to exercise his ability in the circumstances, the degree of risk involved, to the agent or to others, of life or a way of life, is not excessive relative to the end to be achieved, etc. -- conditions which would justify, in both a practical and a moral sense, imposing upon the agent an obligation which, by definition, would not be an obligation for everyone in the same or similar circumstances. And because the specific conditions which must obtain if the imposition of a special obligation is to be justified in a given instance, are apt to vary considerably with the particular circumstances of action, the rule stating the obligation will have to be formulated in quite detailed and precise terms. For surely there are many occasions, even of the
appropriate type, on which our exceptional abilities, even if they could be brought to bear, would not be such as to impose a special obligation since we are not required to bring our exceptional abilities to bear on every occasion in which we might thereby promote the good of another person or persons or, for that matter, our own good.

This brings us back to the question of who prescribes these special obligations. In raising this question I am concerned less with the problem of who has the authority to prescribe special obligations than with the problem of who, practically speaking, has the means to prescribe such obligations. At the same time, the question of who has the authority to prescribe special obligations is decisively influenced by the answer to the question of who has the means to prescribe such obligations. And taken together, the questions of authority and practicality bear on the question of the cogency of the notion of special obligation, and the appropriateness of expanding the range of duty to include duties of obligations of a special kind.

Practically speaking, in order to prescribe action, it must be possible to state, in advance of action, what is to be done and under what circumstances it is to be done. It must be possible to give a rule, and however specific the rule is, being a rule, and therefore a general guide to action, it must have application to a range of cases — namely, that range of cases in which the circumstances of action may be described in terms sufficiently like the
terms stated in the rule as to call for or make necessary or requisite, the course of action prescribed by the rule. Otherwise, one has, not a rule, but a particular judgment (perhaps an exception to a rule), appropriate and applicable to a given occasion for action, but without application on other occasions, except on those which happen to duplicate in every significant respect the original occasion.

Now I suggest that it would be impracticable (and, moreover, undesirable, as well) for the community or society to prescribe (or specially prescribe) for an individual all the good or good-promoting actions which he might, on the basis of his natural abilities, be competent to perform. It would be impracticable for the community to do this because, in the first place, the community cannot possibly know in advance what are the talents and abilities of each of its members, for obviously these vary considerably with the individual and even from moment to moment in the life of one individual. Indeed it sometimes happens that an exceptional ability manifests itself only under very demanding circumstances and is not known even to the individual himself until he is called upon to act. Further, even if the community could somehow determine in advance the special talents of each of its members, it could not, that is, would not find it practicable, to formulate prescriptions or rules to cover every genuine case of special obligation which might arise, that is,
every case in which the convergence of an individual's special skills or abilities and the circumstances of action were such as to impose upon the individual a responsibility equal to a moral obligation. Of course, the community might overcome this obstacle by imposing upon its members a general obligation requiring them, e.g., to recognize their special obligations, arising from their exceptional abilities, and to fulfill them, but obviously such a rule would be of very little practical use to the individual, since it still would be left to the individual to determine, on a specific occasion, whether he was or was not under a special moral obligation to exercise his abilities. Moreover, such a general rule or obligation would tend to have the undesirable effect of casting over every opportunity for exemplary conduct the spectre of requirement and its attendant liability in the event of failure to perform.

The idea that it would be impracticable and on the whole undesirable for the community or society to prescribe special obligations, may cause us to question, in consequence, whether indeed the community or society has the authority to require individuals to make use of their exceptional abilities in the pursuit of the good of others' or the individual's own good. The community may expect this of its members and it is probable that the good of the community itself is furthered by the exemplary conduct of its members. Yet if, on the one hand, the rules by which
society would prescribe such exemplary conduct are not readily formulable, and if, on the other hand, it would be undesirable for society to demand exemplary conduct of its individual members, then there is reason to doubt whether the authority to prescribe exemplary conduct should be vested in society.

Perhaps, then, the authority to prescribe special obligations, arising from the exceptional abilities of the individual, rests with the individual himself. Now it may be that the sense that he is under a special obligation to make use of his gifts for the good of others or for his own good is grounded, for the individual, in an authority which he regards as external to himself, in God, for example, or in a conception of rationality. Yet it seems that we must recognize a difference between regarding oneself as specially obligated, by God or by the dictates of reasonableness, to perform a given action on a given occasion, and having a socially sanctioned and enforceable obligation to perform such an action. In the first instance one is, in an important sense, acting freely, while in the second instance, one is not. This brings us to a second possible interpretation of the claim that Ali's action is obligatory because of who Mohammad is, that is, to an interpretation according to which this is a claim about the agent's beliefs. We may, I think, accept the suggestion that Ali was under a special obligation to save the life of Mohammad, whom he believed to be a prophet of
God, if by this we mean, simply, that Ali regarded himself as bound by duty to do this. However, to say that Ali was under a special obligation, in this sense, to act as he did is not to say that he had a duty or obligation in the usual sense, i.e., was bound by a basic requirement of morality, to so act. A person may be motivated by a sense of duty to do things which are not in fact obligatory in the usual sense. Also, while a person may engage in self-reproach in the event of failure to perform an action he regards as obligatory or specially obligatory, the important question in determining whether the act in question is obligatory in the usual sense is whether or not anyone other than the agent is in a position to reproach such a failure. Hence, it cannot be determined, on the basis of the agent's attitude alone, whether or not the action he performs is obligatory in the usual sense. The agent who feels a special calling is apt to regard even acts of great self-sacrifice as required of him, as a duty for him, though he may not expect other people to feel as he does. From an objective point of view, what the agent regards as his personal or subjective duty -- that is, a duty binding upon him but not upon others -- will count as a moral obligation in the usual sense only if it is the case that such a subjective binding force can be identified with moral obligation in this sense. It is not always clear that it can.

Further, it significantly alters the terms of the
discussion to say of Ali that he was under a special obligation, arising from his special abilities, to act as he did, because and only because he regarded himself as bound by duty to do these things. For if it is the case that the individual alone has the authority to prescribe for himself special obligations arising from his own abilities, then it is at least open to question whether the actions which would be likely candidates for special obligations are obligatory in any meaningful sense.

In any event, it seems clear that Ali's action was not obligatory in the usual sense. Whether or not it was a case of special obligation, arising from the exceptional abilities of the agent, may in the end be a matter of one's point of view. A duty theorist will be inclined to subsume a great many problematical actions under the category of special obligation, and to dispose of them in terms appropriate to his theory in this way. He is, of course, free to do this so long as he recognizes the peculiarity of this designation and the ways in which special obligations, arising from the exceptional abilities of the agent, must differ from obligations generally.

I mentioned earlier the further objection that Ali's action was obligatory because Ali himself held a special role as a leader in the community or as a military leader, and thus had a special commitment to that community which would entailed certain obligations which would not be obligations for everyone. Here we have a case of a special
obligation arising from a source other than the exceptional abilities of the agent, that is, from the agent's status or role in the community. Now it seems plausible to suppose that the community has, in certain circumstances the authority to impose upon individuals special obligations arising from their role or position in the community. The example in question raises an interesting question, however, namely when in his career Ali performed the action described in the example. For the suggestion that Ali was specially obligated to perform this heroic feat by reason of his special position in the community has plausibility only if we may assume that Ali already held a position as a leader in the community or as a military leader when he performed this action. For Ali's special commitment to the community would entail certain obligations which were not obligations for everyone only if it could be said to be based on or to arise from his status as a leader. An ordinary member of the community might feel a special commitment to the community but this would not be sufficient basis for a special obligation which was an obligation for him but not for everyone. Given that Ali did at some point acquire a special role in the community, and the concomitant obligations, it is reasonable to suppose that he came to have this role in part because he showed, by such actions as the one described in the example, that he was capable of assuming leadership and worthy of this distinction. That is, it was presumably
partly by his performance of remarkable feats of prowess and skill and dedication that Ali earned his role of leadership, but these feats, since they preceded his attainment to that role, could not have been obligatory or specially obligatory on the basis of a commitment arising from that special status. (Even if, e.g., Ali had been chosen from birth to occupy this position in the community, he still would have had to prove himself worthy of it, and the means by which he did this could not be said to be obligatory on the basis of a commitment arising from the office itself but rather from an accident of birth. It seems to stretch too far, however, the notion of special obligation arising from one's position in the community, to suppose that its basis could be a preferred social status conferred on the agent by reason of fortune alone.) Hence, it would seem that the action in question would count as a case of special obligation only if Ali actually was a leader in the community when he performed the action. And in any case, it must, I think, be admitted that some actions of this type which it may be assumed he performed were not obligatory or even specially obligatory, and yet were morally good.

It is relevant to mention, in connection with this example, the notion of supererogation. The concept of supererogation is relevant to this discussion for two reasons. First, Ali's action would strike many as supererogatory, because it seems to be an instance of
action which goes beyond duty, or fulfills more than duty requires. Secondly, virtuous action is sometimes identified with, or defined as, supererogatory action. The phrase "virtuous action" often connotes exemplary action and for many, especially those within a duty-oriented tradition, exemplary action is action which goes beyond duty. The most systematic and extensive theory of supererogation to date is given by Heyd, and I shall therefore make use of his account of supererogation in my comments. Given Heyd's analysis of this concept, the action described in our first example, as we shall see, is arguably a case of supererogatory action. At the same time, however, the features of this action which make it supererogatory and those which make it virtuous are not one and the same. It will be useful therefore to point out the main differences between the definition of virtuous action given in this work, and the definition of supererogatory action presented by Heyd.

Heyd's theory of supererogation is of particular interest because, unlike some analyses of this concept, it treats supererogatory action as non-obligatory, rather than as a special type of duty, say, an imperfect duty. In Heyd's terminology, his theory is an 'unqualified' or absolutely non-reductive theory of supererogation. Accordingly, Heyd regards supererogatory acts as comprising a distinct and determinate class of moral actions which are distinguished from acts falling under the
heading of duty. At the same time, supererogatory acts stand in a specific relationship to obligatory action, i.e., a relationship of transcendence or oversubscription: supererogatory acts go beyond duty, fulfill more than is required, over and above what the agent is supposed to do. This relationship to obligatory action implies that supererogatory acts have a special value; they are morally good and praiseworthy. Hence, although Heyd insists upon the non-obligatory character of supererogatory acts, he emphasizes the necessity for grounding the notion of supererogation in a deontological type of theory. For, according to Heyd, acts of supererogation have meaning only relatively to obligatory action, and characteristically realize more of the same type of value— that is, moral value -- attached to obligatory action. In Heyd's terminology, supererogation is both correlative to and continuous with duty. All of these features of supererogatory action are reflected in Heyd's definition, according to which an act is supererogatory if and only if

(1) It is neither obligatory nor forbidden.
(2) Its omission is not wrong, and does not deserve sanction or criticism - either formal or informal.
(3) It is morally good, both by virtue of its (intended) consequences and by virtue of its intrinsic value (being beyond duty).
(4) It is done voluntarily for the sake of someone else's good, and is thus meritorious.
Heyd's insistence upon the non-obligatory character of supererogatory action is noteworthy, given that he locates supererogatory actions entirely within the moral sphere. Heyd offers both a positive and a negative justification, on normative grounds, of supererogation, conceived as a distinct class of morally good actions which are not reducible to duty. The negative justification of supererogation amounts to establishing grounds for limiting the scope of duty. Heyd puts forth the view that individuals have a basic right to pursue their own plans and ideals, and that this right has priority over the requirement to sacrifice these plans and ends for the sake of the welfare of others. While morality places some constraints upon the basic freedom of the individual, considerations of social good do not necessarily outweigh considerations of individual good, even if from the point of view of the overall good, the former are in fact weightier than the latter. Hence, according to Heyd,

This general picture of man and the relationship between personal life plans and the public (overall) welfare explains the limited role of the morality of duty. It is not a system of requirements aiming at the maximization of general good or happiness, but only a means of securing some minimal conditions of cooperation and justice. Such a minimalist concept of moral duty cannot, therefore, exhaust the whole realm of moral value, and hence leaves room for acts beyond duty that are nevertheless morally good.
The positive justification, on normative grounds, of supererogation is concerned with establishing the value of supererogatory action itself, rather than with establishing the grounds for limiting duty. Heyd argues that supererogatory action is characteristically free or voluntary and that such freedom in action is intrinsically valuable. It is valuable for the individual because it allows for action that is spontaneous and based upon the agent's own initiative, for favoritism or preferential treatment of those to whom the agent wishes to show special concern, and for the opportunity to exercise certain virtues whose exercise is possible only under conditions of complete freedom and would be stifled under a more totalitarian concept of duty. Freedom in action is valuable also for society, according to Heyd, for the survival of the group requires that some people surpass the minimal standards for moral action. Hence "... supererogatory action may contribute to the strengthening of social bonds and augment the feelings of a close-knit community. For by doing more than is required a member of a group shows that he has an interest in his fellow members which is deeper than his contractual commitments, or than the personal benefit he can draw from his membership in the group." (There is perhaps a difficulty connected with the identification of the optional character of supererogatory action as a source of the moral value of supererogatory
action, a difficulty which warrants a brief comment. I am in sympathy with Heyd's contention that freedom in action is valuable. However, we may wonder whether freedom in action is a source of the moral value of actions, as Heyd contends in his definition of supererogatory action. Recall that one of the four conditions of Heyd's definition of supererogatory action states that a supererogatory action "... is morally good, both by virtue of its (intended) consequences and by virtue of its intrinsic value (being beyond duty)." Now, it is clear that Heyd's purpose in identifying the optional nature of supererogatory action as a source of moral value is due in part to his concern to emphasize the importance of allowing for conduct which is both free and morally commendable. However, it must be asked whether, in commending action which goes beyond duty, because it is beyond duty, or optional, we thereby attribute moral value to the action itself. That is, there is some question whether being optional is in itself a source of the moral value of actions, as Heyd contends. For, it would seem that there are many actions which are purely optional and morally indifferent or even morally reprehensible. Hence it would seem that being optional does not of itself confer moral value upon actions. Rather, it would seem that morally good actions which are also freely chosen derive their moral value from the substratum of values which inform our fundamental moral intuitions, but not from the optional
character of such action *per se*. Hence, when someone freely chooses to perform a morally good action, the fact of his having thus chosen, if it is prized, is so for reasons independent of those to which we appeal in attributing moral value to the action, e.g., because we recognize the importance of individual autonomy in the moral sphere.)

Given Heyd's definition of supererogatory action, the action described in our first example is arguably a case of supererogatory action. Indeed, Heyd identifies moral heroism as one of the paradigm cases of supererogatory action. Heyd points out that acts of religious saintliness and moral heroism are supererogatory *par excellence* because they clearly satisfy this definition and "form perhaps the most typical class of actions which go beyond the call of duty." Heyd further suggests that this type of action "forms the most serious obstacle for reductive and anti-supererogationist analyses" since "all interpretations of heroic acts as less stringent obligations or imperfect duties run counter to our intuitions and sound even more artificial than reductive interpretations of charity, forgiveness, and favours." Presumably, then, Heyd would reject any interpretation of Ali's action as a case of special obligation, since it has all the features of morally heroic, and hence supererogatory, action. That is, it does not deserve any blame or sanction, its consequential value is relatively
great, it is conspicuously altruistic and also meritorious.\textsuperscript{35}

As I have noted, one reason why the notion of supererogation is relevant to the discussion of our first example is that virtuous action is sometimes associated or identified with supererogatory action. (I should note here that Heyd is careful to distinguish supererogatory action from virtuous action.) Now, as we have seen, there are, among the virtuous actions, those which would conform to a definition of supererogatory action such as is given by Heyd. However, there clearly are differences between supererogatory action, as Heyd has defined it, and virtuous action, as defined in this work, and I shall conclude this discussion of supererogation by noting, briefly, these differences. First, since supererogatory actions are necessarily morally good, not every virtuous action will be a supererogatory action. For there are virtuous actions which aim at a good which is not of a distinctly moral kind. Secondly, supererogatory actions must be defined in deontic terms, as being neither obligatory nor forbidden, since they are actions which have meaning only relatively to duty. Virtuous actions, on the other hand, need not be defined in deontic terms, since there is no logical relation between the concept of virtue and that of duty such as exists between supererogation and duty. Thirdly, the definition of virtuous action given in this work does not make the altruistic intentions or motives of the agent
a condition for virtuous action, and hence does not make meritoriousness a defining characteristic of virtuous action. Fourthly, the definition of supererogatory action given by Heyd does not make fittingness a condition of supererogatory action, whereas this is an essential or defining characteristic of virtuous action.

Before turning to concluding remarks about our first example, I shall comment briefly on the relation between the action described therein and its agent. According to the theory of virtuous action outlined in Chapter One, it is theoretically possible for someone to perform a virtuous action without it being the case that his action arises from virtue, or a quality which may be characterized as a virtue. At the same time, from the performance of a virtuous action, we tend to infer virtue in the agent, and on the basis of this, to formulate opinions as to the person. Now the performance of the virtuous action described in our first example, would, I think, lead one to infer the presence of virtue in the agent, and this would, in turn, tend to confirm one's prior assessment of his person.

Accordingly, although the definition of virtuous action given here does not make meritoriousness a defining characteristic of virtuous action, if we judge that Ali's virtuous action is evidence of virtue in the agent, then we naturally will wish to say that the action reflects credit on him and is therefore praiseworthy, or admirable, and
meritorious. The meritoriousness of the action may derive in part from its presumed connection to the agent's virtue, but will also in this case derive from the agent's evidently altruistic intention, that is, his intention to benefit another person or persons. Acting with altruistic intentions is generally recognized as deserving of praise and credit because of how difficult and unusual it is for people to overcome their natural fears and considerations of self-interest and to relinquish basic goods in seeking the good of others. At the same time, these evidently altruistic intentions of the agent are not what makes the action virtuous, nor is the fact that the action presumably arises from virtue in the agent what makes the action virtuous.

In summarizing our discussion of the action described in our first example, we may note the following: first, there is good reason to suppose that Ali's action is morally good, and virtuously courageous, and that it is also non-obligatory in the sense that it is not a basic or minimum requirement of morality. Secondly, the action might be described as a case of special obligation arising from the agent's exceptional prowess and judgment, providing that by this it is meant that the action is one which the agent regards himself as under a special obligation to perform and which the agent alone has the authority to prescribe for himself. Thirdly, the action might also be described as a case of special obligation
arising from the agent's role as a leader in the community, assuming that the agent actually occupied this role at the time that the action was performed. Fourthly, the action might be described as supererogatory, but regarded as supererogatory, at least in Heyd's sense, it is not a case even of special obligation. Finally, in discussing this example, we have had occasion to compare and contrast the concept of virtuous action with the concepts of special obligation and supererogation.

The example of Ali might seem to many to be so unusual as to be uninstructive, since few of us find occasion in our lives to show courage in this way. Let us consider, therefore, another example of "model" courage.
III.ii Courage in an Emergency

Harry is walking down a deserted and dimly lit street late at night when he observes an old man being attacked by a youth. The youth has a knife. Harry has no weapon but he is a large man wearing a heavy coat and he judges that his size alone may be enough to frighten off the youth. So he advances quickly with his hands in his pockets, at the same time shouting. The youth, daunted by the shouting and by Harry's menacing appearance, flees the scene, leaving the old man unharmed.

If we think of Harry's action as a kind of modern counterpart to the ancient act of valor, we may grant that it has the quality of being exemplary of courage. Various considerations suggest that this is the case. In the first place, the action is not foolhardy or rash, as it might have been if, for example, the youth had been carrying a gun instead of a knife, or had had accomplices. In either of these cases, if Harry had acted as he did we might infer
that he had erred in his judgment about the worthiness of the end to be achieved relative to the risks involved. In either of these cases, if Harry had acted as described, we might think he was being impetuous or reckless. In the circumstances, however, what Harry did was neither impetuous nor reckless but appropriate to the situation at hand.

We might agree that Harry's behavior was not reckless, and yet doubt its courageousness if we thought that he had behaved courageously by default, that is, if we thought he had had no choice but to attempt to frighten off the youth. Yet clearly Harry could have acted otherwise than as he did. He could have gone in search of a policeman, or simply have ignored the situation, or etc.

Finally, if in aiding the old man Harry had faced only a slight amount of danger -- if, for example, Harry had led the old man across a busy street at rush hour -- then we probably would not regard his behavior as courageous. The danger involved in crossing a busy street is so minimal that few people find it difficult to do this. However, the danger Harry faced was truly formidable. The danger he faced was formidable enough that most people would have found it difficult to do what Harry did in these circumstances. We have good reason, therefore, to believe that what Harry did was genuinely courageous.

Was Harry's action also virtuously courageous?
That Harry's action, or its aim, was good in the sense of morally good, should be obvious. After all, the agent overcomes a formidable peril at considerable risk to himself in order to save another person from what might have been a grave harm.

Virtuousness in actions requires not only goodness but also fittingness. As I indicated in the discussion of fittingness in Chapter One, this action is exceptionally well-suited to the occasion of action and in a way which serves to illustrate the notion of fittingness. Hence, since this action is both good, in the sense of morally good, and fitting, as well as courageous, it seems correct to characterize it as virtuously courageous.

As with the action described in the previous example, the fact that the good aimed at in this action is of a distinctly moral kind locates this action within that subset of the set of all virtuous actions which warrant examination from a moral point of view. From that point of view we encounter again the question whether Harry was required by duty to act as he did. The reasons for thinking that Harry's act was not a matter of duty or obligation, in the ordinary sense of a basic requirement of morality, are quite similar to those given in connection with our first example. Like Ali's action, Harry's conforms to the first two criteria of non-obligatoriness presented earlier. On the one hand, it seems clear that in the circumstances, Harry could not have been justly
reproached had he failed to attempt to save the old man by frightening off the youth. On the other hand, in the circumstances, the exceptional risk incurred by Harry in overcoming the danger posed by the situation seems to justify exempting his action from treatment as a basic requirement of morality.

It should be noted that while it seems right to regard the action actually performed here as non-obligatory, other courses of action open to the agent in these circumstances might be a matter of obligation or duty, e.g., going in search of a policeman or in some such manner, without excessive cost to himself, attempting to help the old man.

In the previous subsection, I discussed two factors present in the first example which might be regarded as grounds for imposing on the agent a special obligation to act as he did, namely, the fact that the agent, because of his exceptional abilities, was uniquely qualified to save the life of a someone whom he regarded as a prophet of God, and the fact that the agent's role in the community entailed certain responsibilities which could not be said to be responsibilities for everyone in that community. At least two of these factors do not seem to be in place in this example. In the first place, the old man whom Harry saves is not a personage of generally recognized stature of importance, nor does Harry regard him as such. Secondly, it is clear that Harry could not be said to have had in
this instance a special obligation, arising from his status or role in the community, to save the old man; he was merely a passerby.

Now it is true that Harry displays in this action several varieties of skill. A certain physical readiness, decisiveness and good judgment are among these, not to mention courage. Although the example is not specific on this point, these may even have been stable traits or abilities of Harry's, ones he had exercised before and could be relied upon to exercise again. Do these skills or abilities, whether stable or not, constitute the basis of a special obligation in this case? As before, I think the most that we can say is that Harry may have considered himself obligated, on the basis of his abilities, to come to the aid of the old man. But as we have seen, "obligations" which arise from the agent's own sense of responsibility differ in important respects from basic duties, and while the duty theorist is entitled to call these actions special obligations he must, in doing so, recognize these differences.

Again, this action might be described as supererogatory, given the definition of supererogatory action which was discussed earlier. Given that definition, however, Harry's action is decidedly non-obligatory. I shall not here reiterate the points made in that discussion. Instead I shall consider another concept by which moralists have attempted to account for morally good
actions whose obligatory character is doubtful, namely, that of imperfect duty.

Now one of the classic types of so-called imperfect duties is that of beneficence. It is sometimes held - by Kant, for example - that we have an imperfect duty of beneficence, and this imperfect duty is meant to account for those cases in which it is open to question whether or not we have a basic or "perfect" duty to help others who are in need of help. It seems, however, that there are cases in which we clearly have a (basic) duty to come to the aid of others who are in need of aid, and we need to consider first whether Harry's action was such a clear case of duty.

In Section II.ii of this chapter, it was stated that the concept of duty to be employed in this discussion would include certain "natural" or non-institutional duties. A generally recognized natural duty is the duty of mutual aid: the duty to help others in distress when we can do so without excessive cost to ourselves. Now it is a substantive question how much risk or sacrifice a person may be required to assume in any given situation. Likewise, what is to count as "excessive" cost will vary with the circumstances of action. As a rule, however, we do not hold people responsible for the well-being of others to the extent of requiring them to risk or sacrifice their health or bodily integrity or their lives for others' sake. A person who gives of himself in these ways appears
to do more than he is bound by duty to do. An exception to this, perhaps, is the case of the parent's duty to the child, or of one person to another when a similarly protective relationship exists between them. In the event of such a special bond, an exceptional amount of sacrifice on the part of the agent may be no more than duty requires. Clearly Harry did not stand in such a special relation to the old man whom he saved. Yet he incurred considerable risk on the man's behalf, more than the natural duty of mutual aid would seem to have entailed in the circumstances. Toward the fulfillment of this duty, any of several less costly measures would have sufficed. Hence, it does not seem correct to say that Harry had a duty, or natural duty, to act as he did.

Still, as we have noted, the duty theorist might reply to this by holding that one has an imperfect duty of beneficence to help others and that the action performed by Harry was a way of fulfilling the terms of this duty. Let us consider then, briefly, the concept of imperfect duty.

The concept of imperfect duty originates in Kantian morality, in which it is contrasted with the more fundamental concept of perfect duty. According to Mary J. Gregor in her *Laws of Freedom*, a commentary on Kant's *Doctrine of Virtue*, the second part of his *Metaphysic of Morals*, Kant distinguished between these two types of obligations in several different ways. In his early lectures on ethics, he considered perfect duties to be
those one can be compelled by other men to fulfill, imperfect duties those to which one cannot be so compelled. Later, Kant recognized the existence of certain duties which could not be accommodated on this schema. In particular, he recognized the existence of perfect duties to oneself which, although perfect, are not duties we can be compelled by others to fulfill. In the Fundamental Principles of the Metaphysic of Morals, Kant adopted a different distinction according to which perfect duties are those which allow for no arbitrary exceptions or exceptions in terms of inclinations, imperfect duties those which permit such exceptions. Whether or not he intended to maintain this distinction is apparently unclear, but in the Doctrine of Virtue, Kant introduced a third distinction. Here he distinguished perfect from imperfect duties in terms of a difference in what is prescribed. Perfect duties enjoin or prohibit particular actions whereas imperfect duties consist in the adoption of certain obligatory ends, or maxims (of action) to promote these ends. As to how one is to act towards the realization of these ends, Kant says in several places that the law leaves a "latitude for free choice." According to Gregor, it is this "latitude" between our ends and our actions in realization of these ends which characterizes imperfect duties and which essentially distinguishes them from perfect duties.

In the Doctrine of Virtue, Kant says of the
imperfect duty of beneficence that it is "only a broad one; it has a latitude within which we may do more or less without being able to assign definite limits to it." The implication is that none of the actions which may be performed toward the fulfillment of the duty of beneficence is in itself obligatory. In general, since they do not prescribe specific actions, but only maxims of action and thus involve this latitude, or room for choice, imperfect duties may be fulfilled by acts which are not themselves obligatory. Imperfect duties can be carried out in many different ways, and since none of these is determined by the duty itself, it is up to the agent to decide what and how much he shall do in pursuit of an obligatory end. Hence, that there is this latitude implies that it is left open what it is that one is to do in fulfillment of an imperfect duty and also that one is permitted to omit altogether to act in fulfillment of such a duty in certain circumstances when one has the opportunity to do so, provided that one really has adopted the relevant maxim. Moreover, on at least one reading of Kant, a man will have fulfilled his duty in this regard provided only that he does not adopt a policy of minimal and grudging action toward that end or a maxim of indifference to that end. So, the fact that imperfect duties are duties to adopt a maxim means in part that one does not fulfill one's imperfect duty unless one acts for the sake of that maxim or principle, i.e., from the proper motive or intention.
At the same time, the more a man does in the fulfillment of his imperfect duties, the more virtuous he is.40

The significance of this conception of imperfect duty is that it enables the duty theorist to accommodate non-obligatory moral acts without going outside the sphere of duty, for the latitude involved in imperfect duty seems to allow for non-obligatory moral action in pursuit of certain obligatory ends. Hence, on the one hand there are actions which are strictly speaking obligatory, and on the other hand there are acts which, without being obligatory, fulfill obligations. Armed with this distinction, the duty-theorist may argue in the following manner: what makes actions moral in the paradigm case is the fact that they conform to duty. Yet it must be admitted that some acts which are not duties are nevertheless genuinely moral. The morality of these acts derives from the fact that their performance fulfills an obligation. That is, these acts are moral because they tend to promote or bring into being certain inherently moral ends which it is the duty of all men to adopt. Only acts which are either obligatory or, in this sense, fulfill an obligation, are genuinely moral. Hence, even if the identification of morality with duty cannot be maintained, it still is the case that there is no aspect of morality which cannot be understood deontically.

Is Harry's action a case of imperfect duty?

Strictly speaking, it would not be correct to say of a
particular action, such as Harry's that it was required by an imperfect duty, since if they exist, imperfect duties are duties to adopt certain principles, not to perform certain actions. So Harry would not have been required by the imperfect duty of beneficence to perform this action, unless perhaps this was his last opportunity to do such an action and he had never done such an action before. If Harry's action was not required by an imperfect duty, did it fulfill such a duty? This depends in part upon whether or not Harry acted from the proper motive, i.e., for the sake of beneficence. The nature of Harry's motives or intentions is not given in the example; at most we may infer from his action that his intentions were of the appropriate kind. At the same time, it is quite possible that Harry acted from an improper motive, perhaps, for example, hoping for some reward. Whether or not Harry's action fulfilled an imperfect duty depends also upon whether or not we actually have duties to adopt maxims or principles, such as the principle of beneficence.

In one sense, the answer to the question whether or not we have duties to adopt maxims or principles of imperfect duty, like the answer to the question whether or not we have special obligations in certain circumstances to make use of our abilities in promoting our own or others' good, depends upon one's point of view. If one is committed to the doctrine that morally good conduct is without exception a matter of acting from or in accord with
duty, then one will be concerned to discover forms or types of duties to cover even those problematical cases in which it is at least open to question whether or not we have a duty to perform a given action or adhere to or adopt a given principle of action. Such, we may suppose, was Kant's position on the matter, with the result, perhaps, as Hill suggests in the following passage, that Kant was led to sacrifice naturalness of expression for the sake of theoretical symmetry. Hill observes that

Kant's terminology of "imperfect" and "perfect" duty does confuse the issues. It is as if Kant started to work out a moral theory on the model of legal-like strict duties, and then, discovering that there is more to morality than duty, still retained the old labels for types of duty rather than spoil the symmetry of his theory by changing to more natural expressions. For example, what Kant is concerned to say about beneficence is (i) it is a duty to adopt a maxim of beneficence, and therefore (ii) it is a duty to promote the happiness of others sometimes, but also (iii) when one has satisfied these minimum and rather indefinite requirements, one may promote their happiness or not, as one pleases, but to do so with the proper motive will always be of positive moral worth. Kant tried to say all of this with his restrictive terminology of duty when it could be put more simply by making an early distinction between what is obligatory and what is merely good to do.

At a deeper level, one's answer to the question whether or not we have duties to adopt various principles, such as the principle of beneficence, will pre-suppose and
reflect one's beliefs about whether, or to what extent and by what means, virtue can be taught. Do we, by relinquishing the notion of a duty to adopt a moral principle, invite laxity in regard to matters of moral significance? Will a person who lacks a sense of duty ever be motivated to do what is encouraged by moral considerations? Is a person who does not regard himself as bound by duty to adopt certain principles likely to be untrustworthy, doing good when it pleases him to do so, but indifferent to the good when the circumstances in which he finds himself fail to move him? Is it possible for an individual to attain a level of moral development such that, having attained it, he is consistently inclined to do the right thing? Or is it the case that, in order to achieve such a condition, an individual would need to be emotionally and intellectually attuned to a degree that is naive to expect, given what we know of human nature? In short, to properly answer the question whether or not we have duties to adopt moral principles, we need to consider, among other things, whether, if we cease speaking in terms of some form of duty, we will be tempted to lapse into moral torpor. The thought that by abandoning talk of duty we simultaneously surrender our moral intelligence seems to rest on the belief that without duties or a sense of duty we will be at a loss for how to recognize the parameters of the moral in our lives. It may well be, however, that if we are not already sensitive to the moral dimension in the
predicaments with which life presents us, appeal to a notion such as that of imperfect duty will not help us.

In is noteworthy that Kant characterized imperfect duties as duties of virtue. Setting aside talk of obligatory ends, many of the actions which, from a Kantian point of view, would be such as to fulfill an imperfect duty and which the notion of imperfect duty is designed to describe or provide for, would also meet the conditions for virtuous action set forth in this work. Given the sort of latitude which imperfect duties entail, knowing what to do toward their fulfillment will always be a matter of practical judgment and not of the direct application of rules. This, as we shall see in Chapter Four, applies also to the identification and, recognition as such, of what is good and fitting in action. An issue for the virtue theorist concerned to formulate a practical virtue theory, as well as for the duty theorist committed to the notion of imperfect duty, then, is whether or not the judgment which would be needed to determine what is to be done, where what is to be done may be described as fulfilling an imperfect duty or doing the good and fitting thing, is in principle prescribable. If judgment of this kind is not prescribable, then we have reason to question whether the actions for which such judgment would be needed can or should be treated as a matter of obligation, even in an extended sense of being actions which fulfill obligations (without being strictly obligatory). For the virtue
theorist, this has implications for whether, or to what extent, a practical virtue theory may be conceived as a prescriptive theory, a matter which we shall take up in Chapter Four. For the duty theorist committed to the notion of imperfect duty, on the other hand, this has implications of a different sort, i.e., it calls into question the cogency of the idea that there are actions which, without being obligatory, fulfill obligations.

It might be objected here that my discussion of imperfect duties suffers from my assuming that all such theories involve the elements of Kant's version. What would happen, it might be suggested, if we simply said that an imperfect duty was a duty to perform some actions (we choose which ones) out of a specified class. My emphasis on Kant's version of imperfect duty is due to the fact that the notion of imperfect duty is Kant's and that most discussions of this notion occur in the context of discussions of Kant's theory about them. The alternative characterization of imperfect duty suggested here simplifies matters by avoiding talk of having obligations to adopt certain principles. However, at least with respect to Harry's action, and actions like his, the points made earlier still hold: strictly speaking, it would not be correct to say that he had an imperfect duty to perform this action, since unless he had never performed any such actions and this was his last opportunity, his having an imperfect duty of, in this case, benevolence, does not
itself impose a requirement to perform a specific action of the designated type.

To conclude, Harry's action, as described in our second example of courageous action, is, like Ali's morally good and virtuously courageous, yet non-obligatory, in the sense that it is not a fundamental requirement of morality. As with the action described in our first example, this action might be described as specially obligatory, provided that special obligation is understood in a restricted sense and that the essential differences between special obligations and obligations of the usual sort is recognized. Also, as with the action described earlier, this action might be regarded as supererogatory in which case, given Heyd's definition of supererogation, it is definitely not obligatory. Finally, Harry's action may be regarded as counting towards the fulfillment of an imperfect duty, but here again it is necessary to recognize that to speak of actions which, without being obligatory, fulfill obligations significantly alters the terms of the discussion. I shall now consider a different type of courageous act.
Harry has contracted a terminal illness. According to the doctors, he has two choices: he can either linger under the illness indefinitely, with little pain but small hope of recovery, or he can undergo a risky operation which, if successful, will probably cure him of the disease. Before making his decision, Harry weighs the alternatives carefully and gathers as much information as he can: he inquires about the procedure that will be used in surgery, about the success rate of the procedure, about who will perform surgery, about what his life will be like if he does not have the operation, and so on. In the end, Harry chooses to have (and has) the operation because he judges that by risking his life he gives himself the chance to improve it significantly and he regards this risk to be worth taking.

In order to adequately assess this case, it is
necessary to identify a special category of action, which we may call choice, and which is a deliberation that culminates in a commitment to another field of action. The process of deliberation and the consequent commitment are here elements of a single action. Insofar as an act is a deliberation which does not culminate in a commitment, or is a commitment which is not a consequence of deliberation, it is not an act of choice in the sense here intended.

A full analysis of the notions of choice and deliberation and commitment is not in the scope of this discussion; however, it is possible to indicate briefly the sense and significance of the special category of action identified here. Moreover, the purpose of identifying this category is not to multiply the categories of action, but to enable us to adequately explain why a type of action that is recognizably courageous is readily so-called.

In his account of courage, Aristotle mentions sickness and poverty as among the bad things we fear. Yet he does not regard fearlessness with respect to these dangers the mark of a brave person. The reason given is that

\[\ldots\text{we act like brave men on occasions when we can use our strength, or when it is fine to be killed.}\ldots\]

In sickness (as in death at sea), we have no occasion to "use our strength" in the way that the warrior
does in battle, that is, by displaying our abilities in action. Hence, death in these conditions will have nothing fine in it, and a person is only truly courageous when he is fearless in facing a fine death.

The reason given by Aristotle for excluding sickness from the dangers which may give rise to courageous action has relevance for this example. Sickness is excluded from the dangers which may give rise to courageous action because it does not provide occasion for the display of abilities in action. Aristotle's distinction need not rule out the case in question, however, if we recognize, as comprising a special category of action, acts which are deliberations that culminate in a commitment to another field of action, i.e., acts of choice. Now, the aim of a deliberation is a decision and the aim of a commitment is a field of action or, in Harry's case, a field of risk. Thus, by choosing, Harry enters another field of action, or of risk. Actions which are choices in the sense here intended arise in various contexts. For example, if a man chooses to become a soldier -- if he deliberates about this, and then makes a commitment by e.g., enlisting in the army -- he thereby enters another field of action or of risk. Moreover, the choice is itself an action which is distinct from the action or actions which may follow upon the choice. Again, if a woman chooses to get married -- if she deliberates about this and then makes a commitment by, e.g., signing a document -- she thereby enters another
field of action or of risk, and the choice is itself an action which is distinct from the actions which may follow upon the choice.

The case of Harry is illuminating, since the only field of action open to Harry in the circumstances is the field of choice. This is so because the agents of the actions which follow upon the choice are not the same as the agent of choice. In cases in which the agent of the actions which follow upon the choice is the same as the agent of choice, the act of choice and the actions which may follow upon choice are often confounded and so the distinction between them often becomes blurred. The distinction is significant, however, because the character of an act of choice may differ from the character of the action(s) attendant upon the choice, e.g., a man's choice to become a soldier may be virtuously courageous, whereas, his actions on the field of battle may be neither virtuous nor courageous. Returning to Aristotle's point, we may say that a man may use his strength and display his abilities in the field of choice, and thus his act of choice may call upon the qualities in a man that are associated with virtuously courageous action. Since the field of choice is a field of deliberation and commitment, a man whose reason is intact may enter the field of choice as a rational agent and though suffering from a bodily illness, on this field of action he may exercise virtue.

The case of Harry is illuminating also because it
illustrates a feature common to all commitment: when one commits oneself to something, that which one commits oneself to is always to some extent an unknown quantity, even when one will be the agent of the actions which follow upon the commitment. In Harry's case this is especially evident since Harry's choice commits him to another field of action in which he is not an agent and moreover has no control over what will happen. In such cases, fear and anxiety may be especially acute and deliberation and commitment may therefore require exceptional courage. Recognizing the courageousness of such acts confers upon the agent a deserved dignity.

Let us consider in what respect Harry's action is both courageous and virtuous. In acts of choice, both the deliberation and the commitment must be courageous if the action is to meet conditions for courageous action. Harry's deliberation is courageous insofar as he faces squarely and without faltering the terrifying aspects of the situation in which he finds himself. In gathering information about his condition, the sort of life he can expect to lead if he chooses not to have the operation, his chances for surviving the operation and so on, and by overcoming his fear in contemplating the prospect of his own death, Harry acts courageously. Harry's commitment to having the operation is courageous since the danger to which he thereby exposes himself is sufficiently formidable as to make meeting and overcoming it genuinely difficult.
Further, the commitment is not reckless since the end that will be achieved if the operation is a success makes the risk involved in undergoing the operation worth taking and since the probability that the end that is sought will be achieved is not so small as to make assuming the risk involved in pursuing it merely foolish and since the end sought is not attainable by means that are less risky than those taken. Moreover, there is a genuine alternative open to Harry and so in making the commitment to have the operation, Harry does not assume risk by default. Hence, since both the deliberation and the commitment are courageous, Harry's act of choice is a courageous action.

In order to be virtuously courageous, Harry's action must aim at a good and also have fittingness. Also, since the action in question is an act of choice in the sense explained, both elements of the action, the deliberation and the commitment, must meet the conditions for virtuous action. Now the overall aim of the act of choice in this case is, I suggest, good in the sense of morally good, since the aim is the enhancement and improvement of the agent's own life. It is sometimes said that acting in the pursuit of one's own interest is not moral action. However, it is when an action is taken in pursuit of one's own interests at the expense of the interests of others that we doubt the moral character of the action; in that case an action is self-serving in a blameworthy sense. Yet, there is no reason to suppose that
every action which aims primarily at advancing the agent's own interests must be a non-moral action. In particular, when the aim of the action is the enhancement of the agent's life, the action, while self-regarding, need not fail to be moral.

We may even say that the constitutive elements of this act of choice each have as their aim a morally good end. In general, the aim of deliberation is a decision about what to do, and in this case the aim of deliberation is morally good since what is aimed at is a right decision, that is, a decision about what would be the right thing to do. The aim of commitment, on the other hand, generally is a field of action or of risk, and in this case the commitment would seem to be a moral commitment since it aims at that field of action and of risk which is the only means to the attainment of the overall aim which is assumed, namely, the improvement of the agent's own life.

As for the fittingness of Harry's act of choice, this clearly lies in the fittingness of each of the constitutive elements of that action. The deliberation has fittingness since it is a response to the actual situation in all its particulars. In deliberating, Harry considers all of the factors relevant to the decision at which he aims and weighs his alternatives in the light of this and arrives at a decision about what to do. The commitment which is the consequence of Harry's deliberative decision has fittingness since it effectively engages Harry in that
field of action and of risk which is the only means available to him of achieving the end at which his choice is aimed. Hence, Harry's act of choice meets the conditions for virtuous action and is a genuine instance of virtuous courage.

As in the other cases, we need now to consider whether Harry was in any way obligated to do as he did. In the previous section, it was proposed that actions aimed at the enhancement or improvement of the agent's own life whose performance involves risking the life itself may fall outside the range of the requirements of morality. Our third example illustrates this point: it seems that an individual cannot be obligated to choose to risk his life in order to improve it. This becomes clearer when we consider Harry's action in this case in the light of the criterion of non-obligatoriness concerned with blame. If Harry had chosen not to have the operation, no one could justifiably reproach or blame him. Reproach or blame in such a case would seem quite out of place and even offensive. This action, and similar ones, e.g., in some cases risking one's life in order to improve the social or political conditions in which one lives, are recognizable as instances of morally commendable action which cannot be required of us. The criteria of non-obligatoriness which apply to this case indicate why we recognize these types of actions as such.

In the first two examples discussed, the action was
seen to have consequential value and to be morally good in part for this reason. Harry's act of choice certainly is morally commendable since it aims at a morally good end, and might also be recommended for its consequential value insofar as it is reasonable to suppose that the operation will be a success. There is a chance that Harry will die on the operating table, and as a consequence of his act of choice, this has a highly negative value. At the same time, given that the operation is risky but still worth the risk involved, there cannot be a high probability that it will result in death, and compared with the alternative of lingering under a chronic illness, the choice to undergo surgery, in spite of its possible negative consequences, might be still regarded as the course of action which would be productive of the best possible state of affairs. However, it is important to note that in this case the consequences which would constitute the best possible state of affairs are not strictly the consequences of the choice but the consequences of the actions which follow upon the choice, and these actions are not Harry's but the surgeon's. Strictly speaking, the expected consequences of the act of choice are that Harry will enter the field of action and of risk to which his choice commits him, that is, will undergo risky surgery, and there is some question whether this consequence can be represented as better than the consequences of the alternative choice open to Harry, namely that of not having the operation. Between lingering
under an illness and undergoing a risky operation, which are properly speaking the consequences of the alternative courses open to Harry, the choice may be neutral, yet the choice to undergo the operation has a decidedly moral aim, whereas the choice to linger under an illness may not and in any case does not have the relevant moral aim of significantly improving the agent's life. So there is reason to doubt whether the moral character of the action in question can be adequately accounted for in consequentialist terms. At the least, it seems that an explanation of the moral worth of the action in terms of the specific aim of the action -- namely, the enhancement and improvement of the agent's own life -- is in this case more satisfactory than is an explanation which locates the moral worth of the action in its expected consequences.

If what has been claimed here is correct, then we have in our third example of virtuous courage another instance of morally good action that is non-obligatory. I will now consider an example of generous action.
On a Sunday morning, a neighbor of Harry's has to take his son to the hospital for a series of tests that will take up most of the day, but the hospital is thirty miles away, and his car has broken down. Though he can take a taxi to the hospital, and though he has enough cash on hand to pay the fare, the fare will be high and he has been struggling lately to make ends meet. Customarily, on Sundays, Harry likes to take a long drive in his Plymouth into the countryside and fish in one of the streams in the hills. But on this Sunday, he gives up his drive in the countryside and his fishing and drives his neighbor and his neighbor's son to the hospital, to save them the expense of a taxi.

Let us consider, first, what is characteristic of generosity and then what it is about Harry's action that
makes it an instance of generous action that is morally
good and virtuous, yet non-obligatory.

There are certain disparities between the ancient
and modern approaches to defining generosity. In
Aristotle's discussion of generosity, emphasis is placed
upon the proper use of wealth: on the proper generosity in
giving and restraint in taking of anything whose worth is
measured by money. Also, Aristotle is concerned mainly
with describing the state of the individual of generous
character — an individual of whom various things are true
by reason of his generous character — and with comparing
the state of this character to that of the spendthrift, on
the one hand, and of the miser, on the other. By contrast,
the emphasis in contemporary discussions of generosity is
on generous acts, on how they are to be distinguished from
other sorts of acts of giving, and on the question of the
intention appropriate to such acts, which is generally held
to be that of benefitting others. Drawing on both
approaches to the subject, we may give a general
characterization of typically generous action.

First, generosity has to do with giving and
spending rather than with taking and keeping. In the
\textit{Nicomachean Ethics}, Aristotle states,

\begin{quote}
Whatever has a use can be used either
well or badly; riches are something
useful; and the best user of something is
the person who has the virtue concerned
with it. Hence the best user of riches
will be the person who has the virtue
\end{quote}
concerned with wealth; and this is the generous person.

Further,

. . . using wealth seems to consist in spending and giving, while taking and keeping seem to be possessing rather than using.

As the passage indicates, generosity has to do with spending and giving money, or things whose value is measured in monetary terms. It is also quite common to regard as generous actions in which what is given is the agent's time, for we do often consider a person's time to be valuable, even when its value is not measurable in monetary terms. Contrasted with these more usual forms of generous giving is that in which, e.g., someone gives a generous interpretation to an ambiguous remark. We call such generosity generous-mindedness or generous-heartedness. For an act of giving to be an instance of economic generosity, what is given must have real, or market value. Usually, we would not call an act of giving generous if what was given was literally worthless.

Further, giving that is done in exchange for something else or for some service done or in order to secure some benefit, is not normally regarded as generous giving. Nor do we call an act of giving generous if it is done for the purpose of paying a debt, or in expiation for a wrong done or to compensate someone because we believe we owe him something. Also, generosity may include a
disregard for desert: it is just, and not generous, to give someone what he has earned, and therefore deserves. Thus, Lester Hunt distinguishes generous actions from three other sorts of acts in which something is given to someone, namely, "those which are attempts to purchase something, those which embody an intention to give someone what . . . one owes him, and (those) which are undertakings to give someone what he deserves." 48

Generosity typically involves giving up something that is valuable and which the agent therefore has reason to keep. However, generous giving need not involve excessive self-sacrifice. Also, one who gives less than another may still be more generous, if he has less to give for, as Aristotle points out, generosity "fits one's property." 49

Again, it is in the nature of generosity to give freely. To give up something of value where this is required of one by morality or by custom is not typically generous. If without excessive cost to myself I were able to rescue someone from an impending evil, so that it would be wrong for me not to give some portion of what I had in order to achieve this, then my giving money to that person would not be generous. Similarly, giving gifts or making modest donations to charity, where this is expected of one and is customary, is not normally a matter of generosity. Usually, where some sort of obligation to give exists one must give in excess of what is required or expected of one
Much is made in contemporary discussions of generosity of the intention with which generous acts characteristically are done. Typically, generous actions are such that usually a benefit to someone other than the agent follows from their performance. So generous actions are sometimes characterized or defined in terms of the benevolent intentions of the agent. Hunt, for example, states: "Rather obviously, a person who gives something generously intends by that act to do the person to whom it is given some good." Wallace makes it a condition of acts fully characteristic of generosity that "(t)he agent, because of his direct concern for the good of the recipient, gives something with the intention of benefitting the recipient." To make the agent's good intentions a defining characteristic of generous action is in effect to insist that generosity is always practiced as a virtue. It is to say that actions having salient features in common with generous acts, e.g., actions in which the agent freely gives away something of value, but which are not done from good intentions or which lack a morally good aim, although they may resemble generous actions, are not really generous. As I suggested in the previous chapter (Section I), this is one way of approaching the question, whether actions called after traits classically regarded as virtues are always virtues.
There I offered an alternative approach and argued that an action may be generous without being virtuously generous if it involves freely giving up something of value but lacks either a good aim or fittingness. It seems that beside cases in which an action having salient features in common with generous actions clearly lacks a good aim, there are also cases in which we know nothing of the agent's intentions and yet readily call the action generous. For example, when someone anonymously donates a large amount of money to charity, we normally call the act generous and mean by this only that the agent gave more than was expected of him or more than others would have given in similar circumstances. Since, in such cases, someone other than the agent directly benefits from the performance of the action, we tend to infer from the performance of such actions certain facts about the condition of the agent, i.e., that he is well-motivated or intends to do the recipient some good or acts from a direct concern for the good of the recipient -- in short, that he is an agent of virtue in this instance. On the other hand, when an act having salient features in common with generous actions clearly lacks a good aim, e.g., that of benefitting others, we tend not to attribute a benevolent intention or virtue to the agent, but we may still call the act generous. In sum, I would reject the idea that a defining characteristic of generous action is the presence in the agent of a good (or morally good) intention or the presence in the action
of a good (or morally good) aim. I would say, rather, that
the presence in an action of a good aim is a necessary
condition only for virtuous generosity, and that from the
performance of virtuously generous actions, we tend to
infer the presence in the agent of a good intention.

Let us turn now to a discussion of the example of
generosity given above. In this example, Harry gives up
his time and his favorite and customary recreational
activity, in order to save his neighbor the expense of a
taxi. As we have noted, it is quite common to regard as
generous actions in which what is given is the agent's
time, even when the value of this is not measurable in
monetary terms. Further, in giving up his Sunday excursion
to help out his neighbor, Harry does not act in order to
secure a benefit or in exchange for something else. Nor
does he do this in order to pay a debt or because it is
deserved as a matter of justice. Also, while Harry gives
up something that is of value, namely his time and his
fishing trip, his giving is not extravagant and does not
involve excessive self-sacrifice. These facts about
Harry's action suggest that it is characteristic of
generosity.

The moral character of the aim of the action is
fairly evident; the action aims at helping the neighbor and
the neighbor's son by saving them some money at a time when
they are struggling to make ends meet and by providing them
with a way of getting to the hospital so that the son can
receive the series of tests that he needs. Since the aim of the action is morally good; it is good; hence the action meets one of the conditions for virtuous action. The action also has fittingness. The fittingness of the action lies in its aptness as a response to the situation at hand. The agent gives, in Aristotle's familiar phrase, ". . . to the right people, the right amounts, at the right time, and all the other things that are implied by correct giving." It is important that the boy get to the hospital on this day and their car has broken down and the father could use some help with expenses and Harry responds aptly to these features of the situation, thereby achieving his aim. Moreover in doing this, Harry gives up his time and a pleasurable activity and in this respect also his action conforms to that which, according to Aristotle, is characteristic of the generous person, for it is "... very definitely proper to the generous person to exceed so much in giving that he leaves less for himself, since it is proper to a generous person not to look out for himself."53

Since Harry's action is virtuously generous, it is reasonable to suppose that Harry's intentions were those usually associated with virtuous generosity, namely to benefit others out of a direct concern for their good. This, and the fact that Harry unselfishly gives of himself, lead us to regard this action as one which reflects credit
on the agent. Let us consider now in what respects Harry's action is non-obligatory.

Two of the criteria of non-obligatoriness for an action discussed in the previous section are relevant in this case. There it was suggested that when the omission of an act is not blameworthy, we have good reason for thinking the act is non-obligatory or a non-duty. Harry's act of generosity is such that, if he had failed to perform it, no one could justly have reproached him since he gave more than could have been expected of him in the circumstances, or than other people might have given in a similar situation. It might be objected that Harry had a natural duty in this case to help his neighbor since there is a generally recognized duty to help others in distress when we can do so without excessive cost to ourselves. Now it is true that Harry was able to help his neighbor without excessive cost to himself. However, the neighbor was not in this case in the kind of distress that imposes an obligation on other persons. After all, the neighbor was able to get himself to the hospital on his own; the fact of the neighbor's financial difficulties made helping him out an appropriate and admirable gesture but not a moral obligation. In short, Harry gave up his time freely. This brings us to the second criterion of relevance here. Acts are non-obligatory, we have said, when they are not required and there are acts which are not required just by reason of being the kind of acts they are. These acts, we
said, are by definition not a matter of requirement: they are essentially free acts. Generous acts are of this kind. The intrinsically free character of generous acts has been remarked upon by several philosophers. Hunt, for example, states that

In general, actions done in order to fulfill one's obligations— to pay one's bills, keep one's promises, and live up to one's contracts, for instance— are to that extent not generous acts.

Wallace makes it a condition of acts fully characteristic of this virtue that

The agent gives more than one is generally expected, because of moral requirements or custom, to give in such circumstances.

The fundamentally non-obligatory character of generous acts has been asserted also in the context of discussions comparing generosity to justice. Mill, for example, writes that

Justice implies something which is not only right to do, and wrong not to do, but which some individual person can claim from us as his moral right. No one has a moral right to our generosity or beneficence, because we are not morally bound to practice those virtues towards any given individual.

Given the inherently non-obligatory character of
generous acts, the non-obligatoriness of the act described in our fourth example follows since, as we have seen, it is a genuine instance of generosity. Hence, this example is an example of an action that is virtuously generous and morally good, yet not obligatory.

In this section, I have presented four examples of action that is virtuous and morally good, but not obligatory. As I stated at the outset of this chapter, the problem of whether or not, contra moral doctrine, there are actions which are beyond duty and morally good, or morally good and non-obligatory, is strictly speaking a problem for the moral theorist. At the same time, since there are some virtuous actions whose goodness is of a moral kind, and which possess certain qualities which are such that they provide a basis for doubting the obligatory character of the action, the question of the limits of duty within morality becomes of interest to the virtue theorist and warrants our taking up the perspective of morality, as distinct from the perspective of virtue. In taking up the perspective of morality, we have had occasion to examine the concept of duty itself, to propose criteria of obligatoriness in action, and to compare the concept of virtuous action to the concepts of special obligation, supererogation and imperfect duty. Since virtuous actions have been identified by moral theorists as specially
obligatory or supererogatory actions, or as imperfect
duties, it is significant for our theory of virtuous action
that the definition of virtuous action which it proposes
serves to distinguish such action from each of these
varieties of super-duties. It indicates that the
perspective of virtue, which informs our definition of
virtuous action, is genuinely distinct from the perspective
of morality, even though there are actions which fall into
the purview of both of these perspectives. In the
following chapter, I shall attempt to address more directly
the question of what distinguishes the perspective of
virtue from that of morality.
In the previous chapter, we took up the perspective of morality in order to examine certain issues which are pertinent from that perspective and in order to indicate certain differences between the ethical perspective associated with the idea of virtue and the ethical perspective associated with morality.

The purpose of this chapter is to explore further the differences between these two perspectives. Most of the discussion in this chapter has focused on some remarks by Charles Larmore concerning the nature of what he regards as "duties of virtue" and their special connection to the concept of moral judgment. Since Larmore's analysis of virtuous action is given from the point of view of morality, or duty, his remarks provide a good point of departure for our attempt to discover in what ways the ethical perspective associated with morality and the concept of duty differs from, and potentially conflicts with, the ethical perspective associated with the idea of virtue.
Virtue And Judgment

As I stated in the preceding introduction, the discussion in this chapter will focus on certain remarks by Charles Larmore concerning duties associated with particular virtues and their connection to the concept of moral judgment. These remarks occur in the chapter entitled "Moral judgment - an Aristotelian insight", of his Patterns of Moral Complexity, and are pertinent to one of the lines of inquiry pursued in this work - namely, the question of how virtuous action stands with relation to morally obligatory action and how a virtue type of ethics compares and contrasts with a duty type of ethics. In Chapter One, it was suggested that the notion of practical wisdom is central in a theory of virtuous action since the choice of the man of practical wisdom is revelatory of what counts as ethically good action, or action in a mean, in the particular case. Larmore states that his objective, in the chapter in question, is "... to reestablish an Aristotelian insight that modern moral theories have systematically neglected. It is the importance of judgment, or what Aristotle called [phronesis], in moral deliberation." It seems, therefore, that Larmore's
concerns overlap with ours. However, it is not just the fact that Larmore concentrates upon the Aristotelian concept of phronesis which makes his remarks pertinent to this study. His comments are relevant, and provide a focus for the present discussion, primarily because he is concerned to introduce this concept into deontological theory. The results are instructive, in part because they show that this concept, as well as other Aristotelian notions, are largely overlooked by moral theorists, but also, and more importantly, because the attempt made by Larmore to accommodate these notions from within a deontological perspective reveals certain tensions between that perspective and the perspective associated with the idea of virtue. These points of tension are not, for the most part, identified as such by Larmore himself. By noting them here, we may indicate some of the ways in which the perspective of virtue and that of duty differ, and potentially conflict. This will, in turn, serve to show that the perspective of virtue, which informs our definition of virtuous action, is genuinely distinct from that of duty, or morality, and will allow us to see things that are not readily apparent from the latter perspective.

Larmore distinguishes two kinds of duties: those, such as keeping promises or paying back debts, "whose rules allow little leeway for individual moral judgment in particular circumstances," and those, "like courage, generosity and benevolence. . . whose rules appear too
schematic to settle by themselves when those duties are incumbent upon us and how they are (in a moral sense) correctly to be carried out. For the second kind of duty, he claims, moral judgment is indispensable, and enters into the satisfaction of these duties in two ways:

First of all, we must determine whether our particular circumstances are ones in which such a duty has a claim on what we are to do. Secondly, even if we believe that our situation thus forces a certain duty upon us, we must figure out which available course of action best satisfies this duty.

Larmore illustrates his point with the example of courage. He defines the duty of courage as, "... the duty to defend or pursue what is important to us in the face of obstacles that makes this difficult and dangerous, although neither futile nor suicidal." Relative to this duty, we need moral judgment both to determine that a particular situation is one that requires us to defend or pursue our commitments and, supposing that it is, to decide what specifically we should do to fulfill the duty that is therefore incumbent upon us. We need moral judgment for both decisions because both decisions require a sense of the moral requirements and possibilities of the situation that goes beyond what the general rule associated with the duty of courage can tell us. Hence, on the one hand, a clause belonging to the rule defining courage states that courage is a duty when the situation is significant or
important enough to call for it, but this clause can be satisfied only by the exercise of moral judgment. On the other hand, even once we have come to believe that the situation is significant enough to be met with courage we still have to decide how to fulfill this duty, and this seems to involve more than a practical knowledge concerning the likelihood that various actions will succeed in protecting or advancing our commitments. Because courage is involved, we must, Larmore says, "... determine what degree of intensity or tenacity in the defense of our commitments would be appropriate in a courageous response to the given situation." We must, that is, avoid timidity on the one hand and recklessness on the other, and since there are no general rules that will prove very helpful in finding the mean between these, we need moral judgment to keep us from doing too little or too much in the pursuit of what is important to us. We need moral judgment in this situation, and not just practical knowledge, according to Larmore, because these alternatives between which we must decide admit of being morally better or worse.

Larmore contrasts this situation with one in which I have promised to return to someone today a book that I have borrowed. Such a promise leaves open whether I should return the book in the morning or the afternoon, but here the choice among alternatives left open is morally indifferent, and so the decision how to keep the promise
does not call for moral judgment, but for non-moral considerations, such as convenience. In this case, the schematic area of the rule is not morally relevant. In sum, then, moral judgment aims at the appropriate application of moral rules to particular circumstances insofar as their application requires choosing among morally different alternatives. The appropriate application of rules associated with duties like courage requires this, because of the schematic character of such rules. Hence, the appropriate application of rules associated with duties like courage calls for the exercise of moral judgment. Further, the reason why the rules associated with such duties require choosing among morally different alternatives, according to Larmore, is not, primarily, that these rules provide only necessary but not sufficient conditions for the application of the relevant concept; rather, it is that these rules stipulate that the situation must be "significant" or "important" enough to warrant a courageous or generous response, and also stipulate that our action must be a "fitting" way of carrying out our duty. Hence: "It is the apparently ineliminable appeal of moral duties of this sort to what is significant and to what is fitting that connects them with the exercise of moral judgment."^{7}

Before going on to consider further relevant remarks of Larmore's, I shall comment upon the preceding discussion. Let us consider first Larmore's suggestion
that deciding how to fulfill a duty of courage, for example, supposing that we have recognized such a duty, calls for moral judgment because the alternatives among which we must choose in order to carry out such a duty admit of being morally better or worse. This observation about what is distinctive about one kind of duty, i.e., the kind associated with traits classically regarded as virtues, is consistent, it seems, with the suggestion made in Chapter One, that the quality of virtuous actions which I have called fittingness may be understood to have ethical significance, in that it is not sharply distinct from the goodness of such an action; goodness and fittingness, we said, appear to be aspects of the same thing, that is, virtuous action, or action in a mean. According to Larmore, being a "fitting" way of carrying out a duty is a quality had by an action done in fulfillment of a duty of a certain kind -- namely, the quality of being better, morally speaking, than alternative courses of action open to the agent in the circumstances, because it is in a mean, that is, the mean associated with the particular virtue which is the duty in question. Hence, in the case of what Larmore calls the "duty of courage" the fitting course of action toward the fulfillment of that duty is that course of action which involves doing neither too much nor too little to advance or protect our commitments in the face of obstacles that make this dangerous or difficult, although neither futile nor suicidal.
This insight of Larmore's about one way in which duties associated with virtues call for moral judgment locates one point of tension between the approach to ethics which takes as its starting point the concept of duty and the approach whose central concept is that of virtue. Since in some cases the manner in which a duty is carried out may admit of being morally better or worse than other possible ways of carrying out the same duty, or than alternative courses of action open to the agent in the circumstances, the source of the superiority, morally speaking, of the course of action which is determined to be morally better than some others would seem to be that it is in a mean. Hence, it would seem that a part of the moral worthiness of an action done in fulfillment of a duty, that is, an obligatory action, may derive from something other than the fact that it fulfills a duty (or is obligatory). In other words, how a duty is fulfilled would seem, in some cases, to be a feature of the duty, or of the action which the duty requires, which involves its own type of worthiness measured against a standard different from that by which we measure the worthiness that would attach to an action by virtue of the fact that it fulfills a duty.

Now given that Larmore's account is couched in terms of duty, the recognition of a kind of duty, or of a kind of dutiful or obligatory action, which derives a part of its moral worth from something other than its being such as to fulfill a duty, introduces a novel and unorthodox
element into an approach based upon duty. Evidently, the recognition of a kind of duty, or of a kind of dutiful or obligatory action, which derives a part of its moral worth from something other than the fact that it is obligatory or a duty, is due to the recognition of a feature of actions, or an aspect of moral action, that is not usually recognized by duty theorists. Fittingness, as a quality of actions, usually is not recognized in deontological or duty based theories since, as Larmore points out, the fulfillment of duties such as promise keeping or paying back debts usually does not involve choosing among alternative courses of action which may admit of being morally better or worse. Hence it is not surprising that modern moral theories make no explicit provision for fittingness in actions which are right or good according to their respective criteria of moral action.

The fact that the kind of duty which seems to owe a part of its moral worthiness to something other than the fact that it is done to fulfill a duty is a kind that is associated with traits classically regarded as virtues, points to a locus of tension between a virtue approach to ethics and an approach based on the concept of duty. For, presumably, it is the fact that the kind of duty whose fulfillment may involve choosing between alternative courses of action that admit of being morally better or worse is a kind that is associated with virtue, is what accounts for this unusual feature of some duties. For, in
the first place, in the case of the duty of courage, for example, it is the fact that courage, or virtuous courage, is, by definition, in a mean that makes the fulfillment of this duty a matter of acting in a mean, or fittingly. Moreover, it is the fact that acting ethically also is a matter of acting in a mean which accounts for the fact that being in a mean may be a part of the source of the worthiness - moral or ethical - of actions done in fulfillment of a duty.

Now the notion that an action may be in a mean, and hence that an action done in fulfillment of a duty may be in a mean, and that being in a mean is a source of ethical (or moral) worthiness in action is a notion which is connected primarily to the idea of virtue and which becomes a consideration when the idea of virtue is introduced into the ethical picture. That is, it is a notion which originates in the approach to ethics whose central concept is that of virtue. The notion that fittingness may be a source of moral worthiness is a notion which emerges from treating particular virtues as a kind of duty, since the kind of value associated with duty is moral value. When this notion is introduced into an approach to ethics whose central concept is that of duty, the result is that actions are seen to have a feature which is not readily accounted for in deontic terms -- namely, the feature of fittingness, which, if it is construed as morally significant, involves recognizing a source of moral worthiness in actions other
than duty.

On a virtue approach to ethics, whether or not an action is fitting is of central importance, since an action which is not fitting fails to meet a necessary condition for virtuous action. It seems, then, that we could take up a perspective of virtue and examine actions which would be of interest to the moral theorist from this perspective. From this perspective, we will find, not kinds of duties, in Larmore's sense, or a kind of duty which appears to involve a moral type of value that is not the same type of value as duty, but rather actions which are or are not virtuous, and among the virtuous actions, some which are more fitting than others.

Larmore regards duties such as promise keeping as different from duties associated with virtues because usually there is no dispute about whether one is obligated to keep a promise one has made, or about how that promise is to be rightly kept. Yet even promise keeping can be done in a fitting way. If I have promised to return to someone today a book that I have borrowed, the way in which I keep this promise may be fitting or not. The choice between returning the book in the morning or the afternoon does not leave much room for a fitting response and does not involve ethical considerations, but the choice between returning it with a smile or with a sneer, or between placing it in its owner's hands or throwing it through his window does leave room for a fitting response and does
involve ethical considerations. From a perspective of virtue, or measured against a standard of virtuousness, this aspect of an action that is the fulfillment of a promise is salient and an evaluation of such an action from this perspective will include an evaluation of this aspect of the action. An action done to fulfill a promise that is fitting is judged from a perspective of virtue to meet a condition for virtuous action, and action done to fulfill a promise that is not fitting is judged to lack an essential feature of virtuous action. It should be noted further that because fittingness in actions is salient from a perspective of virtue, the description under which the action is examined, given that perspective, will be apt to differ in certain respects from the description under which the action is examined, given a duty perspective. That is, certain features of an action having to do with the way in which the end of the action is promoted or achieved will become relevant, given a perspective of virtue and hence will be regarded as elements in an adequate characterization of the action. Thus, in evaluating an action done to fulfill a promise a virtue theorist is apt to be concerned with how the promise is kept and not merely that it is kept, and therefore will be inclined to notice features of the action which may be overlooked from a perspective of duty.

As I have stated, in Chapter One, the fact that an action done to fulfill a duty may lack fittingness and
hence fail to meet a necessary condition for virtuous action, shows that the conditions for virtuous action given here are sufficient to distinguish virtuous action from obligatory action. That is, some obligatory actions, namely, those which lack fittingness, are excluded from the class of virtuous actions.

Now, from a virtue perspective, the relevant features of an action are its fittingness, or lack of it, and the ethical or non-ethical nature of its aim. Evidently, then, being obligatory is not, as such, a salient feature of an action on a virtue approach. That is, while the aim of an action done to fulfill a duty may be good in the sense of ethically good, and hence in this sense a proper aim, given a virtue approach, it would not be the aim qua fulfillment of a duty which would be relevant on this approach, but rather the aim qua ethically good end in action. The question arises then whether a practical virtue theory, supposing that one could be formulated, would be a prescriptive theory, that is, would have in it the concepts or terms needed to prescribe action. Larmore's suggestion that duties associated with virtues call for moral judgment insofar as we must determine whether our particular circumstances are ones in which such a duty has a claim on what we are to do, is relevant here.

Larmore, as we have seen, points out that the general rule associated with the duty of courage cannot
tell us by itself whether a particular situation is one which requires us to defend or pursue our commitments, or one whose challenge to our commitments is relatively insignificant. Courage is a duty, Larmore says, when the situation is important enough to call for it: "This too is a clause belonging to the rule defining courage, but a clause which can be satisfied only by the exercise of moral judgment."  

Now we have reason to question whether a rule which cannot tell us by itself whether a situation is one which requires us to act on the rule is a rule in the strict sense. That is, we have reason to question to what extent such a rule functions as a rule, i.e., as a guide to action, or a prescription. In one sense, the rule does guide or prescribe action, for it tells us to act courageously when courage is called for. In another sense, the rule as it stands may be read as merely describing a situation, that is, a situation which might be an occasion for courageous action, if it were determined that courageous action was an appropriate or requisite response to the situation. Hence the rule describes a situation which might or might not be an appropriate occasion for courageous action.

Larmore suggests that moral judgment must step in here to determine that the situation is significant or important enough to warrant courageous action, and if the situation is significant or important enough to warrant
courageous action, it is up to moral judgment to recognize that courage is a duty here.

We must assume that by "significant" or "important" Larmore means morally significant or important. For a situation may be significant or important enough to call for courageous action without it being the case that its significance or importance is moral in nature. An agent, exercising ordinary judgment, might decide that the situation was significant or important in some non-moral sense and sufficiently so to warrant courageous action. (Recall the case of the college freshman who determined that membership in a fraternity was important enough to him to warrant courageous action; here the importance is measured in terms of the agent's interests which are not, as it happens, of an ethical nature in this case.⁹)

I shall assume that Larmore intends the "significance" of which he speaks to be moral significance, since it is specifically moral judgment that is supposed to evaluate the situation with a view to whether or not it presents us with a claim upon our action.

Two questions arise at this point. First, supposing that moral judgment is concerned with evaluating the moral significance of a situation, we may ask, by reference to what moral considerations or what criterion of the moral it is understood to do this. Secondly, we may ask whether it follows that if moral judgment determines that the situation is morally significant enough to
warrant, say, courageous action, it thereby determines that courage is here a duty.

These questions arise, and are pertinent, because, as Larmore shows, moral judgment proceeds according to methods which are not susceptible of analysis in terms which a modern moral theorist would recognize or subscribe to. Larmore points out, for example, that a distinctive feature of moral judgment is that it transcends the explicit or tacit rules upon which it only partly depends. He states:

An important objection to what I have asserted about the relation between moral judgment and general moral rules is that we give reasons for what we judge to be appropriate and that we can believe these are reasons only if there are further general rules that show that they are so.

Hence, in order to correctly apply the rule associated with generosity, in a given situation, I shall need to exercise moral judgment and if the exercise of moral judgment is not to be arbitrary, it will be based on reasons and any such reasons will embody a rule by which judgment is operating. So the correct application of rules associated with virtues is still a rule governed activity; the schematic area of these rules is an area which is subject to determination according to further rules.

Larmore responds by suggesting that either in having reasons I am indeed applying a rule, but then the
rule will itself be schematic enough to require judgment for its interpretation, or else the rule embodied in the reasons I have for judging as I do is a rule that was not given in advance, and so is not in any sense being applied, "... but emerges only in virtue of the fact that having appraised the situation as I did I find those reasons compelling." In either case, we are still acting on reasons without it being the case that in doing so we are applying rules. Yet it might still be asked how we can perceive reasons as reasons except in virtue of some rule that makes them so. In reply to this question, Larmore suggests that it "... wrongly supposes that to have reasons for a belief I must have reasons for those reasons." He goes on to say, "Reasons must come to an end somewhere. ... The importance of moral examples. ... lies in their suitability as just such reasons, since they exemplify the exercise of moral judgment."

If, as Larmore suggests, the process of moral judgment is one in which the justification for a decision in a particular case ends not in further rules but in examples which exemplify the exercise of moral judgment itself, then we must allow, I think, that the methods according to which moral judgment proceeds are substantively different from those employed in modern moral theories.

It is therefore not obvious what criterion of the moral, such as are given in modern moral theories, moral
judgment would find adequate for deciding that a particular situation was morally significant. Nor is it obvious that, having determined that a situation was morally significant enough to warrant, for example, courageous action, moral judgment would thereby discover a duty of courage.

The very idea of moral judgment, Larmore says, is associated with Aristotle's concept of phronesis or practical wisdom. Hence, like the notion of a mean, or fittingness, the notion of judgment originates in Aristotle and in a virtue approach to ethics. When this concept is introduced into a modern approach to ethics, we find, not prescriptions in the usual sense, but rules which are too schematic to tell us by themselves how they are correctly to be applied and which require judgment for their correct application, which is itself not rule governed but operates according to methods not susceptible of theoretical analysis. This too then points to an area of tension between the virtue approach to ethics and the approach based on the concept of duty. For deontological types of theories urge that what is morally right can be fully specified by rules.

We began this discussion with the question whether a practical virtue theory would have in it the concepts or terms needed to guide action in the sense of prescribing action. Let me mention one further result of Larmore's analysis of duties connected with virtues which will indicate another way in which a virtue approach potentially
conflicts with an approach based on duty and which will in turn lead to a few concluding remarks about action guidance in a virtue ethics.

Larmore suggests that the fact that certain duties require moral judgment and moral imagination in order to be recognized and satisfied explains why these are the duties that we commonly associate with virtue. For, he says, virtue is a matter of character; usual duties such as keeping one's promises do not generally engage one's character in a very challenging way. He goes on to say:

To obtain a good idea of someone's moral virtue, we generally look to his capacity for moral imagination, in order to ascertain just how great an intrinsic interest he takes in doing what is right. That is because moral imagination is the ability to elaborate and appraise different courses of action that are only schematically determined by the given content of moral rules. It expresses therefore a far more active and thoughtful interest in the moral life than does the observance of fully determinate rules.

This suggestion that virtuous actions give us good grounds for inferring a capacity for moral imagination, and hence an intrinsic interest in doing what is right in the agents of such actions, corresponds to the suggestion made in Chapter One that our inference as to the good intentions of an agent is more likely to be correct in the case of virtuous actions since the goodness of such actions is primarily an attribute of the aim of such actions and,
given the relationship between the aim of an action and its intended result, a good aim is *prima facie* evidence of a good intention on the part of the agent.

Now the difficulty inherent in prescribing virtuous actions can be seen with respect to this feature of virtuous actions, as well. For the fact that the performance of virtuous actions gives us good grounds for inferring moral imagination or an intrinsic interest in doing what is right on the part of the agents of such actions indicates why prescribing such actions is at least not straightforward. For to tell someone that he has, say, a duty of courage, is in effect to tell him that he has a duty which he can recognize and satisfy only by exercising moral judgment, and hence is in effect to tell him that he ought to do that which will give evidence of his capacity to recognize and satisfy the duty in question. That is, in prescribing virtuous action, one is, as it were, saying, do that which will give evidence of your good character and good intention, since we cannot act on the rules associated with virtuous action except by doing actions which express an active and thoughtful interest in the moral life. Yet there is something odd if not absurd about telling someone that he ought to do an action the performance of which presupposes that he is ethically motivated. We can tell people what they ought to do, but we cannot tell them that they ought to exercise moral judgment or to act in a way that exhibits the exercise of such judgment.
If prescribing virtuous action is not straightforward, for the reasons indicated here, then it becomes a substantive question what form a practical virtue theory, or a theory designed to give guidance in the practice of virtue, should take.

It is instructive that Aristotle avoids giving rules or precepts for virtuous action but instead prefers the agent to use deliberation, perception and understanding to see what different ethical principles apply to a situation and how they affect each other. We saw earlier that Aristotle defines virtue as lying in a mean position which is defined by reference to what is reasonable, or orthos logos. Whether the orthos logos be defined as practical wisdom, as Aristotle says, or as revealed or indicated by this, as I have suggested, it remains true that practical wisdom, or what Larmore calls moral judgment, will be a concept of central importance in any discussion of the form which a practical virtue theory should take. It may be that such a theory should aim at the cultivation and development of practical wisdom or moral judgment in the agent, but it is not easy to see how this might be accomplished, or what a theory of this sort would look like. Moral judgment or practical wisdom proceeds by way of examples rather than according to rules and it is informed by some conception of the good, but how it arrives at decisions about what to do in particular situations by this method and in light of this general
knowledge is not readily apparent.

Perhaps the question with which a practical theory of virtue should begin is this: how, besides assimilating the fundamental precepts of duty, can a person begin and continue his ethical development? One way to answer this question is, perhaps, to go deeper into duty, but this is surely not the only answer. And in any event, it seems that any adequate answer to this question would have to take seriously the idea of virtue and the perspective on ethics with which it is associated.

Making use of Larmore's analysis of the way in which duties associated with virtues call for moral judgment, or phronesis, I have in this chapter tried to identify some of the points of contrast between the perspective of virtue and that of moral duty or moral obligation. I have suggested that this kind of duty, by reason of its association with virtue and related concepts, has features which are at odds with the basic precepts of duty theory and that the actions which would fulfill such duties would be described and evaluated differently from the perspective of virtue, or measured against a standard of virtuousness. I have suggested, further, that there are difficulties inherent in prescribing duties of virtue, difficulties which are due to the special connection between these duties and moral judgment, or phronesis, and
that this suggests that a practical virtue theory, supposing that one could be formulated, would not be a straightforwardly prescriptive theory, and therefore would differ from the two main types of modern moral theory. In sum, while the discussion in this chapter does not constitute a systematic comparison between the perspective of virtue and that of moral duty or moral obligation, it identifies, I believe, some of the issues with which such a comparative study should be concerned.
CONCLUSION

In the introduction to this work, I identified its central purpose as that of restoring to virtue, as manifest in action, a central and primary place in ethical theory. This task has consisted of securing for virtuous action conceptual and evaluative independence from virtuous agency, on the one hand, and morally obligatory action, on the other.

To this end, I have posited the primacy of virtue, and have defined virtuous action as action which is informed by, or which expresses, virtue itself. I have proposed, further, that we regard both virtuous actions and virtuous agents as secondary to virtue itself. This, in effect, establishes conceptual parity between virtuous action and virtuous agency, as well as the conceptual autonomy of virtuous action. I have stated, also, that an action is virtuous just in case it is both good and fitting and I have tried to show that good and fitting action, as here conceived, differs from morally obligatory action, even though there are actions which fall within the purview of both obligation and virtue. I have, then, tried to show that our definition of virtuous action serves to
distinguish such action from morally obligatory action, and also from the deontic concepts of special obligation, supererogation and imperfect duty.

Establishing the conceptual autonomy of virtuous action, relative to virtuous agency, allows us to assert that virtuous action has value and that the value of such action does not derive from the agent's virtue or the value of his motives. There are at least three reasons why it is important to be able to make such an assertion: 1) As modern moral theorists have recognized, it is possible for a right or good or ethically or morally valuable action to be done from a wrong or bad or non-virtuous motive. A theory which makes the moral or ethical value of the agent's motive the determinant of the moral or ethical value of an action cannot account for this fact.

2) It seems that we do not have the ability to recognize virtue or goodness in an individual except by observing his actions. This is not to say that an individual's good character just is the sum total of his good deeds, but rather that evaluative judgments of an individual's character are, at best the result of inferences, and the most reliable basis we have for an inference to a belief about or judgment of an individual's inner worth is the fact of the moral or ethical worthiness of his conduct. An individual's deeds, that is, comprise the best *prima facie* evidence of the praiseworthiness of his character or motives. To recognize this is to
understand that we do better to speak about the virtue or goodness in an individual in light of what he does, rather than in light of what he is presumed to be.

3) Since morally obligatory action is conceptually and evaluatively independent of morally good agency, establishing the same for virtuous action provides a basis for a fruitful comparison of these two types of actions: it shows that the theory presented here, like modern theories of obligation, is a theory about actions and not, like classical virtue theories and some modern counterparts of these, a theory about agents.

The value of a virtuous action reposes in its goodness, or, more precisely, in the goodness of its aim. Since the aim of an action, as here defined, is distinct from the intention of the agent, this condition for virtue in action indeed secures for such action conceptual and evaluative independence from virtuous agency.

Further, by showing that the aim of an action is the result which a reasonable person would have grounds for inferring is the intended consequence of the action, I have been able to account for a distinctive feature of virtuous action: namely, that it gives good grounds for inferring good character or a good motive or an intrinsic interest in doing what is right, on the part of the agent. The suggestion that virtuous actions are, at least to this extent, tied to their agents, allows us to accommodate the traditional view of virtuous actions as closely tied to
their agents, without going so far as to conceive of virtuous action as nothing more than an expression of virtue in the agent. The idea that virtuous actions are such that they tell in favor of the agent's character or motive, or both, was seen to emerge even from a deontologically-oriented treatment of virtuous action: that is, from Larmore's treatment of particular virtues as a kind of duty having a special connection to moral judgment and moral imagination.

The task of establishing the conceptual and evaluative autonomy of virtuous action, relative to virtuous agency, was taken up, again, in my discussion of acts corresponding to traits classically regarded as virtues. In that discussion, I rejected the view that an individual must in every case by the primary object of predications of a quality such as courage, and that a courageous action may be identified as such only by reference to courage in an agent. I argued that it is sometimes the case that the primary predicative object of, say, courage is a particular action, and that by taking several such actions as our starting point, we can arrive at a definition of courageous action. We may then identify what actions possess courage, and hence belong to the type, 'courageous action,' by reference to this definition.

I also argued that the opposites of the classical virtues, those qualities classically regarded as vices, may in some instances be admitted as good and fitting, or, in
effect, as virtuous.

The task of distinguishing between virtuous action and morally obligatory action has taken three forms in this work. First, I have tried to show that some obligatory actions fail to meet the criterion for virtue in action, presented here, for the reason that they lack fittingness, which is a necessary feature of virtuous action. Secondly, I have proposed a definition of virtuous action which distinguishes the concept of virtuous action from the deontic concepts of special obligation, supererogation and imperfect duty. Moreover, I have tried to indicate the parameters of the 'perspective of virtue', and have suggested that such a perspective is well suited to an analysis of the nature of virtuous action. The perspective of virtue, as here conceived, differs in certain respects from the perspective of morality, or of the concept of moral obligation. Hence, I have attempted to distinguish the concept of virtuous action from that of morally obligatory action in part by showing that the ethical perspective proper to an analysis of the nature of virtuous action is genuinely distinct from the ethical perspective which informs modern theories of obligation.

One difference between these perspectives concerns a difference in the terms in which actions are judged. I have claimed that a good action is one whose aim is good and that the aim of an action is neither the intention of the agent nor the probable or actual consequences of the
action. Since an action is virtuous only if it is a good action, or one whose aim is good, to ascribe virtue to an action is not equivalent to saying that the action is done from a good intention, nor is it equivalent to saying that the action is one which will, or probably will, produce the best outcome, however this is defined. Therefore, the suggestion that virtuous actions are judged in terms of their aims distinguishes the present approach to the assessment of actions from a Kantian type of approach insofar as such an approach includes an emphasis on acting from a sense of duty or for duty's sake and regards an action as morally good just in case it is motivated wholly or primarily by a sense of duty or a desire to do what is right. And it distinguishes the present approach to the assessment of actions from a consequentialist type of approach insofar as such an approach involves judging actions in terms of their outcomes, whether actual or probable.

I have suggested, further, that in the context of this theory, the sphere of the ethical is best understood as inclusive of, but not reducible to, the sphere of the distinctly moral. This, together with the claim that virtuous actions are ethically good, allows us to identify the class of virtuous actions as a class whose members include actions which, by reason of the nature of the good at which they aim, would fall outside the purview of moral theory.
The suggestion that virtuous actions necessarily are fitting also serves to distinguish the perspective of virtue from that of morality, or of the concept of moral obligation. As I have stated, it is this condition for virtuous action which excludes some obligatory actions from the class of virtuous actions; hence this condition provides a specific basis for distinguishing virtuous action from morally obligatory action. Further, it shows that a theory of action which is founded upon the concept of virtue is not reducible to a theory of action founded upon the concept of obligation. For to recognize this feature of actions is to recognize a source of ethical goodness in actions, which is neither that of duty nor that of the states of affairs which are the actual or probable outcomes of actions, and hence involves denying a fundamental precept of moral theory, whether of a deontological or consequentialist type.

Another feature of the perspective of virtue which distinguishes it from the perspective of morality, is the proposal that virtue itself is best conceived as an integrative notion or principle which functions in the sphere of action to bring together the qualities of goodness and fittingness. The proposal that a mark of at least one type of ethical action is such 'integrity' draws support from Aristotle's account of the way in which such action is produced. Central to this account is a conception of ethical action as action in a mean. A
conception of ethical action as in a mean, or integrated, plays no part in modern moral theory, which does not attend to that sense of "right", as applied to actions, which signifies an exceptional relevance to situations and which is, in some cases, not sharply distinct from the ethical or moral sense of "right". To discover and account for this way of conceiving ethical action requires a fundamental shift in outlook, a shift away from modern preoccupations and toward those inherent in classical thought. It involves, in particular, the recognition of balance or harmony as constitutive of value. Insofar as the perspective of virtue, as here conceived, reflects this classical outlook and its emphasis upon and concern with harmony or balance as inherently valuable, it represents an ethical standpoint which is substantively different from that of morality, or of the concept of moral obligation.

It may be noted here that among contemporary philosophers of ethics who advocate a shift in ethical outlook, there is a tendency to stress the inadequacies of modern moral philosophy, rather than identify in positive terms the elements of an alternative approach to the subject. I have here tried to remedy this situation by providing, at least in outline, a positive account of a classically oriented perspective on ethical action.

If fully developed, the perspective outlined here might well provide the conceptual ground or foundation upon which a practical virtue theory could be formulated. I
have suggested that such a theory would differ in certain respects from the two main types of modern moral theory. It would, for example, offer guidelines or rules of thumb — summaries of particular decisions useful for purposes of economy and aids in identifying the salient features of the particular case — rather than rules in the modern moralist's sense. Hence, a practical virtue theory would not be a straightforwardly prescriptive theory. Moreover, unlike modern moral theories, it would place particular emphasis on moral judgment or practical wisdom in moral or ethical deliberation, and would, perhaps, aim at the cultivation and development of practical wisdom in the agent. In these respects, then, a practical virtue theory, or one designed to give guidance in the practice of virtue, would differ from recognized moral theories and would constitute, at the least, a supplement to such theories.

I have here reiterated various claims made in this work which, taken together, serve to distinguish the concept of virtuous action from that of morally obligatory action. If there is merit to these claims, then the analysis of virtuous action offered here effectively secures for such action both conceptual and evaluative independence from morally obligatory action. This, in turn, suggests that virtuous actions comprise a distinct and separate category of ethical action, which is not reducible to morally obligatory action and which therefore deserves the serious consideration of those who would
undertake the study of ethical philosophy.

A further task was undertaken in this work, one parallel to that of securing for virtuous action a central and primary place in ethical theory. I have stated that there are some virtuous actions whose aims are good in the sense of morally good, and that, among these, are some in which virtue is, so to speak, visible. Now because these actions are distinguished by the morally good character of their aims, they would seem to fall within the purview of moral theory. However, because they are also actions in which virtue is visible, and because the kinds of circumstances which provide occasion for a conspicuous display of virtue, or goodness and fittingness, in action, may also provide occasion for action which is clearly morally good and yet which seems to transcend duty, this group of virtuous actions is one which poses a theoretical and normative problem for the strict deontologist or consequentialist. For these actions would appear to be both morally good and non-obligatory and therefore constitute a challenge to the view that all and only those actions which are duties or which we have an obligation to perform are morally good actions.

The question of the limits of duty within morality has of late been a topic of discussion among moral theorists. In this work, I have argued at some length for the thesis that there are actions which, contra deontological theory, go beyond duty and are morally good
and which, contra consequentialist theory, are morally good and non-obligatory. I have argued for this thesis by proposing criteria of non-obligatoriness in actions and by presenting four examples of actions which, given these criteria, are non-obligatory, yet are virtuous and morally good. The discussion of these examples includes also consideration of the concepts of special obligation, supererogation and imperfect duty, and a comparison of these concepts with the concept of virtuous action. This discussion is significant for moral theory insofar as the question of the limits of duty within morality remains a live one. It is significant also for the recently revived virtue approach to ethics insofar as it provides a detailed analysis of specific paradigmatically virtuous actions and their place in traditional moral theory.
NOTES

Introduction


Chapter One: Virtue and Action


2. In referring to Aristotle's Nicomachean Ethics, I use a translation by Terence Irwin (Indianapolis: Hackett Publishing Company, 1985). All references are to this translation. Aristotle defines virtue as a state of character at 1107a1-3. However, he sometimes speaks of virtue in more general terms, in a way which suggests that his general conception of virtue is not inconsistent with the one proposed here. See, for example, 1099a13-20, 1099b15-30, 1100b18-22, 1106a16-26.

3. This notion of what it is for an individual to be virtuous or have virtue reflects an early conception of the virtuous individual as one having virtue in general, or fully unified virtue. Thus, according to the ancient doctrine of the unity of virtue, to have any particular virtue, one must have them all. An individual is virtuous, then, according to this thesis, just in case he is fully virtuous: to have virtue is to have, not one or several virtues, but virtue in general. The virtuous individual thus is one in whom various traits ("the virtues"), themselves indicating a readiness to feel, desire, deliberate, choose and act well in certain respects, are sufficiently well integrated to ensure that the sensitivity to requirements which situations impose on behavior associated with any one trait properly reflects, and is reflected in, the sensitivities associated with every other
trait. For an account of the Socratic conception of the
unity of virtue, see John McDowell, "Virtue and Reason", The Monist, 62 (1979), 331-333.

The thesis of the unity of virtue is not unproblematical; (however, for a defense of the thesis, see Gary Watson, "Virtues in Excess," Philosophical Studies, 46 (1984) 57-74.) In noting the correspondence between the idea that virtue is an integrative notion or principle and the thesis of the unity of virtue, I am not suggesting that conceiving of virtue as an integrative notion or principle entails accepting this thesis. The correspondence is noted here only to show that there is precedent in both ancient and contemporary works on the subject for conceiving of virtue in this way.

4. In arriving at this characterization of the concept of the aim of an action, I have particularly benefited from discussion with Baruch A. Brody, Gary Legenhausen and Barton A. Midwood.

5. Aristotle, Nicomachean Ethics, 1105a17-b12.

6. Aristotle states: "But for actions expressing virtue to be done temperately or justly [and hence well] it does not suffice that they are themselves in the right state. Rather, the agent must also be in the right state when he does them. First, he must know [that he is doing virtuous actions]; second, he must decide on them, and decide on them for themselves; and, third, he must also do them from a firm and unchanging state." (1105a29-35)
7. For example, William Frankena states: "An ethics of virtue must make the virtue of an action rest on the virtue of the motive or disposition behind it. ..." (Frankena, "Prichard and the Ethics of Virtue," The Monist, 54 (1970), 11.) Also, Wallace makes it a condition of an action's being fully characteristic of generosity that it be done with the intention of benefiting the recipient. (Wallace, Virtues and Vices, 135.) See also Immanuel Kant, Ethical Philosophy, Book II, James W. Ellington (tr.) (Indianapolis/Cambridge: Hackett Publishing Company, 1983), 108-121.


10. Williams, Ethics and The Limits of Philosophy, 6.

11. Ibid.


13. This is suggested by Anscombe, "Modern Moral Philosophy," 38.


16. I understand a Kantian type of approach to the ethical assessment of actions to include an emphasis on acting from a sense of duty or for duty's sake; thus a person and his actions are morally good if and only they are motivated wholly by a sense of duty or a desire to do what is right or, alternatively, if and only if they are motivated primarily by such a sense or desire. By a consequentialist type of approach to the ethical assessment of actions I mean one which judges actions in terms of their outcomes; e.g., a utilitarian theory holds that an act is right or obligatory if and only if it or the rule under which it falls produces or will probably produce a greater balance of good over evil than any available alternative.

17. Robert B. Louden ("Some Vices of a Virtue Ethics," American Philosophical Quarterly, 21 (1984), 227-236) regards it as a commonplace that for virtue ethics, the primary object of moral evaluation is not the act or its consequences, but rather the agent, and argues that problems arise for virtue ethics as a result of this particular conceptual commitment. Although I have not attempted here to develop a practical virtue theory which would rival or supplement deontological or consequentialist types of theories, my suggestion that virtuous actions are judged in terms of their aims and independently of the way they are brought about indicates that a virtue ethics need not make the primary object of moral or ethical evaluation
the qualities of agents or their long-term patterns of behavior. Contra Louden, such a theory would focus on discrete acts, although the terms in which it would describe and assess actions would differ from those of the two main types of moral theory.

18. The following passage, which appears in Michael Carrithers, The Buddha (Oxford: Oxford University Press, 1983), 87, is suggestive in its treatment of the notion of skilfulness:

The key to [the Buddha's] way of thinking is embodied in a term found frequently in his discourses. This term is kusala, whose primary meaning is 'skilful', as a goldsmith may be skilful at making gold ornaments. It is a term which the Buddha made his own, and he used it in the first place to refer to skill in meditation. But he also used it widely to apply to skill in moral discipline and in the acquisition of merit. In this application 'skilful' also means morally good, as we might say, 'he is a good man' or 'that was a good act'. Indeed in many contexts 'skilful' is the opposite of evil, and refers to the same kind of sharp distinction that is made in Christianity between good and evil. But for the Buddha 'skilful/good' always had a practical, not a metaphysical or absolute flavour to it. The dead center of the term is best conveyed by a sense lost to us (but still alive among the ancient Greeks), that just as one could be skilful or good at a craft, so one could be good at being a sentient being, and hence one could be good.

Cf. my suggestion that fittingness in actions, which corresponds to skilfulness in the agent, is not sharply distinct from ethical goodness, and my discussion of Aristotle's way of conceiving the exercise of virtue, from
which this suggestion is drawn.

19. This supposes that Harry is justified in performing this action to achieve this aim. As I argue here that the action is an instance of fitting action, it is worth commenting upon the relation between the fact of an action's being justified, relative to a given aim, and the fact of the action's being fitting. It seems that an action might be justified, relative to a given aim, and less fitting than some other courses of action leading to the realization of that aim in the same circumstances. This will be the case when the information the agent has is sufficient in the circumstances to justify his performing the action in order to realize a given aim, but when the information is not sufficient to ensure that his action is as well adapted to the circumstances as would be some other course of action, leading to the realization of that aim in those circumstances, which, if the agent had more or better information, would be open to him in the circumstances. Such a case would show that fittingness is a matter of degree and also would show that a high degree of fittingness is not a necessary condition for an action's being justified relative to a given aim. At the same time, it seems unlikely that an action could lack fittingness altogether and still be justified, relative to a given aim, since fittingness, too, is measured relative to the aim of an action.

20. On the distinction between means which are
instrumental and means which are internal, or a constituent of the end, see, for example, David Wiggins, "Deliberation and Practical Reason," in Amelie O. Rorty (ed.), Essays on Aristotle's Ethics, (Berkeley: University of California Press, 1980), 224-225.

21. I have suggested that the fundamental notion of ethical goodness proper to a virtue theory is the mean, or what is reasonable. Could an action judged a duty, or obligatory, by a duty theorist fail to be in a mean or to meet the criterion, 'what is reasonable'? The answer to this question is, I believe, not obvious. To analyze this issue properly one would, I think, first have to discover a basis of comparison of Kantian ethical concepts and Aristotelian ethical concepts. If in fact it is the case that some obligatory actions fail to meet the criterion 'what is reasonable', then this would further establish the sufficiency of our conditions for virtuous action. In that case, of course, if virtuous actions are defined as ethically good, then the ethical would have to be understood as overlapping with, but not inclusive of, the distinctly moral.


26. This passage appears in the glossary appended to Irwin's translation of the *Nicomachean Ethics*, 419.


28. Ibid., 1138b23-25.


33. Ibid., 1164b30-33.

34. Ibid., 1164b34-1165a4.

35. Ibid., 1165a13.


Chapter Two: Virtues and Actions


4. Cf. Wallace, *Virtues and Vices*, 131-136. As with the
example given of courageous action, I here ignore certain difficulties having to do with the identification of actions possessing properties such as courage or generosity; in Section III of this chapter I propose a method for arriving at a definition of generosity along the lines of the one offered here.


6. See, for example, von Wright, *The Varieties of Goodness*, 141-142, and Burnyeat, "Virtues in Action," 231.


10. See Burnyeat, "Virtues in Action," 231.


15. Ibid.


17. Ibid., 323.

18. Ibid.

19. Ibid., 324.
20. In Chapter Three, Section III.iv, I present a detailed analysis of a typically generous action which is also virtuous.

Chapter Three: Virtue and Morality


2. Williams, Ethics and The Limits of Philosophy, 177.


5. Ibid.

6. Cf. David Heyd, Supererogation (Cambridge: Cambridge University Press, 1982), 139-140.

7. Ibid., 138.


12. Ibid.
14. Ibid.
20. Williams, Ethics And The Limits of Philosophy, 180.
23. See the glossary appended to Irwin's translation of the Nicomachean Ethics, 409.
25. Aristotle, Nicomachean Ethics, 1114a34-35.
27. Ibid., 5.
28. Ibid., 115.
29. Ibid., 174.
30. Ibid., 175.
31. Ibid., 179.
32. Ibid., 144-146.
33. Ibid., 145.
34. Ibid.
35. Ibid.
45. See, for example, Wallace, *Virtues and Vices*, 313-158 and Hunt, "Generosity," 235-244.
47. Ibid., 1120a9-10.
Chapter Four: Virtue and Judgment

2. Ibid., 1.
3. Ibid., 5-6.
4. Ibid., 6.
5. Ibid.
6. Ibid.
7. Ibid., 7.
8. Ibid., 6.
9. See Chapter Two, Section I.
10. Larmore, Patterns of Moral Complexity, 7.
11. Ibid., 8.
12. Ibid.
13. Ibid.
15. Ibid., 12.
16. Ibid., 14-21.
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