A Return To Virtue: How Nussbaum's Ontology Triumphs Over Relativism

Aaron Wortt

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Declaration

I declare that the work in this thesis was carried out in accordance with the regulations of the University of Gloucestershire and is original except where indicated by specific reference in the text. No part of the thesis has been submitted as part of any other academic award. The thesis has not been presented to any other education institution in the United Kingdom or overseas.

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Aaron Wortt

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Abstract

In the western modern liberal world, a turn towards moral relativism has become

evident. This type of thinking is often championed to be the protector of cultural

differences and away to celebrate cultural individuality. However, the principles of

moral relativism often struggle to theorise an agreeable account of cultural diversity in

relation to what it means to be a person within that culture, even with developed forms

of moral relativism such as Gilbert Harman's. This is where we should retreat from

moral relativism and instead turn our heads towards virtue ethics. Our claim is that

through the ontological commitments of Martha Nussbaum's virtue ethics we will find a

better account of not only ethics in relation to the individual but also in relation to cross-

culturally compatibility. In order to do this, we first consider the metaethical terms

required for the dissertation. Then we shall consider relativism, the failings of its most

vulgar form and a suitable and philosophically interesting replacement, being Harman's

work. We will analyse Harman's relativism in comparison with Nussbaum's virtue ethics

with strong focus on the metaethical implications and commitments of both ethicists,

ending with a positive account of Nussbaum's ethics.

Contents

Introduction

This dissertation was primarily inspired by my own dissatisfaction with how ethics was taught during my experience throughout college. Where I, and many of my peers, including those I shared my undergraduate life with, were taught that there were three major normative theories, and relativism. Interestingly I remember very little about how relativism was taught throughout college but what I do remember was instead of being primarily taught specific theories of moral relativism, I was instead taught specific rebuttals that relativist had to say against normative theories. These normative theories included a Kantian deontology, utilitarianism, focusing on Jeremy Bentham's, John Locke's and John Stuart Mill and Aristotle's virtue ethics. At the time I was unaware of how poorly taught Aristotelian virtue ethics was taught (no fault of my lecturers, instead I mean the examination criteria was unsatisfactory) as there was little to no emphasis on the ontological commitment being the essential metaethical difference between the other theories. While it was taught, we were told to understand Aristotle's theory as just another theory of ethics where the virtues indicated what was morally permissible and the vices what was not without the significance of any ontological commitment. Throughout my undergraduate degree I learned that this was a complete disservice to Aristotle and Neo-Aristotelian ethics. This is what I would consider to be my primary inspiration for Chapter 1 and the overall dissertation. For the dissertation, my claim is that Nussbaum's Neo-Aristotelian understanding of virtue ethics is the most convincing form of ethics due to her metaethical commitments, especially in response to moral relativism. A topic which we will soon cover within the introduction. This is due to the metaethical commitments prevalent within Nussbaum's theory that suggest that

ethical relativism is unable to do justice to what ethics is and should be understood to be, which I believe is a way of life that prioritises ethical development within oneself and those surrounding them and is not merely a ruleset of what is morally permissible or not simply based on what one's culture suggests is right or wrong. This type of relative moral thinking does not do anything but provide a linguistic device useful for outlining the preferences of a culture. Instead, we will argue for Nussbaum's ethics, whose ontological commitment rightfully claims that ethics is an intrinsic element of human experience. So, to be ethical is to fulfil what it is to have a meaningful human life. Such an ontological commitment cannot be culturally limited, since it involves an essentialist understanding of morality.[1] I will also be arguing that Nussbaum's normative ontological account of ethics does a better job at providing a convincing account of cultural differences and variations that moral relativism can, something which the moral relativist often prides themselves on.[2]

The other inspiration for this dissertation was my own dissatisfaction with relativism after understanding what it means to be a virtue ethicist. After learning about the importance of the ontological commitment that not only Aristotle, but also Nussbaum subscribe to in their ethics, I decided that Nussbaum's interpretation of Aristotle's virtue ethics was the most convincing theory in regards to not only a normative theory (which

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[1] The key text for us in terms of an essentialist critique of moral relativism is Martha C. Nussbaum, 'Non-Relative Virtues: An Aristotelian Approach', *Midwest Studies in Philosophy*, 13 (1988), pp. 242–60 (pp. 33–34), doi:10.1111/j.1475-4975.1988.tb00111.x.

[2] We will also need to briefly discuss Plato within Chapter 1. His work is the required context for understanding Aristotle's ethics and as such, and therefore understanding Nussbaum's. Aristotle rejected Plato's external account of ethics through the transcendent forms. For Aristotle, human ethics must be understood through the appearance of human life, rather than through an idealised version of it. This is the cornerstone of Nussbaum's interpretation of their different approaches to their ethics in her *Fragility of Goodness*. See, Martha C. Nussbaum, *The Fragility of Goodness: Luck and Ethics in Greek Tragedy and Philosophy*, Revised. 2001 (Cambridge University Press, 1986), pp. 291–92

is arguably a secondary commitment of her theory) but that her theory deals with inter-cultural ethics better than any form of relativism that I know. Moral relativism also has a strong hold in our contemporary culture coupled with a scepticism towards any other deeper ontological commitments as merely expressions of Western cultural dominance. I want to show that this is not necessarily the case. We can both recognise a common humanity and at the same time cultural differences without succumbing to a moral nihilism. My dissatisfaction was mainly aroused when I was considering the somewhat liberally perceived relative morality within various social media applications such as Instagram, TikTok and Facebook shown to me. Throughout comment sections and posts I was stunned with the expectation of inter-cultural ethics when there was a seeming consensus of suggesting that people just do things differently and that we should respect that. Following this, I was compelled to prove that this form of moral relativism was ineffective at providing a convincing form of morality. This is when I took to Bernard Williams' understanding of moral vulgar relativism within *Morality: An Introduction to Ethics*,[3] a theory which closely follows the ethical trends I understood to be prevalent within the liberal understanding of morality in the western world at the time. This notion of ethics seems to be very idealistic in its intentions, however it seems that those that preached it were also unable to stick by it. This is due to two significant points. The theory itself is far too idealistic in its intentions. Those that supposedly subscribe to vulgar relativism do so in an effort to appear inclusive of other cultures through a maxim of universal tolerance, since those who follow this form of morality must not pass moral judgements upon those outside their cultural community. In

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[3] Bernard Williams, *Morality: An Introduction to Ethics* (Cambridge University Press, 1993), pp. 20–25.

practice, this is impossible. People are inherently swayed by their own upbringing and beliefs and through these beliefs, even the most subtle and unintended judgements are passed. Furthermore, as a form of moral relativism it is inherently flawed on logical grounds. As an ethical relativism is a type of theory which considers that there are no universal moral maxims, then it is odd to suggest that to be a vulgar relativist, you must utilise the moral maxim of universal tolerance, where one should not pass judgement upon another culture. Obviously if this is close to the prevalent understanding of western liberal morality, then we must suggest that there is a flaw within our common understanding of morality. This was the inspiration for Chapter 2, where my dissatisfaction with vulgar moral relativism, and the relative ease of its dismissal, suggests that there must be a more convincing account of moral relativism.

We see within Chapter 2 that our more convincing form of moral relativism is found within Gilbert Harman's moral realist perspective of moral relativism. This is a theory that does away with the reliance on the maxim of universal tolerance and even agrees with Williams' argument that vulgar relativism is flawed.[4] A shift to moral realism leads Harman to understand that morality is not just a mere display of preference like the vulgar relativist would suggest. Instead, ethics should be perceived to be part of a culture's identity, in the same way that a culture's language or fashion is part of its identity. In this way, we might suggest that Harman's more sophisticated account of relativism offers a better opponent to Nussbaum's ontological ethics. It is not too difficult to argue why vulgar relativism is not a suitable opponent to sing the praises of ethical relativism against Nussbaum's more robust account of ethics. Indeed, Harman

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[4] Gilbert Harman, 'Moral Relativism Defended', *The Philosophical Review*, 84 (1975), p. 21 (p. 3), doi:10.2307/2184078.

himself understands his own version of relativism as an alternative to virtue theory. In this way it is easy to see what is at stake in this conflict when they are opposed to one another. Our argument will be that virtue ethics offers the only convincing alternative to Harman's more sophisticated defence of relativism.

We must then consider what Harman's theory lacks. This will be done through a critique from the perspective of Nussbaum's Neo-Aristotelianism in Chapter 3. Our main objective is to show that Nussbaum's theory does a better job at handling inter-cultural differences that moral relativism does. In doing this, we will analyse how Harman's theory fails to be convincing in relation to his commitments to inner judgements and moral bargaining, which will be explained in detail in these chapters. We will suggest that Harman only rejects virtue ethics because he has a shallow and superficial understanding of the virtues, which is more based in social psychology rather than philosophy. His understanding of the virtues reinforces his interpretation of morality and specifically the primacy of inner judgements, so that the virtues become irrelevant. Yet it is only by making virtues irrelevant that he can sustain his own moral relativism. This is why we argue that the choice can only be between virtue ethics, on the one hand, or moral relativism, on the other. Such a choice depends on giving a much better account of virtues than Harman does, which is what we believe is found in Nussbaum's account. In doing this, we are able to pave a way for us to represent some of the stronger elements of Nussbaum's theory in perhaps an optimal light. Nussbaum's virtue ethics both gives a better account cultural differences and at the same time explains what we hold in common as human beings. This then should allow us to begin to understand the importance of Nussbaum's metaethical commitments that we started to explain in Chapter 1. By breaking down the failings of Harman's theory and responding with the

sufficient arguments put forward by Nussbaum, we should then be better equipped in understanding the benefits of the theoretical aspects of her moral philosophy. This in turn will provide us with the conclusion of Chapter 3 that Nussbaum's theory is more convincing than ethical relativism in how it handles inter-cultural boundaries within ethical thought and for the same reasons, handles inner-cultural ethical thought just as well.

This will allow us to move onto Chapter 4. Where we have already introduced Nussbaum's ethics briefly within Chapter 3, we must now make a positive account of her theory. This will be the focus of Chapter 4. This will be done by utilising her own work alongside Aristotle's, since the ontological grounding of her ethical theory is essentially Aristotelian. We will discuss in greater detail her ontological commitment in respect to her essentialist understanding of metaethical philosophy. Central to this essentialist understanding is the idea of human flourishing or *eudaimonia*, which in our interpretation is what is common to all human life. Such human flourishing is what is explained through the virtues that related to fundamental aspects of human life and are not merely 'inner judgements' related to a moral framework, as in Harman's account. We shall explain what these virtues are and how they relate to Aristotle's and Nussbaum's idea of a common ethical life. Lastly, we all show a common ability to put these virtues into action through practical wisdom, or phronesis. Ethical deliberation is not a matter of applying fixed rules to a situation, but of judging what a situation requires immanently. This explains why virtue ethics has a flexibility that other normative ethical theories lack, and at the same are always expressed through a given culture, even though the same humanity is always present, since 'sphere of experience'

belong to the essence of what it is to be human, rather than belonging to one culture as opposed to another.

By the end of this dissertation, we should have a greater understanding of not only Nussbaum's ethics but also why her ethics sets out to complete the work of the moral relativist better than the moral relativist could ever hope for. Nussbaum virtue ethics overcomes cultural division not by imposing an ethics from the outside, which is what the moral relativist quite rightly fears, but by understanding an immanent perspective of ethics, where the truth in the world around us will provide us with the required moral knowledge to make informed positive ethical decision

Chapter 1 – Establishing Metaethical Terms

If we are to start this thesis correctly, we must understand not only what metaethics is but also the significance and impact of varying metaethical positions and how metaethics will ultimately affect our thesis overall. To do this we should make clear the goals of this chapter. The first of which to be a brief description of what metaethics is and how metaethics varies from the more common applied ethics. This will be followed by an overview of important terms that will be used in this dissertation. This overview will help us understand what the different metaethical commitments are and how these are the foundations of ethical theories. Considering the topic of the dissertation, it will be unsurprising that we will be explaining these metaethical commitments in relation to Nussbaum and will contrast her position with two opposite extremes. One is the moral relativism of Gilbert Harman, the other being the ethical absolutism of Plato. The reason for making these choices is that the argument of this thesis is that Nussbaum's ethical theory is the most sophisticated response to moral relativism, and Harman's defence of moral relativism is the most philosophically robust. The reason for choosing Plato is that his ethical theory is the most diametrically opposed to Harman's, but also Nussbaum's defines her ethical commitments in opposition to Plato. You might characterise Nussbaum's ethics as the midpoint between the two. It is a rejection of the absolutism of Plato but does not fall back to the moral relativism of Harman (which of course in Plato's time would have been the moral theories of the Sophists that Plato defined his ethics against). The conclusion of this thesis is that this third position requires an ontological understanding of metaethics that is rooted in human capacities rather than moral judgements *per se* and this is what virtues express.

What do we mean by metaethics? One way of understanding it is by opposing it to applied ethics. When considering ethics in a typical context, applied ethics is found where statements of ethical application are made. These may take the form of a prohibition, such as 'you should not do A', or an imperative, such as 'you ought do B', with the potential introduction of factors based on personal beliefs, such as 'you are permitted to do A, provided criteria C is met'. These are statements of how one should apply their ethics in the world and are considered part of the study of applied ethics. Applied ethics concerns the application of ethical principles to individual actions. It is a field of study that examines the effective application of ethical principles in real-world situations. Unlike theoretical ethics, which is concerned with the development of ethical theories, applied ethics is focused on demonstrating the practical applications of ethical principles in specific contexts. Often, applied ethics is used to demonstrate a theory in practice. The famous trolley problem is a good example of this.[1] The situation itself is not a product of any ethical theory but deals with the ethical dilemmas like should one switch the tracks, keep the tracks the same, or even should the ethical person intervene at all. Different ethical theories are applied to these questions to determine what the right ethical outcome would be. Further, the answers from a given theory can be explained at length, making applied ethics important for examining a theory and to understand the perspective of a certain ethical theory outside just a theoretical discussion of its implications.

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[1] For a good overview of the 'trolley problem', see, Judith Thompson, 'Killing, Letting Die, and the Trolley Problem', *Monist: An International Quarterly Journal of General Philosophical Inquiry*, 59 (1976), pp. 204–17.

Metaethics is a different philosophical investigation. Ethical theories already imply a certain conception of what ethics is or whether ethics exists all. Of course, there can be no ethical theory without metaethical commitments, and ethical theories must have applications. Yet at the level of philosophical analysis, we can distinguish between the two. Metaethics is the study of the foundational roots of ethical discourse, where we consider much broader question than individual instances of ethical action. Such questions might be, as we suggested above, whether ethics is real or fabricated, or whether ethics is something internal or external to the agent, or whether it is rational for someone to commit themselves to and ethical life or not. Metaethical discourse is concerned with how ethics exists within the world, or whether ethics can be meaningful to anyone outside an individual. These questions can only be answered if a person is able to make claims about what it means to be ethical, or if right or wrong have any inherent meaning, or if that meaning may be situated within oneself or if there may be moral facts outside the individual.[2] The work of the student of metaethics is not to make substantiative claims about what is right or wrong, but instead to elucidate the concepts involved in metaethics and attempt to take a broader and more abstract view of ethics, so as to consider the presuppositions and assumptions that might be held by an ethical agent and to understand the claims of an ethical agent with greater accuracy.

The key terms for us in metaethics are ethical realism or anti-realism, universalism, subjectivism and ontology. These are the terms we need to discuss within this chapter to provide the context required for a full understanding Nussbaum's virtue theory. All of them offer a different position in their own metaethical commitments, so we need to

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[2] David Copp, 'Introduction: Metaethics and Normative Ethics', in *The Oxford Handbook of Ethical Theory*, ed. by David Copp (Oxford University Press, 2006), pp. 3--35 (p. 4).

understand how they distinguish themselves from each other. We can then see how the different ethicists in this dissertation situate themselves in relation to these terms, making it easier to understand their subsequent theoretical stances.

The first major hurdle that a metaethicist must face is to decide whether ethics is realist or anti-realist. This is where an ethicist must decide if there are any ethical facts that exist, as a moral realist, or whether moral facts do not exist, as a moral anti-realist. It is also the first step in the formulation of an ethical theory hence why it is so critical to elucidate at the beginning. This is where an ethicist will be establishing if they are arguing for moral facts or against them. An ethical agent would be able to tell if an ethical theory is moral realist as it would attempt to make claims of moral rightness or wrongness in relation to what is perceived to be a moral fact. This could be something such as divine law theory, where the claim 'lying is wrong' is referring directly to a decree given by God as an objective moral framework.[3] In this example, it is a fact that God gave the moral framework that factually tells us how to act. The alternative is moral anti-realism that claims there are no moral-facts. The anti-realist might not necessarily disagree with the moral judgement that 'stealing is wrong', but they would claim there is no external rightness or wrongness that the claim is referring to. Or they might believe it is true, but they are not obligating any others to agree with the claim. Instead, the ethicist's claim is highlighting a preference of the individual, where right means 'right for me'.[4] This type of thinking does away with any commensurability between ethical

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[3] Through arguments for a defence of divine law theory, Quinn outlines the overarching premise of 'you should not do something if it has been decreed by God not to do'. See Philip Quinn, 'Divine Commands and Moral Requirements', *Philosophical Books*, 21.3 (1980), pp. 167–69 (pp. 168–69).
[4] Melis Erdur, 'A Moral Argument Against Moral Realism', *Ethical Theory and Moral Practice*, 19.3 (2016), pp. 591–602 (p. 591), doi:10.1007/s10677-019-09992-8.

agents, since there no moral facts that you could appeal to that would be independent of the judgement or context in which the judgement is made. In this way the moral anti-realist does not deny moral judgements, but only the independence of moral facts.

An excellent example of moral anti-realism would be 'moral error theory' which claims that all moral judgements are in error.[5] This theory does well at highlighting the incommensurability between ethical agents that the anti-realist asserts, where moral statements only show preferences and question the supposed external ethical nature of acts. Moral error theorists attack the inherent importance we put on moral claims, which they claim may not necessarily be true. When someone states that stealing is wrong, they are emphasising that there truly is an inherent wrongness to the act of theft, which exists whether their statement is made or not. This is ethical fact, which the ethical judgement relies upon, be it stemming from scripture, a pre-existing belief structure, or natural influences. According to the moral error theorist, the ethical agent in question has made a mistake. They would question whether stealing is truly wrong? Does the act of stealing presuppose ethical indecency? Or would stealing itself be an act that one would claim to be ethically indecent separate to the tautological meaning of theft. They would argue the latter and claim when an agent makes a moral statement they are not (and should not believe they are) stating something *a posteriori*; rather they are only appealing to their desires or interests. While moral error theory can be considered a somewhat extreme position in which the discussion of moral anti-realism resides, a more common approach to the anti-realism argument is that of a certain type

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[5] For a guide to 'moral error theory', see, Wouter Floris Kalf, *Moral Error Theory* (Springer International Publishing, 2018), pp. 3–5 <http://link.springer.com/10.1007/978-3-319-77288-2> [accessed 16 May 2024].

of moral relativist, the vulgar relativist.[6] This seems to be the common understanding of ethics in our modern world, as Nussbaum herself describes, which is moving us 'from an ethics dedicated to the elaboration of systematic theories to an ethics suspicious of theory and respectful of the wisdom embodied in local practices'.[7]

The vulgar relativist aims to prove the absence of moral facts in the world, since they are often blinded by the abundance of the various forms of ethical life exhibited in the world. They recognise the diverse codes of ethics as evidence that there is simply too much variety in the ways of ethics globally, and that it would be a vain attempt to unify these different ethics at all. As Williams describes it, where the 'normative frameworks in which they exist are incommensurable, and individuals cannot move between them.'[8] Instead, as Nussbaum describes when she explains the attractiveness of moral relativism in the modern world, everyone should accept other cultures for their uniqueness and tolerate them.[9] In turn, this means that there are no moral maxims and that any attempt to claim there are is merely one culture attempting to enforce its own values on another, which are in fact incompatible.

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[6] For the traditional approach to what is known as 'vulgar relativism' which is relativist in its most basic form, see Williams, *Morality: An Introduction to Ethics*, p. 20. Hereafter, MIE. We shall investigate moral relativism is much greater depth throughout this thesis, since it is the alternative metaethical position that Nussbaum argues against.

[7] In her view there appears to be a transition in the modern world from an ethics based on universal principles to one based on local practices. See, Martha C. Nussbaum, 'Virtue Ethics: A Misleading Category?', *The Journal of Ethics*, 3 (1999), pp. 163–201 (p. 164), doi:10.1023/A:1009877217694. It is important to note in our argument that moral relativism and moral anti-realism are not necessary correlative. Indeed, Harman, is a moral relativist and a moral realist.

[8] We will investigate this in greater depth in the next chapter, but one argument for both moral relativism and anti-realism is the incommensurability of values between different cultures. This gives a good insight into the eyes of what will be expanded upon as vulgar relativism in chapter 2, for See Alexandra Plakias, 'Moral Relativism and Moral Disagreement', in *The Routledge Handbook of Philosophy of Relativism* (Routledge, 2020), pp. 155–64 (p. 160).

[9] Nussbaum, 'Non-Relative Virtues', pp. 34–35.Hereafter, NRV

What then is moral realism as opposed to moral anti-realism? At its core, moral realism is devoted to claiming the existence of ethical facts. It follows from the existence of moral facts that ethical judgement refers to objective properties that are independent from the interest or attitudes of the ethical agent. Even though its various theories may approach this somewhat differently, their core mission is the same[10]. Ethics is not only a display of preferences but appeals directly to ethical facts found in the world. Such an appeal does not mean that the ethical philosophers will share the same ethical commitments. There can be different moral realists. So, Harman, Plato and Nussbaum are all moral realists. They believe in the existence of moral facts, but they all have very different moral theories. This is because they can agree there are moral facts but have a different interpretation of what these facts are. For Harman, moral facts express a shared world in which ethical judgements are made. For Plato, they are ideal objects expressed by the Forms. For Nussbaum, they are capabilities that are shared by all human beings that are expressed through the virtues.

Nussbaum's ethical realism could also be understood as a kind of ethical naturalism. David Brink defines ethical naturalism as 'the claim that moral facts and properties just are natural facts and properties.'[11] Ethical naturalism is therefore a particular kind of moral realism, since the moral facts referred to are natural phenomena that belong to the natural world. This might seem far away from what Nussbaum means by virtue, but of course, what is at stake here is what we mean by 'natural'. 'Nature' might not just

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[10] For a good account of various types of moral realism, which have at their core an appeal to some kind of objective truth, see Peter Railton, 'Moral Realism', *The Philosophical Review*, 95.2 (1986), pp. 163–207 (pp. 164–65).

[11] David Owen Brink, *Moral Realism and the Foundations of Ethics* (Cambridge University Press, 1989), p. 22.

mean 'natural objects'. It might also refer to deeper ontological commitments about what the function of something might be. In this sense, Nussbaum's ethics might be both a kind of a moral realism and a naturalism, if we are specific about what we mean by 'naturalism'. When Nussbaum describes virtues as the moral properties of human character 'that figures in more or less any human life, and in which more or less any human being will have to make some choices rather than others, and act in some way rather than some other,' then this could be seen as a kind of naturalism (NRV, 35). A non-naturalist moral realist, on the other hand, using Brink's categorical distinction, would be someone who is committed to the independence of moral facts, but these 'facts' would not be natural. They would have their own independent moral meaning separate from the natural world. They understand moral facts in the evaluative sense that cannot be understood in terms of naturalistic properties.[12] For example, to understand 'good' as anything other than its basic notion, the non-naturalist would claim that the notion of 'good' cannot be evaluated by naturalistic properties, as we would need to ask whether the natural properties on their own terms are inherently good at all. Ethical values could be real like a language is real but would not require any ontological commitment to natural kinds or species being.

Having defined our terms, we can now investigate our moral theorists in greater detail. First of all, what is important is that all three, Harman, Plato and Nussbaum, are moral realists, but their moral realism cashes out in different metaethical commitments. For Harman, it is linguistic relativity; for Plato, it is universalism; and for Nussbaum, it is an essentialist ontology. It is our contention that by defining what these different

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[12] For an explanation of the irreducibility of moral facts, see Russ Shafer-Landau, *Moral Realism: A Defence*, 1st edn (Clarendon Press, 2005), pp. 56–57.

commitments are then we can achieve a better understanding of what Nussbaum's position is. In other words what a moral realism committed to a general understanding of what it is to be human would be. As we described above, it is a kind of moral realist naturalism, but where the meaning of 'naturalism' is given a specific Neo-Aristotelian interpretation. It is the aim of this thesis to flesh out what this Neo-Aristotelianism is, and why, in our view, it is the best response to moral relativism, even the sophisticated one that is Harman's.

We shall first discuss Harman. He presents an interesting stance as a moral relativist. Unlike the simple moral relativist who operates within the confines of ethical anti-realism, Harman overall claims suggest that it is precisely in the cultural differences that it is perhaps most easy to see the evidence of ethical facts. (MIE, 20) He states:

> Moral relativism is not a claim about the grammar of moral judgments. It is a claim about reality. It is a version of moral realism. It is the that (sic) there are many moralities or moral frames of reference and whether something is morally right or wrong, good or bad, just or unjust, virtuous or not is always a relative matter.[13]

These 'moral frames of reference' that he mentions I will refer to as moral/ethical frameworks or moral/ethical agreements which are the explicit or implicit agreements made between a social group regarding the expectations of how to act ethically. We can see from this definition that Harman turns on its head the assumption that moral relativism is a kind of subjective or individualistic moral anti-realism. In fact, the

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[13] Gilbert Harman, 'Moral Relativism Is Moral Realism', *Philosophical Studies*, 172.4 (2015), pp. 855–63 (p. 858), doi:10.1007/s11098-014-0298-8.

opposite is the case for Harmam. Moral relativism is kind of moral realism. It appeals to the facts of our moral world.

To explain what Harman's commitment to moral facts is, let us use an example from this his own work. Let us imagine a situation where 'children pour gasoline on a cat and ignite it'.[14] What we know about this situation will lead us to make an ethical judgement. If science might tell us about the harm the cat would suffer from the fire, then it is outside the realms of science, if we perceive a moral fault in the children's actions. This is because we do not come to the situation empty handed. We already perceive the action as unethical because we already have a theory of moral actions or facts. There is no such thing as the observation of a fact without a theory. 'What you perceive,' he writes, 'depends to some extent on the theory you hold, consciously or unconsciously' (MIE, p4).[15] It is with these ethical theories, which we as individuals hold, that allow us to 'perceive rightness or wrongness, goodness or badness, justice or injustice'.[16] The observations that we make as ethical agents throughout the world trigger our ethical responses as a result of holding ethical beliefs. Our ethical judgements are linked to our ordinary observations, but these observations are always already motivated by the

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[14] While not stated here, I believe that Harman's quote here implies an ethical theory too without being expressed specifically. This is due to the result of his example, where its implications lead us to think that we make ethical judgements about things because of observation. I would suggest that the observations that provoke an ethical judgement happen only because a moral significance is already recognised. For the example, see Gilbert Harman, *The Nature of Morality: An Introduction to Ethics* (Oxford Univ. Press, 1977), p. 4.

[15] We can use Williams' work as way to understand Harman's opinion on vulgar relativism as Harman's own references to vulgar relativism are to Williams' work. This also includes William's opinions on vulgar relativism as Harman uses these as reason as to why vulgar relativism is not sufficient.

[16] Harman, *The Nature of Morality*, p. 5.

ethical theories that we hold. The observational and learned data from previous encounters gives us impetus to pass moral judgements.

The source of these ethical frameworks that already influence how we make ethical judgements about moral facts, whether explicitly or implicitly, are 'ethical agreements'. Furthermore, Harman argues elsewhere that every form of ethical action is made within the confines of some form of implicit or explicit ethical agreement.[17] These ethical agreements are the frameworks in which a group, be it the same culture or inter-cultural, have decided what is the correct way to act ethically. However, he makes very clear that these agreements between ethical agents are not to be confused with mere preferences of moral judgements. Instead, Harman states that these agreements relate to actual moral frames of reference, or in other words, a social group's moral discourse, which is evidenced by the people that actualise them in practice, and where claims like 'one should not attack another' is an actual claim about their reality. Those that state anything about an ethical act are doing so in relation to their own moral frameworks that provide actual suggestions on how to act to those groups concerned.[18] These moral frameworks that a social group appeals to are real in the sense that an agent is passing judgement in relation to them. They are not subjective or a mere whim but have a binding authority on a social group.[19] Harman's argument is that even though there may be differing moral frameworks around the world, and that the moral frameworks are

[17] Harman, 'Moral Relativism Defended', p. 2.

[18] Harman, 'Moral Relativism Is Moral Realism', p. 859.

[19] Harman, 'Moral Relativism Defended', pp. 9–10.

relative to a social agreement, the frameworks nonetheless exist as a real part of the social lives of the individuals.

Harman is therefore both a moral relativist and a realist. His relativism is a kind of linguistic relativism, where the meaning of moral judgements is relative to a linguistic understanding of ethics that has a real impact on people's behaviour.[20] Linguistic relativism itself is a form of relativism which suggests that an account of moral diversity might be modelled on linguistics and finalised by determining there is no universal moral maxims. This conception attempts to give a reasonably precise account of particular moral dialects and idiolects to then consider whether there are any principles of morality found within these cultures that suggest a universally (to them) shared constraint(s) on morality.[21] For Harman, it follows that there are common constraints between cultures that do not have a shared dialect or idiolect. We shall explore Harman's conception of constraint and moral frameworks in the next chapter. This relativity is then displayed as a type of propositional ethics. Meaning that the content of meaningful ethical language within Harman's work is found within propositional language. Different languages or social groups have different ways of expressing concepts of morality, leading to variations in the perception of morality across cultures. For Harman, then, it follows that moral frameworks are socially/culturally distinct. In Harman's eyes, these frameworks can only be made when a group has found a common

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[20] This chapter offers a great insight into linguistic relativism and explains the theory, rather than just the implications that we require. See John A. Lucy, 'The Scope of Linguistic Relativity: An Analysis and Review of Empirical Research', in *Rethinking Linguistic Relativity*, ed. by J.J. Gumperz and S.C. Levinson (Cambridge : Cambridge University Press, 1996), pp. 37–69 (p. 41) <https://www.degruyter.com/database/COGBIB/entry/cogbib.7904/html> [accessed 18 August 2024].

[21] Here we see Harman's own account of linguistic philosophy. See Gilbert Harman, 'Moral Philosophy and Linguistics', *The Proceedings of the Twentieth World Congress of Philosophy*, 1 (1999), pp. 107–15 (p. 115).

ground, which is then expressed through a language that allows those in that group to vocalise their moral judgements.

If we were to think the opposite of Harman's position of linguistic relativism in the history of philosophy, then there could not be a better example than Plato. Like Harman, Plato is a moral realist, but unlike Harman, he is a linguistic absolutist. To Plato, the meaning of moral concepts is not relative to a social group in a common language but transcends every social group.[22] To start, we must understand that Plato's goal in his various works is not to make a correct form of ethical practice but instead to provide the correct image of a human life, which is a life of philosophical contemplation (*Phaedo,* 64a-69e). This type of life Plato believes should be universalised, where he claims that everyone should pursue the life of contemplation, for it is the greatest good. It is a form of ethical absolutism, where ethics has a distinct and absolute path or end. His claim is rooted in his theory of Forms. The contemplative life (the pursuit of knowledge of the Forms) is the most fulfilling life one can achieve. It is the end goal of the individual to pursue knowledge of the Forms so to provide the best life for that individual.

We should first try and understand what the Forms are for us to make any progress with his argument as they are so crucial. The Forms are understood to be the truth of the world, where the veil of sensory deceit is lifted.[23] Forms are both the true concept of sensible things for Plato and what is most real. You might see a pencil split in half when

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[22] A further reason, for choosing Plato is that Nussbaum sets her own neo-Aristotelianism against Plato's ethics, even though she greatly admires Plato's motivation. In Nussbaum's interpretation Plato's ethics is based on the need of a measure of commensurability that would cut through ethical disputes and attachment to individuals. For a summary of this argument, which in its own turn is summary of her book *Fragility of Goodness*, see, Nussbaum, Martha C., and Rosalind Hursthouse, 'Plato on Commensurability and Desire', *Proceedings of the Aristotelian Society, Supplementary Volumes*, 58 (1984), pp. 55–96.

[23] David Sedley, 'An Introduction to Plato's Theory of Forms', *Royal Institute of Philosophy Supplement*, 78 (2016), pp. 3–22 (pp. 4–5), doi:10.1017/S1358246116000333.

half submerged in water, but we know that the pencil is not split at all. We can only do so because we have the true idea of what a pencil is, but the idea of the pencil is not the same as the perception of the pencil, just as the idea of a triangle is not the same as visible triangle that is drawn on a piece of paper. The idea of the triangle is what is true of any object that has the property of the triangle. Nonetheless, the idea of the triangle is not merely the summation of the experience of different triangles. It exists independent or prior to any instances of a triangle. It is what allows us to recognise any object as a triangle because we already possess the idea. This does not mean that the idea is reducible to our act of consciousness of it, or even the linguistic form in which we express the idea of triangle. The idea is not the same as the words, whether written or oral, that express the idea. The idea is independent of the mind that thinks it, or even if the idea is ever thought. The independence of the idea is its extra-mental reality. Ideas are real for Plato, even though, of course they are not real in the way that sensible objects are, since sensible objects can perish or change, whereas ideas do not. The idea of the triangle will remain the same, even if I throw away the piece of paper on which I have drawn a triangle. While being a very basic explanation, which is all that we need for our purposes, this example gives us some conception of what a Form or an idea is for Plato. Truth (the being of the Forms) is beyond the appearance of things and instead is a reality that is constant and changeless beyond our immediate sensory perceptions and only accessible through contemplation.[24] This can be understood another way using Plato's example of the slave boy and geometry (*Meno*, 82a-86c). In this example, we can understand the mathematical ideas as Forms. They are a perfect

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[24] Sedley, p. 7.

and eternal truth that cannot be changed. The slave boy, while capable of drawing out the questions asked of him to discover the answer, is not appealing to the appearance of the world for his answers, instead the boy is appealing to the internal recognition of Forms. Plato's suggestion to Meno is that the boy would not be able to answer these questions correctly without the existence of the Forms as pre-existing realities that only his soul can access through recollection. Hence, using another example, the prisoner removed from the prison in the Allegory of the Cave (*Republic*, Book VII) needs time to adjust to the newfound sunlight. This is used as a simile to show not only that our body can deceive us but also that 'the capacity for knowledge is innate in each man's mind' where the soul may access this knowledge through recollection. (*Republic*,518c) In this regard, we should understand the Forms as real, but not sensory. They are extra mental realities but not natural objects. Plato is a moral realist in this sense, because the Form of the Good is an extra-mental reality that is only accessible through contemplation of the form. The appearance of the Good in the world is only a pale shadow of this idea of the Good.

An ethical life, then, for Plato, would ultimately be the contemplation of the Form of the Good. However, Plato does not consider that everyone can know the Good. This is a where Plato can be seen as an elitist. His notion of the Forms comes with the caveat that true knowledge if the Forms can only be known by a small group of philosophers. This is evident in the Allegory of the Cave, where the removed individual is intended to symbolise specific philosophical training that when completed allows that individual to see the sun, which is intended to symbolise knowledge of the Forms. This means that Plato will only see those who apply themselves to the life of contemplation as those who have achieved the proper form of human life. His ethical position does not include

a universalised ethics which is accessible to all. On the contrary, what is universal only shows itself to the few, and it is for this reason that this few should rule the ideal city. Plato's ethics is both realist and elitist. The Good itself is something transcendent and eternal, and for Plato a moral fact which contains the truth to a moral life.

How does Nussbaum differ from this approach? Like Plato and Harman, she is a moral realist, but she is neither a relativist nor a metaphysical absolutist. Her approach stems from an agent-centred perspective to moral philosophy, meaning that her virtue theory analyses the internal judgements and actions displayed by the ethical agent and what they offer to wider society. Nussbaum understands ethics as a feature of being human rather than anything linguistic or transcendent, like mathematical ideas. As such her metaethical commitments originate from introspective and internal analysis of what it means to be human, following from Aristotle's claims of a shared human experience. In other words, her commitment to ethics is ontological one, but immanent rather than transcendent.

To understand how Nussbaum is an essentialist, we must comprehend firstly that Nussbaum's ethical position relies heavily on a unique Neo-Aristotelian metaethical commitment. In Nussbaum's own words, essentialism means 'the view that human life has certain central defining features'.[25] It these 'central defining features' that define us as human beings. As different from Plato, they are immanent as opposed to transcendent. Her ethics is an attempt to not only prescribe correct action in relation to

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[25] Martha C. Nussbaum, 'Human Functioning and Social Justice: In Defense of Aristotelian Essentialism', *Political Theory*, 20.2 (1992), pp. 202–46 (p. 205), doi:10.1177/0090591792020002002.

others, but more importantly her ethics is about figuring out what it means to be a good person as the best possible way in which a human being can be.

How is this different from Harman's moral realism? For Harman, moral judgements are relative to the common meaning of ethical judgement given by a social group. They contain no deep ontological commitment. For Nussbaum, her essentialism transcends social and cultural contingent expression. What it is to be human is something that is common to all humanity both temporally and spatially. But equally, in opposition to Plato, this is immanent ontology rather than an ontology of abstract extra-mental entities. Being human is not derived from the definition of what a human is, but through the activity of being human. What humans say and act and how they understand themselves in the world, rather than an idea of humanness that is defined outside of that activity and determines it in advance. Nussbaum's ethics emphasises the importance of ethical discourse for the sake of providing reason and meaning to an individual's life within the confines of experiences one can have as an individual. Ethics for Nussbaum provides us with a way to fulfil what it means to be human that, as Alexander Green writes, 'brings different cultures together into a single quest for how to live the good life revolving around the ultimate objective of human flourishing'.[26]

The overall argument of this thesis is that Nussbaum's ethics is the best response to moral relativism. The purpose of this chapter is to define key metaethical terms so that we can understand clearly what is at stake in this debate. We have used different ethical positions to define them. What is important, when comparing Harman, Plato and

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[26] Alexnader Green argues that Nussbaum puts forward a universal ethics that is based on universal human characterises that cross cultural difference. This is what we mean by her ontologically grounded ethics. See, Alexander Green, 'MacIntyre and Nussbaum on Diversity, Liberalism, and Christianity', *Perspectives on Political Science*, 46.2 (2017), pp. 137–47 (p. 4), doi:10.1080/10457097.2016.1146028.

Nussbaum, is remembering that they are moral realists but all in a different way. What is at issue here is how we define what moral facts are, which in my terms is the same as saying what is the moral world in which we exist. For Harman, the moral world is one of propositional statements made in a linguistic world shared by speakers. If the speakers share the same world, then they can make moral judgements about one another, but if they do not, they cannot. For Plato, moral facts are ideal extra mental objects. Thus, every speaker, dependent on their intellectual abilities, would share the same world no matter what their social and cultural background, just as we talk about the truths of mathematics. What is significant to Nussbaum's account of ethics is that is based on human ontology. What it is to be a human rather than the definition of humanity. The 'how' of humanity, if you like as opposed to the 'what' of humanity. It is this ontological commitment that answers the moral relativism of Harman but does fall back to the absolutism of Plato. In the next chapter, we will deepen our analysis of Harman's relativism by analysing its triumph over vulgar relativism, so that we can better understand Nussbaum's response to it. Finally, in the fourth chapter, we will end with a positive account of Nussbaum's ethics by responding to the issues still present in Harman's ethics

Chapter 2 - Establishing Harman's Meaningful Relativism

Now that we have established the metaethical commitments of the different ethicists

that feature in this dissertation, we can move onto the argument proper. To establish our

goal of proving that Nussbaum's ethics is the best answer to the moral relativist, we will

start our argument by a *reductio ad absurdum* by beginning with relativism, highlighting

its issues, and then progressing to virtue ethics. To do this we first must discuss ethical

relativism in more detail than the previous chapter. We will start with a simple form of

relativism, being vulgar relativism, then progress onto Harman's more advanced and

convincing theory. The ethics found in Harman's essay 'Moral Relativism Defended' will

be discussed in length as his is the most compelling form of moral relativism, since it

answers the criticisms of vulgar relativism.[1] Nussbaum's ethics finds a suitable

opponent in Harman's ethics hence why we are exploring Harman to make meaningful

claims about the strengths of Nussbaum's theory in later chapters.[2]

To give Harman the chance of being Nussbaum's worthy adversary, we will first discuss

and evaluate the failings of a naive form of ethical relativism. We shall do this by using

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[1] Here Harman claims that his theory is not the same as the vulgar relativist, using Williams' definition of vulgar relativism. Also, this work provides a significant amount of critical insight into Harman's understanding of moral relativism, with perhaps his most concise yet easy-to-read theory of inner judgements and moral bargaining which are the backbone to his relativism. See Harman, 'Moral Relativism Defended', p. 3. Hereafter, MRD

[2] Moral relativism is probably the most dominant ethical theory of modern times, since it answers the needs of cultural tolerance and awareness. As we shall see, however, there are fundamental contradictions with this point of view. There are real limits to 'moral bargaining' for Harman. We will explain 'moral bargaining' below.

the arguments of Bernard Williams.[3] Alongside this we shall consider why relativist anti-realist ethics suffers in comparison to Harman's relativist realist ethical approach. This provides contextual backing to Harman's ethics, as Harman's works are a response to the failed vulgar relativism, where he develops a much more sophisticated account of moral relativism. It is this more sophisticated relativism that Nussbaum is responding to. Harman's rejection of the naive or vulgar form of moral relativism will then lead to a deeper understanding of his metaethical commitments and how he restructures what it means to be an ethical relativist within the terms of ethical realism. This will show us how one can be an ethical realist while also being an ethical relativist. We shall, while discussing his metaethical commitments, discuss the strengths of this theory and how it provides a significant development from the failings of vulgar relativism. Following this, we shall introduce the arguments made within the third chapter that aim to present Harman's theory as insufficient in relation to Nussbaum's commitment to an ethics grounded in human capabilities. This discussion will only be an introduction as it is the job of the third chapter to show the shortfalls of Harman's ethical relativism in comparison to Nussbaum's conception of virtue. In the fourth chapter will we give a fuller account of her virtue, and especially its grounding in Aristotle's ethics.

Williams defines vulgar moral relativism in the following way: when we are talking about moral rights, then they only make sense within a given society. What is morally right for one society, might not be morally right for another society. So, whereas it might be right in our society that women are treated equally to men, in other more traditional and

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[3] Williams' approach to moral relativism is what Harman will understand as a simpler form of relativism. Something which both Harman and Williams' both believe fails, which will be see shortly. See Williams, *Morality: An Introduction to Ethics*, pp. 20–21. Hereafter, MIE

conservative societies it might not be. Since moral right and wrongs only function or have sense within a given society, then it means no society has the right to judge another society by its own standards (MIE, 34). This understanding of vulgar relativism is also shared with Harman, who uses the same issues that Williams' points out to claim that a reform of relativism is required to pave way for his theory (MRD, 3). It is a theory designed for those who desire a tolerant world in which there is no judgement between cultures. This is perhaps the simplest form of moral relativism as it aims to reduce relativity merely down to the idea that people are different in their ethical approaches to the world and we should have no say over other's ethical practices, or them over ours. In a sense, the goal of the vulgar relativist is to explain away any conflicts between cultures.[4] They claim we should accept one another's ethics as being right for them as attempts to understand their cultural inclinations would be impossible as one cannot situate themselves in the same perspective as one from another culture as the cultural units in questions are self-contained.[5] We would be judging them as we judge ourselves. Equally, of course, if that were the case, they would have the right to judge us with their moral values.

At the crux of this argument is the disregard of any notion of independent ethical facts. As ethics cannot provide any ethical facts since every culture perceives ethics differently, there is no commensurability between ethical communities. What is right for one culture may not be right for another, and in the same way, wrong can be wrong in one culture but not wrong in another. Similarly, something may be right in one culture

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[4] Bernard Williams, *Ethics and the Limits of Philosophy*, 1st edn (Routledge, 2008), pp. 156–57.

[5] Bernard Williams, 'The Truth in Relativism', *Proceedings of the Aristotelian Society*, 75 (1974), pp. 215–28 (pp. 215–16).

but wrong in another and vice versa. Right and wrong as concepts only hold meaning within a determined cultural group. The result of right and wrong having only culturally specific meanings is evidence of the lack of ethical facts. This plays in the vulgar relativists favour as the absence of ethical facts means the vulgar relativist is no longer attempting to appeal to them, like other ethicists often must. Instead, the vulgar relativist can claim an anti-realist perspective of relative ethics where toleration[6] of other societies and cultures is often seen as the key.

The theory benefits those that reside within a cultural group as it allows a cultural unit to operate as it must to preserve that culture. As Williams writes, 'it is tediously a necessary condition of the survival of a group-with-certain-values that the group should retain those values.' (MIE, 21) Practices of certain by-gone cultures can be seen as evidence for this ethical theory such as ritual sacrifice of children in Inca culture to prevent disasters such as natural disasters by appeasing the gods in such a ritual known as Capacocha.[7] This type of sacrificial ritual obviously would not be permissible in our modern world, but this does not mean we have the right judge them since we do not belong to Inca world were such practices were valid. Just as an anthropologist would not pass moral judgements on the society she studies, then so we should not either. This cultural practice, which is so abhorrent to us, was part of their cultural traditions. In such a functional account of values, the Inca have as much a right to

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[6] We will use Cohen's definition of toleration for our purposes here as it fits in with the implications of vulgar relativism. We will see though later on though, that toleration as something to aspire for is a maxim that the vulgar relativist has unknowingly put forward, something that cannot be happen if vulgar relativism is true. See Andrew Jason Cohen, 'What Toleration Is*', *Ethics,* 2004, p. 69, doi:10.1086/421982.

[7] Maria Constanza Ceruti, 'Frozen Mummies from Andean Mountaintop Shrines: Bioarchaeology and Ethnohistory of Inca Human Sacrifice', *BioMed Research International*, 2015:439428 (2015), sec. 2.3 <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4543117/> [accessed 13 June 2024].

preserve their culture as we do, and there is no independent commensurate standard of ethics that we can appeal to judge them. We must therefore learn to tolerate our differences.

This rather extreme example highlights the incompatibility of different moral cultural practices. While we cannot comprehend the extreme example of the Incan sacrifice of children, we can appreciate how this was perceived by them in two ways: first, the preservation of a society through its beliefs, since the Incas believes that they would be protected from harm, and secondly the conservation of cultural practices. By practicing their moral laws found within Incan culture, they are preserving the cultural identity of themselves. In the same way our moral judgements and political ideals, like freedom of equality and democracy, are merely the protection and preservation of our society and culture. We can judge those internal to our culture if they were to commit ritual murder and infanticide, but we cannot judge the actions of the Inca, since we do not share a common moral world and there are no independent moral facts.

This concept of moral relativism, as Harman explains, in the modern world attempts to explain the variety of social norms across varying cultures. This type of thinking is likely caused by observation and subsequent disagreements of different ethicists from different cultures. As you cannot remove your conscious or unconscious bias to certain ethical acts, vulgar relativism is supposed to allow for cohabitation on our planet by simply accepting that various ethical agents do things differently and those differences vary too much for any ethical constants. This becomes especially apparent, Harman explains, when considering an ethical agents' inability to remove themselves from their biases to become a pure observer. We are permanently stuck in understanding the

world through our own cultural lens.[8] In the absence of ethical facts, it is easy to accept varying ethical agents' practices by claiming any and all attempts for commonality between ethical groups are futile, for none of us can fully comprehend the complexities of another's culture. The futility of common grounds between ethical groups, Harman adds, is what, to the simple relativist, provides reason to believe there are no ethical facts and as such allows for different cultures to perceive their different solutions to the same moral problems as correct.[9]

Although we have used Harman to explain what vulgar and naive relativism is, the importance of his work to our argument is really in his response to the inadequacies of this position, because in so doing he comes up with a stronger version of moral relativism. It is this stronger version that is the more interesting in comparison to Nussbaum's ontological ethics, and it is this stronger version that she answers to by claiming that ethical virtues, as a measure of what it is to be human, can have a cross-cultural significance and meaning. So, let's us examine the most obvious criticisms of this kind of relativism before we focus on Harman's argument. The primary issue of vulgar relativism is that it is self-defeating as it depends on the maxim of universalised moral acceptance, which is incompatible with relativism argued for.

The vulgar relativist claims that '(a) there are no universal moral principles and (b) one ought to act in accordance with the principles of one own group' which at face value, as already discussed, provides easier acceptance to various global ethical practices. However, Harman then states that there is a critical error that the vulgar relativist makes

[8] Harman, *The Nature of Morality*, p. 5.Hereafter, TNM

[9] Gilbert Harman, 'What Is Moral Relativism?', in *Values and Morals*, ed. by A. I. Goldman and I. Kim (Boston: D. Reidel, 1978), pp. 143–61 (pp. 146–48).

'where this latter principle, (b) is supposed to be a universal moral principle'. (MRD, 3) This argument, originally made by Bernard Williams, recognises that vulgar relativism is logically flawed. Assume that 'rightness' and 'wrongness' can only be understood in the terms of a certain society. Further, that their perspectives of 'right' and 'wrong' are exclusively understood by them. Let us also then assume that 'it is wrong for people in one society to condemn, interfere with, etc. the values of another society'. (MIE, 20) These sets of governing rules of vulgar relativism make a logical mistake by arguing for an ethics with no moral facts/maxims while also enforcing a maxim of universalized tolerance. This maxim of universalized tolerance is an a priori nonrelative principle. (MIE, 23) This in turn makes the theory incompatible with itself by holding a nonrelative (moral realist) principle/maxim/moral fact.

Vulgar relativism is a theory which fails to satisfy its own theoretical and logical requirements of its version of ethical relativism. This means we must now move onto Harman's superior understanding of moral relativism if we are to achieve the goals of this dissertation. His theory focusses on a much more intellectually stimulating understanding of the fundamentals of ethical relativism and is substantially more convincing, theoretically and in practice, to the flawed vulgar relativism, even if in the end we are going to reject it for Nussbaum's ontologically grounded virtue ethics. Harman's theory, however, provides a sufficiently convincing account of relative ethics. This is why we will eventually understand Nussbaum as a sufficient answer to the problems found in Harman's ethics by using her account of an ontologically committed version of virtue ethics. However, Nussbaum's response will be discussed and answered in length throughout the next chapter. For now, we must understand what makes Harman's ethics so compelling for a theory of ethical relativity. This will provide

us the context needed for the following chapter where we shall confront Harman's and Nussbaum's ethics.

Let us first remind ourselves of Harman's metaethical commitments. Harman's theory of ethical relativity takes a more refined approach to arguably the strongest point of his theory, which is the existence of ethical facts. Harman is an ethical relativist who is also an ethical realist unlike the vulgar relativist who is an ethical relativist but is also an ethical anti-realist. This means that Harman does not believe that ethics is merely expressions of preference of conduct between cultures and nothing more like the vulgar relativist. Instead, he claims that it is within these expressions of ethical practice between cultures that we see the evidence of ethical facts, which means that relative ethics can also be a realist ethics. His claim is that moral relativism is a claim about reality, where moral relativism is a version of moral realism. That there are different moral frameworks which actually points to the existence of moral facts rather than denying them.[10]

This understanding is led by the belief that ethics is not just an exercise of grammar and perspective, like that of the vulgar relativist where differing ethical views are evidence of the incompatibility of ethics. Rather, Harman's view of ethics claims that moral judgements are made within an ethical framework which are evidence that moral facts exist, as the claims made are made in relation to agreements of conduct between other agents within that framework. Moreover, following from Williams, these agents, who share a common framework, will judge others who do not share that framework (MRD, 4). These agreements are realist to the ethical agents concerned, as the ethical

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[10] Harman, 'Moral Relativism Is Moral Realism', p. 858.

frameworks that they apply themselves affects their lives in a tangible way. Unlike the vulgar relativist who claims that it is within the differences of various moral frameworks that we find evidence of moral anti-realism, Harman believes that these moral frames of reference hold the evidence for his realism. These moral frameworks are part of the cultural group's identity. Much like how the language they speak is part of who they are, their ethics makes a significant and real impact on how individuals within a culture will conduct their lives (MRD, 3). So, it stems from this moral realism that moral frameworks are the basis of ethical disagreement rather than agreement or tolerance.

The evidence of the real existence of moral frameworks can be found in how ethical judgments, which Harman calls 'inner judgements', work. Inner judgements are the only meaningful moral judgements made between individuals, which relate to an agreed (not necessarily explicitly) moral framework of how one should act in relation to those presumed capable of moral judgements (MRD, 3-4). These judgements are part the backbone of Harman's ethics as he believes an inner judgement is the only way one can make meaningful ethical claims. Inner judgements are a type of moral judgement which the subject of the claims relates to 'should', 'should not', 'ought, 'ought not' type of statements and where actual moral judgements are passed in relation to an act, past, present or future (MRD, 5).

These inner judgements, and their relations to 'should' and 'ought' statements of moral observers are made in reference to the observers own beliefs and moral frameworks. When someone is stating that someone 'should' or 'should not' have done an action, they are claiming that action in relation to an implied 'should do' or 'should not do', where the 'doing' is in relation to the moral implications surrounding the actions in

question (MRD, 7). Statements surrounding 'ought' and 'ought not' are actionable in a similar way. Inner judgements have ethical significance only in *relation* to a shared moral framework. It is important to understand that Harman's notion of inner judgements is strictly about propositional ethical statements in this way. His belief is that statements of intrinsic value claims, such as 'Hitler is evil', do not contain any meaningful ethical knowledge that is required for an inner judgement as these types of claims are not in relation to an act. Harman's belief is that ethics contains useful propositional knowledge when those claims are made in relation to an act, because it is within the process of an action that the ethical agent displays moral behaviour in relation to a moral framework. He claims that literal claims do not possess this information and as such cannot be considered an inner judgement.

Consider Harman's example of the cannibals that eat a shipwreck survivor (MRD, 5). Harman claims that we cannot make a meaningful inner judgement surrounding these people, because we cannot relate to their relative morality. Making an inner judgement can only be done when the observer and the subject appeal to the same moral standards/framework. This is because both the subject and the observer are aware of what is morally permissible in that instance. Because we cannot understand the cannibals by their own moral framework, for we do not have the required knowledge, we cannot make an inner judgement about their actions. We cannot make meaningful ethical claims such as, 'they should not have eaten the survivor'. Instead, we would make a judgement such as, 'the cannibals are savages.'[11] This Is a judgement passed by

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[11] Which begs the question, how is inter-cultural ethics explained? The answer is twofold, one element being the effective use of moral bargaining between cultures and the other a new moral framework. Moral bargaining will be explained soon and after, when we shall tackle the creation of an inter-cultural moral framework.

us that relates to our moral framework, yet it also shows that we are unable to make inner judgements from their moral framework, and thus meaningful intercultural ethical claims, as we lack the required understanding of the cannibal's culture (TNM, 97-98).[12] In the above example, Harman's claim that these cannibals cannot be held to his moral standards is fair in relation to his ethics, as he does not have any established relation to who these cannibals are or what their practices are. So, it would be a mistake to hold them accountable to his ethics which he upholds, as obviously they have a wildly different approach to moral discourse than his.

Another way of thinking how appropriate it is to make inner moral judgements about a different culture, would be to think of what would happen if we did encounter an alien race. We would not claim that an alien race that came to earth to destroy 'should not' or 'ought not' to have done what they did. Our judgement of their actions would mean nothing to them, since they would not conceivably share the same moral commitments as us. Why would they cease this action just because we thought it was wrong? We can, however, absolutely claim that these aliens are now reprehensible in our eyes and that they are now our enemies, and we ought to defend ourselves against them (MRD, 5). The difference from the example of the cannibals is that we do not know if these aliens are capable of moral judgements at all. So, it would be pointless to pass our moral judgements onto them, since there would be no moral agreement in which these moral judgements would make any sense.

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[12] We cannot effectively judge the cannibals in question, as our understanding of them is simply lacking to pass effective judgement. This could be akin to a chemist making bold claims about the gravitational effects of a black hole. They simply are not well versed enough in the subject to have enough of an understanding to make a profound statement.

So, what does this mean for the application of moral inner judgements? As previously stated, for Harman, these inner judgements are only valid if a) the individual(s) the judgment(s) is/are being made about is capable of moral thought and b) the judgement(s) being made are in relation to a previously or newly established ethical agreement between individuals or social groups. When these criteria have been met then we can start to claim 'should (not)' and 'ought (not)' statements about those individuals. This is where the ethical claims themselves come in, such as X should not do Y. This statement is also contextualised under the ethical agreements of those in question under Z. So, for this ethical claim to be understood fully, this claim can only be made provided that the ethical agreement of Z has been established. So provided Z has been established, then X should not do Y, due to Z. Otherwise claiming X should not do Y is meaningless as the inner judgements do not relate to anything meaningful in ethical language (MRD, 9-10). If these criteria have been met, the weight carried behind the 'should (not)' and 'ought (not)' statements is twofold. Firstly, an inner judgement made within the correct criteria carries the implications 'that the agent has reasons to do something' and secondly 'the speaker in some sense endorses the reasons and supposes that the audience also endorses them' (MRD, 8). If the speaker, the audience and the target ethical agent agree, then the moral judgement is valid (MRD, 8-9). Yet it is only valid because of the agreement. If there is such an agreement, then the speaker is right to claim that agent should or not have acted in a certain way.

Harman's approach to ethical relativism makes it much more convincing than vulgar relativism, but we do need to explain the kind of agreements made between ethical agents which prevents them from falling back into some kind of vulgar relativism. This kind of agreement is called 'moral bargaining' by Harman, which is the other critical

idea posed in Harman's ethical work. It describes the way in which moral agents who share the same moral framework expect other agents to agree about the kind of ethical claims that are being made (TNM, 104).[13] In this way, a moral agent in a shared moral framework not only can justify their own actions but can also understand what the right or wrong actions of others should be. Harman reimagines Hume's metaphor of a rowing boat to help explain this idea. Those in a rowing boat will naturally (usually tacitly) fall into a rowing rhythm that is between the preference of each other's rowing speed. This is used to outline moral bargaining as the rowing boat symbolises an isolated cultural unit and the rowers symbolise the ethical agents within that unit. It makes the most sense to have an agreement for optimal operation of the boat, and this agreement symbolises a moral framework where it benefits both ethical agents to come to a rational agreement. This optimal rowing rhythm symbolises a found moral framework, which is found to be the somewhat in the middle of the preferences of those within that culture.[14] The fundamental basis, then, of morality is that we all benefit from commitment to basic principles that we negotiate on, but these principles are only social conventions rather than universal maxims. These conventions provide agreements of how to act and shared expectations of outcomes. We agree to them because they preserve our way of life.[15] Ethics, then, is form of mutuality in which people who share a common culture work for the benefit of all, since that benefit also benefits the individual.

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[13] Harman explains the meaning of moral bargaining, through Hume's understanding of moral conventions, which in turn influence Harman's formulation of moral bargaining as a whole.

[14] Gilbert Harman, 'Justice and Moral Bargaining', *Social Philosophy and Policy*, 1.1 (1983), pp. 114–31 (p. 114), doi:10.1017/S026505250000337X.

[15] Harman, 'Justice and Moral Bargaining', pp. 117–18.

Harman does, however, recognise that this notion of moral bargaining in its simple sense is very idealistic and does not happen so simply. He recognises, through observation again, that if this were true it would lead to a much more egalitarian society. However, those with power and resources often take more benefit from moral bargaining as those without the power and resources will often have to rely on those that do. (MRD, 12-13) Fixing this does not mean that we must abandon moral bargaining though, as the principles still work with whatever compromises takes place, as long as these compromises are not catastrophic to our shared existence. In this sense then, noticeable compromises have been made to have a weaker sense of mutual aid, as overall even a weak sense of mutual aid and moral bargaining is beneficial to a community than none. Thankfully though, while Harman recognises that this perversion of moral bargaining does take place, he does not endorse it and instead is merely commenting on real world situations.

We should finally and briefly tackle inter-cultural ethics. From what we have understood of Harman so far, it appears very insular like the vulgar relativist, since there does not appear to be a satisfactory response of how one ethical group should interact with another. For the vulgar relativist we cannot make meaningful inter-ethical claims. For Harman though, it appears that his theory works in the same way a singular cultural unit would establish an ethical framework as it would for two cultures making an ethical framework for themselves. Hume's rowing boat analogy works just the same for this type of moral framework as it does with a singular culture's internal moral framework. It would start with the implicit or explicit moral bargaining between the two, where they should figure out what types of moral conventions work best for the two cultures. The middle ground of these moral conventions will look the same as a moral framework

designed for one culture, where the conventions will exist as a way in which the expectations of each culture will be set. The other culture will be able to understand what their partner culture holds dear to them. This will allow the two-cultures to finalise their moral bargaining by adjusting their culture's behaviour to be in line with the mutually beneficial moral bargaining principles that are established. Following on from this, a common inter-cultural moral framework could be established. Those in the concerned cultures can act on the principles of convention set within the moral bargaining process to establish what is considered to be proper ethical action within the confines of these moral bargaining principles. This then lets the two cultures be able to move from making only (meaningless) intrinsic value judgments into being able to make (meaningful) inner judgments based on an established moral framework.

Harman's version of moral relativism is a sufficient response to the problems of naive or vulgar relativism. Harman has made the very nature of moral principles found within different social and cultural groups evidence against the vulgar relativists claim of moral anti-realism. It is within these cultural units that we can understand that the ethical principles which ethical agents are appealing to are real, and these ethical frameworks have meaningful impacts not only on their own lives but those within the group and sometimes impacts those of surrounding communities. To Harman ethics is not just a preference. The ethics in which an agent appeals to is something that does not only shape their preferences but is something in which the agent can appeal to make meaningful claims about the society in which they live. By shifting the observation of various cultures from evidence of ethical anti-realism to ethical realism, Harman has toppled the first hurdle of vulgar relativism. Its basis is not a hazy ill-defined concept of tolerance that is self-defeating, but the moral reality of frameworks and the inner

coherence of inner judgements. What it does reject is any moral universalism or essentialism.

Harman shows that yes, there are instances where cultures are unable to make meaningful statements upon the actions of another culture, like the cannibal example earlier in this chapter. Yet, it is much more likely for a culture to be able to make some form of tacit agreement with another culture to discover a new ethical framework for those cultures to effectively communicate about their ethical beliefs and actions. This is not a hard thing to observe within the modern world. Different cultures can effectively communicate what they expect of others and what others expect of them. The vulgar relativist would claim that we are making a mistake of interfering with other cultures and that any comments we make on them is ultimately fruitless. However, this is just absurd, since there would never be any moral and ethical exchange between cultures at all, whereas in reality there is. The idea of an extreme moral incommensurability is an example that we might find in an ethical textbook, but moral bargaining does takes place between different ethical communities, and the existence of different cultures does not shake our commitment to our moral frameworks.

Fortunately, then, Harman's more advanced and complex form of ethical relativism reinvents what it means to be an ethical relativist compared to the vulgar relativist. The outline of Harman's metaethical commitments and functional commitments to his ethics have provided us with a suitable candidate for us to pose against Nussbaum's theory of virtue. In the next chapter, we will ask what kind of response Nussbaum would have to the kind of moral relativism that Harman argues for. In this way, we will be able

to distinguish what is specific to her own moral commitments that take her further than

moral relativism of even the most sophisticated kind.

Chapter 3 - Nussbaum's Virtue Harman's Over Relativism

Now that we have discussed the failings of vulgar relativism and re-positioned Harman as the spokesman for moral relativism, we must next understand why even Harman's developed and more convincing form of moral relativism is not sufficient as an ethical theory. For this, we shall turn to Nussbaum, to examine why Harman's relativism is insufficient for our understanding of ethics. To do this, we will need to do a few things. First of which will be to briefly revisit Harman's theory to examine where the points of failure are, in doing this we will be introducing some of his works that support his theory not yet mentioned. Secondly, we will introduce Nussbaum's virtue theory as the solution to these critical issues in Harman's account. This is a kind of immanent critique of Harman's moral relativism, which hopefully demonstrates the validity of Nussbaum's approach. What is lacking in his account of ethical life can be made up by hers. Some of these issues will be directly in relation to the main theory spoken of in Chapter 2, and some will be in response to the works that will be introduced in this chapter. This will allow us to pave the way for our fourth and final chapter, where we will give a full and positive account of Nussbaum's ethics and its Aristotelian basis. This chapter will aim to highlight the issues that are apparent in the strongest form of moral relativism by demonstrating that even the best form of moral relativism is still insufficient for our understanding of ethics, if are to accept Nussbaum's critique, whose central contention is that our ethical life is ontologically grounded in our common humanity, as described by the virtues, rather than in the propositional structure of 'inner judgements' as outlined by Harman.

Our first issue with Harman's work is its reliance on propositional ethics. Harman's theory only allows us to make meaningful ethical claims in relation to propositional statements, where the action and the intention of the action are the only concerns. The reason why this is significant is because Nussbaum's theory directly opposes this viewpoint. Nussbaum's virtue asserts that character traits in terms of virtues are as important as the action and the intention behind the action. Nussbaum's response is best understood through establishing what the character traits in question are. Moral value exists only in the judgements of other's actions, but the person who makes these judgements disappears in Harman's account. It is as though what counts as a meaningful human life is of no ethical relevance. We would like to turn that around. We only make moral judgements because we are capable of meaningful ethical lives, rather than in its absence.

Harman's theory suggests that we are only capable of passing ethical judgement when an act is committed or is to be committed.[1] His suggestion is that the way to pass a correct ethical judgement is relational to the moral framework in question when the intentions and action of the agent itself is up for debate by another in that framework.[2] It is within the lack of consideration for an agent's character that the theory falls short. Harman suggests that people confidently attribute character traits to other people to explain their behaviour, but this is a mistake, since there is no such thing as character

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[1] While this idea is not expressed explicitly, it can be surmised through the formulation of 'inner judgments', where inner judgements are what holds meaningful ethical knowledge, and they are inherently propositional. See Harman, 'Moral Relativism Defended', pp. 4–5. Hereafter, MRD.

[2] Harman's notion of rational action suggests that it is up to the agent to recognise the means, ends, side-effects and consequences of any moral action. See Gilbert Harman, 'Rational Action and the Extent of Intentions', *Social Theory and Practice*, 9.2/3 (1983), pp. 123–41 (pp. 138–39).

traits.[3] Let us first state that Harman considers a character trait to be a long term and stable disposition in which a person can employ the relevant skills in a relevant way. Where the character trait in question is a positive virtue, such as courage, honesty or benevolence, and the inverse is true for the vices, such as cowardice, dishonesty and malevolence. (MPMSP, 316-317). For Harman, there is a fundamental misunderstanding whereby philosophers and psychologists have for many years been misattributing distinctive patterns of behaviour to an ethical agent's distinctive character traits. This is what he calls the 'fundamental attribution error', which claims that people often put too much emphasis on an assumed internal characteristic of an individual, ignoring or overlooking external forces that are particular to a certain situation (MPMSP, 315). His understanding of recent psychological studies which set out to discover psychological evidence of the philosophical conception of a character trait concludes that the philosophical understanding of character traits does not exist in psychology, therefore should not exist in philosophy. He claims there is very loose and unconvincing correlation between different behavioural measures suggesting that there is no empirical evidence that they exist and that these observers are projecting their own confirmation bias (MPMSP, 325-326). Furthermore, that the common folk psychology of the reliance on character traits is derived from misguided historical illusions that led us to this conclusion based on the studies he has examined that suggest that there is no empirical evidence that can support the existence of such character traits. Incidentally, Harman does not propose something must fill this void, rather than just shifting to a

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[3] Harman's overall argument in this journal is introduced here and overviewed in the next footnote but it remains unconvincing as my belief is that Harman does not sufficiently understand what character traits are, especially in relation to Nussbaum's virtue. This will be explained later in the chapter. See Gilbert Harman, 'Moral Philosophy Meets Social Psychology: Virtue Ethics and the Fundamental Attribution Error', *Proceedings of the Aristotelian Society*, 99 (1999), pp. 315–31 (p. 316). Hereafter, MPMSP.

new understanding of what the content of ethical language should be, which is the inner judgements we discussed in Chapter 2.

If character traits do not exist, then the virtues cannot exist either. This is because Harman's belief is that character traits are the same as the virtues and vices traditionally perceived in virtue theory. One cannot have those virtues as the virtues are a type of recognised trait of positive character, which do not exist and are perceived in error, according to Harman.[4] This makes sense as to why Harman's theory of inner judgements would be governed by propositional rules. If the ethical agent is not able to make meaningful claims about another agent's character traits, they are left only with the action in question, where judgement on that action cannot be in reference to the character of the agent. Instead, they must answer propositionally, where the moral 'ought/should (not) to' must be used in relation to the observed act and in response to an agreed moral framework. The understanding of this moral framework is relational to the result of a groups moral bargaining to make their lives better, rather than an appeal to certain character traits and displays of those traits that would be deemed morally valuable.[5]

This also means claims of any kind of moral absolute are therefore meaningless in Harman's theory. Let us use one of his examples. Harman might be correct to claim that Hitler ought not to (instead of should not, for he claims that is too weak (MRD, 6-7) have ordered the extermination of the Jews. However, under the permissible uses of inner

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[4] Gilbert Harman, 'Virtue Ethics without Character Traits', in *Fact and Value: Essays on Ethics and Metaphysics for Judith Jarvis Thomson* (MIT Press, 2001), pp. 117–27 (pp. 121–22).

[5] I explained moral bargaining in chapter 2, here is not the place for another full discussion of it. Please refer to Chapter 2 or MRD, pp12-13.

judgements, we are unable to claim that Hitler was evil, which Harman admits is what

people would want to do. As under Harman's ethics, we cannot claim ethical absolutes

as anything morally meaningful as moral absolutes are only made in relation to one's

character. Yet I would argue that when we make a claim against the intrinsic value

someone has, where a moral absolute is concerned, we do not do so for the bargaining

of a moral framework. Instead, when we claim that Hitler was evil, we are making a

claim about the intrinsic virtues of Hitler. Essentially, when we claim that he was evil, we

are making a claim that the Hitlers was fundamentally flawed as a human being. We

make these claims not in relation to a preconceived notion of what acts are morally

permissible in a certain culture. Rather, we do so in terms of a common humanity. We

make this claim with the understanding of what Hitler's evil was with reference to what

it is to be a good human being. It is for this reason that Harman has to deny character

traits, because he has to deny virtues, otherwise ethics would be more than merely

relational judgements.

This type of propositional ethics that is without the ability to make meaningful claims

about someone's character misses the intrinsic value (or lack thereof) that an individual

has ethically speaking. It misses out an ontological understanding of our ethics, where

what it means to be a good human is something we look for beyond culturally specific

propositional moral statements, where we claim someone is flawed in terms of a

common humanity rather than merely a relational value. If we are limited to make

claims only in relation to ethical action and by that, only in relation to a culturally

specific moral framework, then we are limiting ourselves in how we would talk about

ethics. Here there is a basic difference in understanding ethics. One is propositional

and the other ontological, and I would argue that Harman's relational ethics lacks a full

explanation of what is to be human. We do make judgements of moral character outside of an action and in direct contrast to Harman's suggestion. His ethics does not feel satisfactory in this way. The major issue with this is Harman's misunderstanding of what it means to consider character within an ethics. By this, I mean that I understand Harman's work to be strategically cherry-picked to reinforce his point, where his argument for the fundamental attribution error rest on that of a handful of social psychologists that are speaking in terms of psychology and not moral philosophy.[6] My argument against Harman's account of character traits is that his understanding of character traits is found only within a niche community of social psychologists. This is something that does a disservice to the concepts covered within metaethics. I would argue that psychology would never understand character traits in the way that a philosopher should understand them, much less an ethicist and even less any Aristotelian. To reimagine virtues, we will shift our focus onto Nussbaum understanding of character agency in ethics and correct Harman's thin view of character traits. In doing this we will be able to give a full and proper philosophical account of the virtues and then contrast that with Harman's rather limited description.

Let us start by assessing Harman's claims surrounding character agency, then we shall establish the correct form of virtue centred character within Nussbaum's theory. If we are to consider Harman's understanding of moral virtues and vices, we should understand them as part of a different form of virtue theory. This is because he relates

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[6] This article is in support of my claim, where Harman's understanding of the virtues is seemingly not founded within either of the major branches of the study of virtue. Such as Aristotelianism or Thomism. Harman's account of virtue deliberately negates an ontological commitment to the virtues, which is a fallacy as to what the virtues are to a moral philosopher who follows either of these branches. Where the virtues are intrinsically based within an ontology. See Anne M. Wiles, 'Harman and Others on Moral Relativism', *The Review of Metaphysics*, 42.4 (1989), pp. 783–95 (p. 787).

the virtues and vices to a moral duty. Where the moral duty suggests a requirement and expectation of the ethical agent. This should be concerning to an Aristotelian like Nussbaum, as without an explanation the concept of virtues in relation to human flourishing, moral duty can become relative through cultural notions of duty. Nussbaum's concept of virtues is wholly normative, where the virtues only have a significance with respect to a singular and objective account of the human good (NRV, 33).[7] Nussbaum does not suggest that it is a duty of a person to be virtuous, but instead to practice the virtues is to fulfil the function of what it means to be human. Why is this so significant though? If we are to understand the importance of the character involved in moral discourse as proposed by Nussbaum, we will be able to do two things. Firstly, we will be able to make meaningful ethical absolute claims, such as 'Hitler was evil', which cannot exist in Harman's work. Secondly, we will lay the groundwork out for understanding the virtues as a normative account of what is recognised to be correct action 'trans-culturally' and 'trans-historically'.

Nussbaum's understanding of character agency in her ethics does away with the requirements of understanding individual moral frameworks for the ethical agent as required in Harman's theory. Instead, a unified account of what the good life is replaces a relational account of inner judgements to a moral framework. A common humanity is both spatially and temporally universally normative. For humanity, being human is an absolute rather than a relative value. It is standard against which all cultures would be

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[7] Harman does not comment on whether he feels that character traits are relative in terms of moral duty, but the suggestion is worrying, as such we will make the argument that Nussbaum is not a relativist in this way, and we shall work on correcting Harman's understanding of the virtues. Furthermore, Nussbaum will not be arguing for this form of relative virtue ethics. While she does not directly argue against Harman's notion of virtue, her rebuttal of relative virtue in general, which we will see later will be more than enough to explain what her criticisms of Harman would be.

judged, rather than a judgement between cultures. In its absence, there would no external position to history. History would be told by the victors, and a victorious culture could claim that it was more human simply because it had won.

Let us first make clear that we will use a lot of references for Aristotle when considering Nussbaum as their theories of virtue overlap a substantial amount. Nussbaum is a strict Neo-Aristotelian, as her theory can be considered a sort of reimagined form of Aristotle. Nussbaum's ethics is a virtue ethics meaning her work is a self-contained theory, much like Aristotle's in this way and coincidentally follows the original virtue ethics proposed by Aristotle very closely.[8] This means that we will largely use references to the *Nicomachean Ethics* for a lot of her work. Nussbaum does not invent a new metaethics. Rather she shows us that Aristotle's ontological commitments in his ethics shows us a way to answer the moral relativism of our contemporary age.

We should now establish what the significance of character is in Nussbaum's work. For Nussbaum and Aristotle, the virtues and vices of human action are intrinsically tied to the explanation of what it means to be a good human. In other words, excellence of moral character within Nussbaum's theory is directly tied to human flourishing in a non-relative manner. The virtues are not only normative for Nussbaum but are also part of the ontological function of what it means to be human, where the virtues are the rational means of correct action (NE, 1.7, 1097b22-1098a22) and where a choice is non-

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[8] While not important for the body of this chapter, Neo-Aristotelian virtue ethics summarised closely follows Aristotle's original theory, where it is a teleological form of ethical naturalism which focusses primarily on the flourishing of one's own character and their impact on the world surrounding them through an understanding of experiences one can have as an individual. This is done through understanding and actioning the virtues through practical wisdoms. See *The Oxford Handbook of Virtue*, ed. by Nancy E. Snow (Oxford University Press, 2018), pp. 321–22.

optional and somewhat problematic (NRV, 37).[9] This notion of non-optional and somewhat problematic required choice is what is considered to be the subject of ethical choice, where the desired outcome would be good and proper ethical action and an ethical response is required in a potentially contentious social situation.

This is best understood by briefly reminding ourselves of Nussbaum's essentialism as we described in Chapter 1. For Nussbaum, the goal of her ethics is not a linguistic one like Harman's. Her ethics is not meant to provide an explanation for how we should make sense of cultural differences relatively and propositionally. Her ethics is a claim about answering what the specific and correct function of human life is normatively, where an essential function of humanity should be understood, and where the answer is found in correct and rational action. This is quite unlike Harman, who claims that the virtues are titles given to someone who behaves virtuously within what that culture perceives to be virtuous. Harman's belief is that the virtues are a) non-normative and b) assigned in error. Where the assumption of a) likely hangs from his own ethics, being that displays of these virtues could be wildly different in different cultures with different moral frameworks and therefore non-compatible with a normative understanding of ethics (NRV, 34).[10]

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[9] This is the most concise way of understanding what is perceived to be the subject of ethical discourse within Nussbaum's ethics. It is left open and broad deliberately due to the nature of her ontological commitment, which we will discuss properly in Chapter 4, as her conception of ethical discourse must be normative. An ethical situation demands that we respond, so it is non-optional, but also the course of action is not proscribed in advance and so it is problematic. These choices are made in relation to the virtues rather than relational account of inner judgements as they are described by Harman.

[10] As we have already established, Harman does not explicitly state that he believes the virtues are relative or normative. However, we will deduce based on the language used that his assumptions are that virtues are relative, through his use of 'duty' and in relation to his understanding of moral frameworks, where a 'duty' of an ethicist would not necessarily be the term used but rather the 'expectation' of that ethical agent is to fit in with the culturally relative moral framework they reside. Harman's understanding

Yet does Harman's definition of virtues fundamentally misunderstand what they are? If we examine how Aristotle recognises the virtues to be then we shall understand that not only was Harman's understanding of virtue is wrong, but also that virtues are a naturalistic account of what is normatively recognised as the result of a good character. Instead of assigning virtues within a relativistic way, Aristotle's conception of virtue ethics and therefore virtue is an argument about what any meaningful human life might be. Firstly, we must appreciate and remember that everything done in Aristotle's and Nussbaum's virtue is in the pursuit of finding an explanation of what is the good life for a human ontologically. In this, Aristotle singles out various spheres of human life with which any and all human beings are known to have in some form of regular or necessary dealing (NE, 2.7, 1107a0-9). A singular sphere of human life (or what Nussbaum will call a sphere of human experience) is what we would recognises as a regular or necessary 'experience that figures in more or less any human life', and where a human being 'will have to make *some* choices rather than others, and act in *some* way rather than some other' (NRV, 35). These spheres of human experience are as essential to us as the dependence on food and drink for a full and good human life (NRV, 50). Moreover, these spheres of experience are autonomous. Each one of these spheres can be isolated as a unique from other spheres of experience and the question can then be asked what the correct choice of action within that sphere would be, and similarly, what would wrong action look like in that sphere. At this stage, we only have a thin account of actions so far. We are merely concerned with the preferred character traits (virtues) that one should display and consequently what the wrong traits (vices) would be in these

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of virtues is that they are relative. Nussbaum's position is completely the opposite, since this is an ontological error on Harman's part.

situations and where there may be multiple correct ways to act in these spheres. What we are interested in currently is what the recognised preferred trait to be exhibited is (NRV, 35). By this, we mean the spheres of experience do not inform you directly if you should act like A or act like B, but they are concerned with what are the correct motivating attitudes that would lead you to act.

The virtue ethicist must then examine all positive and negative traits. The extreme, whether too little or too much, would be a vice, and where the mean of these two extremes, a virtue. The doctrine of the mean relates to the disposition applied to one of these spheres of human experience when action is, as previously mentioned, non-optional and somewhat problematic. In this enquiry, the correct mean of an applied disposition is what is meant by a virtue (NRV, 35).[11] We shall be examining this doctrine of the mean in more detail in the next chapter. For now, though, the doctrine of the mean is the principle that Aristotle follows showing the recognition of the appropriate disposition of an ethical agent within a sphere of experience. It is important not to confuse this mean with a mathematical mean, as though it were merely a central point of geometrical line, for an example. Instead, the doctrine of the mean is primarily meant to signify the importance of recognising the virtues as found between the vices and surrounding the same sphere of experience (NE, 2.6, 1106a28-1106b35).

Notice how the virtues are explained as correct displays of disposition within the spheres of ethical experience for all humans. Virtue theory is not relational in the way that Harman describes inner judgements. Instead, virtue theory attempts to recognise

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[11] Please refer to this list of virtues given by Nussbaum here and their relevant spheres of human action. It is not necessary for us to list them for our critique of Harman. Instead, it is only necessary to know the function of virtue. We shall return to the spheres of human action or experience in the following chapter.

these spheres of human experience as transcultural and transhistorical. In other words, they are normative, rather than just descriptive. This is because the focus is on 'spheres of existence' rather than on propositional judgements, and how these spheres, which are common to humanity, are expressed through virtues and vices. It is not the act that is important, like Harman would suggest. Instead, there is no one way to correctly act within the spheres of human experience. It is the correct disposition coupled with the action that is admirable. Admirable because it takes one with the ability to regulate their temperament to not only recognise the correct amount of virtuous action required, but also one who can recognise their own unique situation and abilities to enact the dispositions required for correct ethical decision. This is what is known as the intellectual virtue of practical wisdom or *phronesis,* which is a capacity that all human beings have as both practical and rational (NE, 6.8, 1141b23-1142a31).[12]

Intellectual virtue answers an immediate issue presented by Harman's moral frameworks. They provide of a rulebook of the correct forms of action within a certain moral culture. The moral framework is concerned with correct action, and those within that framework are assumed to have the correct motivating attitudes towards their moral framework (MRD, 4-5). This in turn is evidence for Harman as to how there is no singleness of solution to a single ethical problem. This is the idea that within a single moral issue that there may be only one solution to said issue. What is meant by this is that Harman's moral frameworks, without character agency, are only able to prescribe what is the expected correct ethical action in each circumstance. This is part of the

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[12] *Phronesis* is the intellectual virtue found at the bottom of Nussbaum's list of virtues that are common to all human beings since they are related to common spheres of human experience, which we referred to above. Again, we will go into this in much greater detail in the next chapter. At this stage, we just want to show the difference between her approach to ethics and Harman's.

reason as to why Harman is a relativist. For him, understanding moral frameworks and suitable ethical action within them shows him that there is no one way to enact correct ethical action. Also, it is incredibly likely that one moral framework would never have the same motivating attitudes to a certain moral problem as another, due to their distinct social and historical cultural upbringing. This is because there is no recognition of moral character and therefore no desired character traits to appeal towards. These moral frameworks are only able to prescribe the correct motivating attitudes in relation to a single action, or in other words the solution, to any one moral dilemma, or the problem. The result of this is that there is an expected feeling of non-compatibility between these moral frameworks, as there is no common ontological understanding of the virtues. Harman would consider this a strength to relativism. This apparent non-compatibility of various moral frameworks shows that each morality will permit only one (or perhaps a few, but regardless a predetermined amount of) correct action(s). These few correct actions, however, vary across different moral frameworks and are evidence, in Harman's view, of the correctness of relativism, since there cannot be any one right way to act ethically, as each moral framework would likely suggest a different solution.[13] Even if character traits did exist, then they would be interpreted variously through different moral frameworks.

This brings us to the key question that differentiates Nussbaum's and Harman's approaches to ethics. Can the spheres of experience can only be perceived from a culturally bias lens, which would make any theory claiming a neutral perspective in

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[13] Even if the motivating attitudes to a singular moral issue differ but the solution may look the same in the form of the act between two moral frameworks does not mean that the solution was the same. The culturally distinct formulations of the solution show an incompatibility between the frameworks as the motivating attitudes would be different.

relation to the spheres of experience itself culturally biased? This would then mean that the theory is unable to successfully provide a neutral normative account of the virtues as the virtues themselves stem from a culturally biased understanding of the spheres of experience. Those who would deny a common humanity would argue that there is no way a person could interpret the common grounding experiences, which are grouped into the spheres of experience, without some form of cultural bias. This is because they would claim that the spheres of experience, and therefore the virtues and vices that are grounded in them, must be understood through one's cultural perception of them, if they are to be understood at all. If you attempt to understand something, then you cannot do so from an 'innocent eye' perspective. Your perception of any act will be influenced by your beliefs, upbringing, quality of your senses, and so many other factors that could lead action to be interpreted in various way by many observers. This means that the observer is only able to perceive the spheres of experience from a culturally influenced lens. This is an issue as the starting point for the Aristotelian ethicist as the very idea of the spheres of experience is that they are to be understood from a culturally neutral and therefore a normative perspective. Those who object to such a perspective would argue that it is a naïve idea to suggest that there is a single non-relative discourse of the human experience, as we cannot comprehend these terms without a culturally influenced lens (NRV, 40-42).[14]

The approach of the virtue ethicist is vastly different to the relativist, where the virtue ethicist would disagree with the idea that cultural differences signify non-compatibility

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[14] This is how Nussbaum explains relativist argument against her own metaethical position, but I believe that it does relate to our explanation of Harman. In other words, we could imagine Harman making such objections.

of different cultures ethics. Each culture in its own way expresses a common humanity that is uncovered in the spheres of human experience, but this does not mean that this sphere is different for each culture, otherwise there would not be a common humanity at all. Not once in Nussbaum's work is it claimed that she believes that there is a singular correct choice in any of these actions. Rather the good virtue ethicist is correct in their action when they display the required disposition in the required amount, which will be reveal through the insight and experience of the application of practical wisdom. Nussbaum appreciates that there are various cultural practices globally that differ from one another. What Nussbaum does suggest, though, is that these cultural differences are not evidence of a deep ontological incompatibility between cultures. On the contrary, there are common spheres of human experiences which are normatively applicable even if virtues might be applied differently. They are the same virtues, but they may manifest in different ways and perhaps as different acceptable levels of application of a virtue in certain instances. They are the same virtues, just shown in various ways (NRV, 44).

This is best understood through an example as to what this 'commonality' of spheres of existence and virtue might be. Suppose that people from all timeframes and cultural units are sat around a table. A modern Englishman, Socrates, a feudal Japanese Samurai and any others you may think of. Each one of these individuals would be able to recognise the same feelings/dispositions such as friendship, hunger and thirst. These are recognised because these feelings are intrinsic to human life, since one cannot be human without the ability to feel varying degrees of hunger, from famished to full, thirst from parched to quenched and friendship from loneliness to companionship. Equally, Nussbaum claims that these individuals would also recognise the spheres of virtue

where the thin definition is concerned and equally, would recognise what positive action and negative action would be within these virtues. Such as the fear of important damages, where courage, brashness and cowardice are found to be the virtue and vices within this sphere (NRV, 44). Cultural differences do not abolish our common humanity, which is what the virtues express, and Harman cannot recognise it because he has no ontology of humanity. For him, ethics is merely an expression of 'inner judgements' rather than a way of life. Since, ethics is merely a judgement of an action, then it makes sense to say that the meaning of that judgement is relative to a moral framework, in the same way that the meaning of a word, if you thought of language in that way, is relative to the history of a language. For Nussbaum, and other Neo-Aristotelians, ethics is not just a matter of judging an action right or wrong, but the expression of a character, and character here is not a psychological category, but an ontological one. It expresses what it is to be human for all humans. In this way, it is a fundamental ontology, and merely a relative one.

This example is designed to highlight a disconnect that the objector believes they recognise, where the relativist such as Harman would suggest that there cannot be one correct form of action universally. However, the mistake the relativist makes is concerning the subject of the judgement concerning an assumed singleness of action. The virtue theorist is not arguing that this is untrue. They are not arguing that there can be a universal form of judgement like a Kantian Categorical Imperative, but what they are claiming is Harman's characterisation of ethics lacks ontological depth because he

only views ethics in terms of judgement rather than character.[15] The virtues are not enumerated in a fashion which suggests that the ethical agent must follow a certain action within its guidelines. Instead, the ethical agent is urged to act virtuously, however that may be. The correct form of ethical action is whichever displays the correct virtue at the correct time. The virtue ethicist is correct in suggesting that there may be singleness in solution to a single problem, but this 'singleness' lies at the level of virtue rather than a judgement. The solution could display itself in many forms of action, but every solution acted upon would display an excellence of character, or in other words, a virtue. Each virtuous solution to an ethical problem is context sensitive (NRV, 45).

Due to them being so open to interpretation, the virtues provide us with another solution which Harman's relativism would struggle to combat. This issue surrounds development of a society and how one would handle ethical change within that society. For Harman, the issue is as follows: moral frameworks suggest that a form of moral bargaining has been made in order to conclude and set up said moral framework.[16] However, an issue arises when change must happen within that framework. When someone does not act right within that framework the answer is simple, they are simply not acting by the moral standards of that culture. But what happens when a large proportion of that culture decide they will act again that moral framework? What

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[15] This is an issue that Nussbaum believes is an easy trap to fall into for moral realist relativists. In Harman's, case the argument would be that his commitment to realism is so focused on an external account of a realist interpretation of relative ethical facts that it ignores what ethical realism should be, which is an account of the ethics that its essential to being human, which might be called essentialism. Perhaps this is why Harman's rejection of character traits is so important to his theory as his metaethical commitments to his ethics almost become a metaphysical discussion by rejecting character traits and speaking of ethics as something that is not an immanent study, rather for him it is a more 'fly on the wall' approach. Making an account of ethics by attempting to justify through observation of what his theory entails but ignoring what ethics should mean to an individual. See Nussbaum, 'Human Functioning and Social Justice', pp. 212–14.

[16] Harman, 'Justice and Moral Bargaining', pp. 123–25.

happens to the framework? My suggestion, for how Harman has set up his argument, would be that everyone who acted against the initial framework would be judged as immoral. It does not sit well to suggest that due to cultural changes that naturally or unnaturally happen in a cultural unit cause those within that moral group to be pariahs to their own moral system. We expect this type of social change for a lot of reasons, but the issue lies in what happens to the existing framework. We are still considering the same cultural group, but there is a disconnect between what was initially concluded under moral bargaining. So, the question is, is it now a different cultural group we are judging? The individuals are the same just their ethical beliefs are different. Or is the current moral framework entirely defunct and a new one should be established? Harman's concept of moral frameworks seemingly does not allow for development of a framework once constructed. This then leaves us with the two options at hand. These cultural changes will be gradual and constant with the new values reflected in the daily lives of those within that culture, or there is a stagnant and immovable moral framework. Yet the latter is not recognised with what we observe in the world, since we are all aware of the historical situatedness of ethical life and its transformation.

In order to find a solution to this issue, we must turn once again to virtue, where we cannot imagine a situation like this could possibly occur. We must understand that the virtues at hand are, as already spoken about, guidelines to correct ethical action. Furthermore, we must understand that the thicker concept of these virtues are not stagnant, like Harman's moral frameworks (NRV, 36-37).[17] The Aristotelian virtues and

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[17] In this case, a thick understanding of a virtue is in reference to the perceived value and dispositions displayable for it to be considered a virtue within a certain moral culture. Unlike the thin definition of a virtue, which we have already discussed above.

the deliberations they guide are always open to revision when considering situations like cultural change, circumstances or even simply just new evidence. There is some level of pluralism and respect for difference inherent within the theory.[18] What these factors may be can vary. Sometimes, we will notice that the change in the thick definition of a virtue is only slightly different, or perhaps more so. All of these accounts of a virtue may be accepted without issue in any given culture. What is the right thick and concrete definition of a virtue is always able to change (NRV, 45).

In this way, and perhaps ironically, an ontological commitment to the existence of a common humanity as expressed through spheres of experience and the virtues is more flexible and nuanced than moral relativism. Nussbaum's theory operates with ease around the topic of cultural change. One cultural group is not expected to be stagnant in their moral commitments of virtue. Instead, moral progression is actively encouraged within Aristotelian virtue ethics. Through ethical progression, we will develop a better and fuller understanding of the virtues and vices. Eventually, the progression of the definitions of the virtues and vices leads to a more convincing theory of cross-compatibility within various ethical cultures in comparison to Harman's theory (NRV, 37). In Nussbaum's Neo-Aristotelianism it is fundamental part of being human to be ethical, but how that ethics is expressed is not an invariable across different cultures. Nonetheless this variation does not negate our common humanity. Indeed, it is our common humanity that allows it.

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[18] This article outlines and affirms the work Nussbaum did in relation to women's rights and gender equality, which is closely related to her theory on the virtues. Her virtue ethics is used in support of her work on feminism. Of course, if Aristotle had laid it out what it meant to be virtuous once and for all, there could be no version of a feminist virtue theory. For an explanation of the relation between Nussbaum's feminism and virtue theory, see Latika Vasbist, 'Martha Nussbaum's Capabilities Approach: Perils and Promises', *Journal of the Indian Law Institute*, 52.2 (2010), pp. 230–66 (pp. 234–35).

Moral relativism, even in its developed form such as Harman's, is inherently flawed. A propositional form of moral relativism cannot take into account the idea of a moral character and disposition. The idea of a life lived well is completely alien to it. All that matters are correct judgements in relation to an arbitrary moral framework. Furthermore, his solution to this issue that character traits do not exist as anything more than dispositions is not convincing. Rather than refuting the existence of character, Harman must presuppose it cannot exist for his own ethical theory to exist. I believe that this is phenomenological false, and it is no surprise that Harman can only evidence their absence by appeal to a few studies in social psychology. On the contrary, I would argue that character belongs essentially to what all of us understand as a worthwhile ethical human life. This would require us to reject Harman's model of ethics as merely one of inner judgements that relate to a contingent moral framework. Harman's understanding of character is deficient in relation to the character traits of virtue and vice found within Aristotelian ethics, which provide a much deeper and more accurate account of what it is to live a fulfilled human life. An ethical absolute is not to be discovered in judgements but in a person's moral character. This character is the foundation of their actions they commit, and the ethical agent in question is never bound to a single culture's interpretation of what correct action is. This thesis is not attempting to say that every form of ethical relativism will fall into one of these issues every time however similar issues are very likely to persist. Why then stick with relativism? Also why does relativism often fail to recognise the importance of ethics within the very fabric of what it means to have a meaningful human life? Nussbaum understands virtue from the perspective of essentialism. We cannot understand ethics unless we understand what a worthwhile human life is. A worthwhile human life is

expressed through character that is the result of the putting into action of virtues. In the next chapter, though we have already referenced this understanding of ethics in this chapter, we will have to explain Nussbaum's ethics in a more detailed manner, and especially its indebtedness to Aristotle. I have organised this thesis in such a way as to start with moral relativism. I have done so because I believe that moral relativism is the dominant meta-ethical standpoint of our age (nihilism is perhaps the way that Nietzsche would describe it). Harman is the most sophisticated form of this relativism from an analytical perspective, but I think that it lacks the kind of ontological depth that we find in the moral in the virtue theory of someone like Nussbaum. Of course, if one does not see this depth, then it is not likely to convince our moral relativist, which is the reason, why I think Harman needs to dismiss the very idea of virtue and moral character. He knows that if they did exist, then they would deal a moral blow to is relativism. The point is not that we share the same moral judgements about the world, but that we share a sufficient common humanity such that we can appeal to a non-relational ethics. If you do believe that everything is propositional, then I doubt you be convinced by Nussbaum's account. There is a fundamental philosophical divide here.

Ethics is not merely a functional linguistic approach to categorising what ethical language is. Instead, ethics is about persons, who may well be influenced to some degree by culture, but persons who contain their own person desires and needs. Effectively we have seen that moral decisions and evaluations are unsatisfactory when considering the logical norms of ethics seen within Harman's inner judgements. Instead, ethics must be based on an ontological account of the nature of all persons.[19]

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[19] Wiles, pp. 793–94.

In the next chapter, I will give a more positive account of what this ontological

foundation is by concentrating on the Aristotelian origins of Nussbaum's virtue theory.

Chapter 4 – A Positive Account Of Nussbaum's Virtue Ethics

We have now established that moral relativism is flawed. Even Harman's developed relativism leaves the ethicist limited in the use of their ethical language. When we make an ethical claim, we want our claims to be able to contain more meaningful ethical language than Harman's inner judgements are able to. As I explained in the previous chapter, we would want to include claims about a character's agency that has as much to do with their integrity as their actions. This is where our dissatisfaction with Harman started, and our turn to Nussbaum followed. She claims that our ethics should be understood ontologically. There is a common grounding of human experience, where claims surrounding one's character are meaningful. She would also reject Harman's disregard of character traits and instead welcomes them as pivotal within her theory. To complete our argument in this dissertation we now need to make a positive account of Nussbaum's ethics.

We have already explained her commitment to her essentialism, and we have already explained the virtues in terms of response to moral relativism. This leaves us now with the requirement of identifying what Nussbaum's ontological commitment is and how it relates to her essentialism. This will be our first task of this chapter. Then we need to establish what Nussbaum's theory is beyond the level of metaethical claims. In other words, we need to examine the ethical theory that operates under her metaethical commitments. Because of how Nussbaum has established herself against the moral relativist, this chapter will be a positive account of Nussbaum's ethics, where the argument for her ethical viewpoint has already been established in the previous

chapter. This chapter is meant to provide the reader with further backing for the

arguments made in Chapter 3, where we only considered the merits of her argument as

an alternative to relativism.

In this chapter, we will consider Aristotle and Nussbaum as relatively interchangeable,

as it is my argument that when it comes to the ontological basis of her ethics she sticks

pretty much to Aristotle's account.[1] We will make distinctions between the two, when

necessary, but these distinctions will be made obvious. Outside of these divergencies,

we can assert that there is a large overlap in theory between Nussbaum and Aristotle.

Let us begin with a deeper analysis of Nussbaum's ontological commitments as this will

provide us with further context for her theoretical commitments. This will require some

context from Aristotle's rejection of Platonism too. We will then discuss the

fundamental nature of a theory of virtues required for a deeper understanding of

Nussbaum's ethics.

Nussbaum's metaethical argument is like Aristotle's as both have a deep ontological

basis to their ethics. Pivotal to Aristotle's ethics is the definition of what a good life is. It

is impossible to know what such a life might be unless we have some understanding of

what it means to be human.[2] In her political philosophy, Nussbaum describes what it is

to have a good life through capabilities, which we understand as basic 'ability to be' that

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[1] For the Aristotelian roots of Nussbaum's ethics see Séverine Deneulin, 'Recovering Nussbaum's Aristotelian Roots', *International Journal of Social Economics*, 40.7 (2013), pp. 624–32 (pp. 626–28), doi:10.1108/IJSE-2012-0127.

[2] This chapter goes into further detail about Aristotle's contextual commitment to his philosophy in terms of how his ontological basis of philosophy opposed the status quo of his contemporaries, in doing this, it must categorise his ontology. For a similar approach see Christopher P. Long, 'The Ontological Reappropriation of Phronēsis', *Continental Philosophy Review*, 35.1 (2002), pp. 35–60 (pp. 35–37), doi:10.1023/a:1015180421385.

is necessary for any meaningful human life.[3] In terms of my understanding of her

Aristotelianism, I will be focusing mainly of her seminal work *The Fragility of Goodness*

and surrounding important articles such as 'Non-Relative Virtues: An Aristotelian

Approach'.

As Nussbaum argues in *The Fragility of* Goodness, Aristotle's ethics can be approached

first of all as a rejection of Plato's ethics, which stems from his dissatisfaction with the

mathematical approach to ethical life that Plato provides. Plato claims that human

experience is fallible so we should look beyond what we can experience to the Forms to

find any truth in this world.[4] Both Nussbaum and Aristotle reject this notion. They claim

that there cannot be one single good that would include both theoretical and practical

knowledge. They also reject Plato's definition of the transcendent good found only in the

Forms (FOG, 295). For Aristotle and Nussbaum, the good is found within appearances,

the truth of the *phainomena*, which is the world that we inhabit, rather than a world

beyond this world. *Phainomena,* as Nussbaum interprets Aristotle, is to be understood

as 'our beliefs and interpretations, often as revealed in linguistic usage' (FOG, 244).[5]

Truth, as it relates to our ethical lives, can only be found within an account of the

content of the immanent and lived human experience. In this way, truth within the

appearances is a rejection of Plato's theory which relies on a god's-eye perspective of

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[3] We will explore her compatibility approach further later on in this chapter. However, for now we will only signpost that it does differ to Aristotle's ontology. Deneulin, pp. 624–26.

[4] Nussbaum writes 'It is Plato who most explicitly opposes *phainomena,* and the cognitive states concerned with them, to truth and genuine understanding; it is Plato who argues that the *paradeigmata* that we require for understanding the most important subjects are not to be found in the world of human belief and perception at all.' See Martha C. Nussbaum, *The Fragility of Goodness: Luck and Ethics in Greek Tragedy and Philosophy*, Revised. 2001 (Cambridge University Press, 1986), p. 242. Hereafter, FOG.

[5] Nussbaum states further 'To set down the *phainomena* is not to look for belief-free fact, but to record our usage and the structure of thought and belief which usage displays.'

the Forms. Aristotle insists, according to Nussbaum, 'that he will find his truth *inside*

what we say, see, and believe' (FOG, 243). This means that for the basis of ethical

thought, Nussbaum and Aristotle agree that the subject of that ethical contemplation

should be rooted within a philosophically/ethically understood appreciation of an

ethical agent's own experiences to understand what ethical action is. It is the *immanent*

nature of one's own experience of being human that is the basis of ethics. Nussbaum

rightfully explains on Aristotle's behalf that even if the human mind is fallible that we

should still 'defend a method that is thoroughly committed to the data of human

experience and accepts these as its limits' (FOG, 291) and that 'truth *in* appearances, is

all we have to deal with; anything that purports to be more is actually less, or nothing'

(FOG, 291).

This is why Aristotle believes that Plato was wrong in his pursuit of the life of

philosophical contemplation. Even if they both believe this life is admirable, the path in

achieving it is vastly different (NE, 10.6-7, 1177a12-1177b3).[6] Aristotle shifts his focus

from a divine good (the Forms) to the good observable for us, which means that the

good must then be considered a species-relative matter (FOG, 292). It follows if the

good can only be found in a species-relative matter then the good must be found within

a life a human can live. If this is so, we must learn the characteristic functions of

humans. As Nussbaum writes, a good life 'must be a life that we, as we deliberate, can

choose for ourselves as a life that is really a life for us, a life in which there will be

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[6] As a note, Nussbaum does not agree with this conception of what the good life is, but we will discuss this later in the chapter.

enough of what makes us the beings we are for us to be said to survive in such a life.' (FOG, 293). In other words, whatever it is that makes humans, humane.

Aristotle argues the perfect life of a human is what should be considered the good life, (NE, 1.7, 1097a25-37) or what it otherwise known as *eudaimonia* (NE, 1.7, 1098a3-18). For Aristotle, this state of being is achieved when all characteristic functions of being human are met and excelled at consistently, and in which a happiness and contentment is found within those functions, as the functions that constitute *eudaimonia* often contain an element of pleasure when performed well.[7] This is Aristotle's good, or *eudaimonia*, the singular supreme good, which is comprised of various other goods (otherwise understood of activities that promote the function of an individual) that all stem from observations of the nature of humans. However, where Aristotle speaks of what functions as a good human life, Nussbaum will speak of capabilities. Aristotle claims that the function of humanity must be met to excel and achieve *eudaimonia*. *Eudaimonia* entails a commitment to rational principle that is in accordance with activity of the soul (NE, 1.7, 1098a14-18).[8] Nussbaum suggests that the function of humanity may not be able to be met in regards to Aristotle's conception of *eudaimonia* for various reasons, which are usually social, political or financial. However, this should not prohibit one from achieving a significantly ethically positive life. This is the foundations of her capabilities approach. Instead of focussing on fulfilling the function

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[7] Martha C. Nussbaum, 'Who Is the Happy Warrior? Philosophy Poses Questions to Psychology', *The Journal of Legal Studies*, 37.S2 (2008), pp. S81–113 (pp. 588–89), doi:10.1086/587438.

[8] Aristotle writes 'if we assume that the function of man is a kind of life, namely, an activity or series of actions of the soul, implying a rational principle; and if every function of a good man is to perform these well and rightly; and if every function is performed well when performed in accordance with its proper excellence: if all this is so, the conclusion is that the good for man is an activity of the soul in accordance with virtue, or if there are more kinds of virtue than one, in accordance with the best and most perfect kind.'

of being human, the capabilities approach can be loosely defined as 'an approach to comparative quality-of-life assessment and to theorizing about basic social justice.'[9] Nussbaum concentrates on the questions surrounding what each person is able to do and who can they be. This approach intermixes classical Aristotelian notions alongside an account of basic social justice to conclude that the content of a good human life can and should be understood on a person-by-person basis, where the social, physical and political capabilities of an individual will be considered. The goal of the capabilities approach is to set a political and social benchmark for human flourishing but at the same time recognises that this needs to be expressed at a personal level. The goal of an individual is to be ethically and politically good regarding what they can capably achieve.[10]

Nussbaum's ethics recognises that ethics is an intrinsic function of humanity, but not everyone is able to fulfil the full scope of Aristotle's definition of ethics, nor does she agree that the life of philosophical contemplation, or the supreme good of virtuous activity of the soul, must be the result of an ethical life. Instead, she does argue that one should attempt to be as ethical as possible through the virtues. The end goal is not contemplation or a philosophical life, but to promote a society why everyone can flourish, which would be achieved by promoting the political and ethical freedoms/liberties found in the capabilities approach (CC, 41-42). Like Aristotle then, Nussbaum views ethics as not only inherent in a human life, but it is also critical to

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[9] Martha C. Nussbaum, *Creating Capabilities: The Human Development Approach* (Belknap press of Harvard University press, 2011), p. 18. Hereafter, CC.

[10] Nussbaum writes, 'it insists that the political goal for all human beings in a nation ought to be the same: all should get above a certain threshold level of combined capability, in the sense not of coerced functioning but of substantial freedom to choose and act' (CC, 24).

providing meaning to an individual's life and cultures alike. If we accept that ethics is grounded in it what it means to be human, and being human is something that we all share, then we will be able to see how ethics can be guide for meaningful life that would have significance across different cultures and not just with one moral framework that would be incommensurable with all others.

Eudaimonia, then, is the pursuit of fulfilling the function of what is to be human for all humanity, and not just for one community. Both Aristotle and Nussbaum recognise that the pursuit of *eudaimonia* must be a normative one, where the essentialist understanding of *eudaimonia* means that their ethics must be all encompassing absolute. This does not mean that the content of a flourishing life might not be cultural and historical, but that the fundamental goal of a flourishing life is something that humans share and ought to be put into practice for the benefit of all. For Plato, the Good transcends humanity. For Aristotle, in contrast, the Good is what is achievable for humanity. For *eudaimonia* to be attained, there is a level of introspection required directly in relation to your own relationship with the world around you. By this, I mean that the *eudaimonia* does not make any attempt to appeal to a transcendent value like Plato's Forms and is exclusively in relation to the immanent appearance of human life (FOG, 244). Not a human life as it is measured by an abstract semi-mathematical category, but a human life as it appears in the world. What a human life can do and what it is capable of being. Aristotle turns away from the Forms as standard, and instead suggests that the way to achieve *eudaimonia* is through the virtuous life, which is the effective implementation of practical wisdom. Practical wisdom (*phronesis*) is not a deliberation about the Form of the Good, but an understanding of appearances.

Practical wisdom is the internal faculty or skill that is required to be exercised for the ethical agent to be able to make correct judgements regarding the correct course of action, where the virtues are concerned (FOG, 296-297).[11] Such a correct course of action does not just concern the outcomes of the act, but how one chooses to act. I will provide a deeper account of ethical action later in this chapter, but what is important here is to differentiate the approaches of Plato and Aristotle. For Plato the value of an ethical life is outside that life, whereas for Aristotle it is internal to that life as how that life appears within its context and environment.

Now that we have established the ontological commitment of Nussbaum's ethics, in the form of what a human life is capable of, and how it fits within her understanding of essentialism as we claimed in Chapter 1, we are now equipped to tackle an understanding of the function and purpose of the virtues better. We must first characterize what is meant by virtue before we can discuss them. Some overlap with *phronesis* (practical wisdom or practical deliberation will also be used interchangeably with *phronesis*) will occur in this part, but one cannot be fully explained without the other but a thorough understanding of phronesis/practical wisdom will occur later in this chapter.

Eudaimonia, then, must be a species-relative matter, as it is exclusively the good life for humanity. In this way, the good is shifted from a theoretical stance to a practical one as there is no point considering a good life that is 'not practically attainable by beings with

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[11] Deliberation is concerned with the means to an end and is not to be confused with the utilitarian approach, where the greatest happiness is desired. Practical wisdom is concerned with what virtues or vices are displayed in trying to be ethical. It is somewhat impossible to deliberate on the ends effectively, as there is always chance of something not going right in any situation, hence why the ethicist is judged (and consequently praised or shunned) by the intentions of their actions.

our capabilities' (FOG, 292-293). This makes sense as it would be odd to suggest that someone must appeal to qualities or functions that go beyond what is practically attainable by an individual to be considered ethical. It is with this notion of *eudaimonia* that we find more evidence of an essentialist perspective of ethics, as the pursuit of eudaimonia is inherently transcultural and transhistorical, as the very notion of *eudaimonia* exists as an answer to what the good life is intrinsically for humanity, and not just for one culture as opposed to another or one moral framework as opposed to another. This is what is meant when Nussbaum claims that her approach to ethics is ontological.[12] Her ontology asks what it means to have the correct function of being human, as we might say about what the correct function or purpose of any thing or living being might be. The answer to this question is that the correct function or purpose of a human life is *eudaimonia* or living a good life. So now we need to ask what the good human life is, and to what constitutes the good life as a human being.

We have already spoken of qualities which constitute excellence of character in Chapter 3, but we now must expand further for a deeper understanding of what they are and why they are so important. As previously stated, there is recognition of potential qualities within human life that can lead to the good. It is within these qualities that we can uncover the virtues and their significance. Aristotle considers the flautist momentarily as being good in relation to his correct playing of the flute (NE, 1.7, 1097b24-28), and by this logic, it follows that for us to be good ethically, we must be

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[12] Nussbaum claims that her capabilities approach 'can be the object of an overlapping consensus among people who otherwise have very different comprehensive conceptions of the good.' Where the implication of this claim is that her capabilities approach is to show a universalizable account of good human functioning. My claim is that this is fundamentally ontological. See, Martha C. Nussbaum, *Women and Human Development: The Capabilities Approach*, 1st edn (Cambridge University Press, 2000), p. 5, doi:10.1017/CBO9780511841286.

good in relation to what it means to pursue the good. This then opens the question of what is perceived to be good in relation to the good? We know that Aristotle claims there are three types of good, the external, the soul and the body (NE, 1.8, 1098b14-16) but it is only the goods of the soul that should be considered in relation to flourishing of the soul. In this sense we must consider Aristotle's notion of flourishing as a 'kind of virtuous activity of soul; whereas all the other goods either are necessary preconditions of happiness or naturally contribute to it' (NE, 1.9, 1099b25-29).[13]

These types of activities can be separated into two categories, intellectual virtues, which consist of growth fuelled by instruction, time and experience, and the moral virtues. In terms of the latter, only the intellectual virtue of *phronesis* is relevant to our inquiry. Let us now begin our account of the moral virtues. Moral virtues, then, are virtues still connected to the flourishing of the soul like intellectual virtues but instead are developed through habituation, even though the faculties for moral virtues themselves are found within any rational ethical agent (NE, 2.1, 1103a14-27). These virtues must fit in with our description of *eudaimonia*, as they are functionally necessary to achieve the good. This means, then, that the moral virtues must be, like *eudaimonia*, transcultural and transhistorical. In other words, these virtues must represent positive moral character traits for humanity, and not just for an individual or a certain culture. In order to do this, we must look deeper at the encounters people have with one another and how they accumulate individual traits of human moral excellence that are prevalent across all cultures.

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[13] Virtues are related to the rational activity of the soul, as they are the considered approach to an ethical dilemma, whereas the vices are unconsidered and irrational. See, Christine M. Korsgaard, 'Aristotle on Function and Virtue', *History of Philosophy Quarterly*, 3.3 (1986), pp. 259–79 (p. 262).

In this pursuit of finding the moral virtues we are concerned about a universal account of human experience. In doing this we find that the human experience lends itself to common spheres of human existence, which we touched upon briefly in the previous chapter. It is within these spheres we find the correct dispositions recognisable within any culture that constitute the virtues, and not the individual actions themselves as the actions are only a result of the effective displays of these traits. Actions are equally important to this theory though, but not necessarily in terms of their ontological origin in human functionality or capacities. One should not consider an ethical agent a positive moral character if that person is merely doing an action without deliberation. Accidental actions may have positive results but are not displays of excellence of moral character as they were unintentional or done through ignorance. For something to be an ethical action, one must attempt to be ethical. One must intend to be ethical in a certain way, since deliberation (or the use of *phronesis*) is equally as important as the action for it to be considered a proper display of moral character. This is because it is not the ends that we deliberate about, only the means (NE, 3.3, 1112b12-24).[14] We do not attempt to deliberate about the ends of an action as we know we are trying to achieve an ethically positive result (presuming the action is voluntary), instead we are concerned with how to achieve the end, where the desire to be ethical can only be completed through the action(s) that lead to the desired end. It is the means which contain the crucial deliberations required of the ethicist to make an informed ethical decision as it is their action(s) that may be considered virtuous in the pursuit of a virtuous end. Remembering that the pursuit of Nussbaum's virtue ethics is a rational end where the desired result is

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[14] The ends are not deliberated upon because the desired outcome is already chosen, so that the deliberation must be in relation to the achieving of said ends of any specific ethical dilemma.

to fulfil the capabilities approach. The virtuous end of an ethical dilemma is also the rational end, and therefore the positive desire of the virtue ethicist. This desired end is fulfilled through positive habitual ethical action to allow a person to fulfil their capabilities.

So, these virtues of moral character are not to be considered a result of an action, instead they are part of the driving force behind an action, where moral character is as significant as the action itself. Moral action for Nussbaum is in relation to the 'spheres of experience' where these experiences are likely to figure in any human life. Each human being will have to make some choices rather than any others and act in some way rather than another.[15] These spheres of experience are what contain the potential of right or wrong ethical action, since the choices that an ethical agent must make are non-optional and somewhat problematic (NRV, 37).[16] Virtues and vices, then, are the correct or incorrect traits of moral character that are displayed by an ethical agent in relation to one of these spheres of human experience. A virtue being the right amount of a trait, and a vice being too little or too much of that trait. How these are discovered are through practical wisdom or *phronesis*. The virtue found within a sphere of experience is discovered utilising the doctrine of the mean in which a correct level of action is understood to be the middle amount of an application of a certain type of disposition (NE, 2.6, 1106a28-1106b35). It is within these spheres of human experience, which are

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[15] Nussbaum, 'Non-Relative Virtues', p. 35. Hereafter, NRV.

[16] It is within these spheres of human experience that we find a certain virtue and its corresponding vices, where good action leads us to virtue and poor action to vice. Ethical deliberation occurs when this choice is non-optional and somewhat problematic, as deliberation relates to ethical dilemmas. One would not suggest there is any meaningful ethical dilemma behind crossing the street, whereas one would suggest there is an ethical dilemma behind helping an old lady up who fell over crossing the street, in which a good action is perhaps helping them, and a bad one ignoring them.

common to all humanity, where we can pinpoint individual virtues, of which Nussbaum

has made a concise and effective list (NRV, 35-36).[17]

To understand a virtue within its sphere is to be able to recognise them within human

action, which coincidentally also acts as evidence that the virtues are transcultural. Let

us focus on courage for example to give an indication of what is meant by this. As stated

in Nussbaum's list, courage is the virtue found within the sphere of actions relating to

'fear of important damages, especially death' (NRV, 35). Found within the same sphere

is its correlating vices, cowardice, and brashness. These virtues and vices are best

understood when considering them in action. The displayed trait of courage can

absolutely vary on the situation at hand. For instance, when Aeneas stares down at the

Greek forces sacking Troy and fights his way through the burning city to rescue his

people after a divine intervention, the reader should consider his actions as displays of

courage.[18] Aeneas' actions were that of a courageous man, realising his chances of

survival were slim to none if he stayed in Troy and that dying would lead to the death of

many others that he could save to find a new city. In the same way, before the divine

intervention of Venus, the reader would consider Aeneas as brash, for he was willing to

fight and die against an overwhelming force with no odds of survival against the Greeks.

Even though the concept of a hero's death was a very prevalent and honoured tradition

in Ancient Greek epic poetry, Aeneas' death would have been due to his own brashness,

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[17] These spheres of experience include: '1. Fear of important damages, especially death. 2. Bodily appetites and their pleasures. 3. Distribution of limited resources. 4. Management of one's personal property, where others are concerned. 5. Management of personal property, where hospitality is concerned. 6. Attitudes and actions with respect to one's own worth. 7. Attitude to slights and damages. 8. "Association and living together and the fellowship of words and actions" a) truthfulness in speech, b) social association of a playful kind, c) social association more generally. 9. Attitude to the good and ill fortune of others. 10. Intellectual life. 11. The planning of one's life and conduct.'

[18] Virgil, *The Aeneid*, trans. by David West (Penguin Classics, 2020), bk. 1.

through ignorance spurred by his own vanity. Instead, Aeneas deliberated on the situation at hand and made the conscious effort to save the remaining members of Troy and his family by turning his back on the city he loved and embarking on an unknown journey.

From a different historical period altogether, another example of the virtue in action can be seen when looking into those who distributed the opposition leaflets of The White Rose in Nazi Germany as a form of non-violent protest.[19] As direct witnesses of the horrors of the atrocities of the Nazis, these five students and one professor distributed leaflets that were intended to spark opposition to the inhumane regime in power at the time. Unfortunately, they were arrested and murdered by the Gestapo. Nonetheless, we would say that the members of the White Rose acted within reasonable means to distribute leaflets as a form of non-violent protest to raise awareness of the evil currently occupying their country. In other words, their acts were courageous, showing that courage as a trait should not be directly linked to any one type of action and instead correct action attributed to courage after deliberation upon the ethical dilemma occurs.

The virtues themselves are readily and recognisable within their 'spheres of experience', and the aim of the examples above were to highlight this. The virtuous agent does not aim to do a certain action, rather they aim to act within the bounds of a virtue. This will limit the number of actions one may be able to do in any situation to what would be considered ethical action, and their final choice of action will be a certain act, but that act was chosen because it was virtuous and not because any certain action necessarily

[19] 'The White Rose Revolt & Resistance Www.HolocaustResearchProject.Org' <http://www.holocaustresearchproject.org/revolt/whiterose.html> [accessed 25 April 2024].

has a virtue attached to it. One must deliberate about the actions available to them in order to find out what the virtuous forms of action could be. Acting out of virtue does not mean acting out a prescribed action that is external to the situation that the agent finds themselves in. They must find out for themselves by using practical wisdom to know what the right course of action is. Courage as a virtue cannot be understood simply as a set of pre-defined actions or even judgements. Virtues are a direct result of choice and good practical wisdom. It says much more about an ethical agent's character for them to be able to deliberate to end up choosing the ethical path the situation demands. This involves the agent understanding the other results and choosing against the vices in favour of virtue. However, the virtue ethicist would also recognise that perhaps in the examples above, they were not the only courageous acts within the realms of possibility. The spheres of experience will likely not point to only one form of proper action within the scenario at hand. So, from our example from World War II, those members in The White Rose would likely be considered courageous even if instead of passing out anti-Nazi leaflets they instead joined a local resistance movement. Both acts could be considered courageous as they would have both been an attempt to preserve what one holds dear in the face of important damages.[20] Or with our example from Aeneas, without the divine intervention providing him the information that his fellow countrymen and himself could survive and start anew, it could likely be considered courageous going down the more traditional Greek hero route of fighting against impossible odds. If

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[20] By important damages, we mean in reference to the list of spheres of experience that Nussbaum makes. The sphere encompassing the fear of important damages, especially death, is in relation to bodily, financial, and perhaps any other form of significant harm that could come to an individual or those around them.

these spheres of human existence, are universal, like recognising acting courageously, then the circumstances are not, even in the same culture and history.

Virtues are the result of effective deliberation of an ethical agent where the results of said action positively fit in within the one of eleven spheres of common human experience. The virtues are tools used by the ethical agents to not only improve their quality of life, but also the quality of life of those around them, for no other reason than it is the right thing to do for their own, and others, pursuit of *eudaimonia*. Remembering that the end goal of Nussbaum's capability approach suggest that the good human life is one which promotes 'a certain threshold level of combined capability, in the sense not of coerced functioning but of substantial freedom to choose and act.' (CC, 24). Not only does the pursuit of *eudaimonia* aid the individual's personal pursuit to *eudaimonia*, but they also serve as a transcultural way to understand the differences between cultures of the present, past and of the future too. The spheres in which the virtues reside are spheres of experience prevalent in any ethical agents lives, and by being able to understand these spheres and what good or bad action is within them, the virtue ethicist finds it easier to fulfil the meaning behind the ontology of humanity.

As mentioned though, effective application of the virtues can only be done through effective deliberation of the ethical agent. *Phronesis*, practical wisdom and practical deliberation are all interchangeable words that encompass the required cognitive faculty that allow the ethical agent to effectively make their decisions. In deepening our account of practical wisdom, we will uncover a greater understanding of the faculty required by the ethical agent that will allow them to not only identify their role within Nussbaum and Aristotle's ethics, but also this is the faculty used by the agent to identify

what good virtuous action is within any one of these spheres of experience. Our account of practical wisdom will also show us that not only are the moral virtues shared in a universal ontological account of the function of humanity, but this is also the case of the intellectual virtues and specifically the case with practical wisdom of phronesis. This is the final piece of the puzzle that rounds off the ontological commitment of Nussbaum's ethics.

To briefly recap before we start our analysis of *phronesis*. The chief goal of the virtue ethicist is to pursue *eudaimonia*, or the good life. This good life is the pursuit of ethical goodness. For that is what it means to be a good human, which entails fulfilling our positive capabilities and the practice of the virtues. For us to be ethical, we must first understand what ethical practice is, not only for our own culture but transculturally and transhistorically. In doing this, we are making sure that whatever we end up arguing for is not only useful for us as a basis of ethical practice, but also to identify the commonly approved spheres of behaviour or experience in the world. By identifying these spheres of behaviour or experience, we have identified what the virtues and subsequent vices are within those spheres. It is only those that have made an active voluntary decision, not an involuntary action or accidental action that can be considered acting within the ethical spheres and worthy of *eudaimonia*. Now we need to consider how we can come to those decisions that allow us to effectively apply virtuous behaviour to our actions.

Phronesis is the proper use of the mental faculties required of an ethical agent to make good ethical decisions. This required faculty of the agent cannot be measured scientifically. Instead, like the virtues, it is exercised through non-scientific habituation of the required character traits. This is because, as we have already discussed, the

good, or *eudaimonia* is not a matter of the sciences. This is because we base our understanding of the good on the culmination of positive results of human experience, so our understanding of how we achieve this must be exclusively through experience rather than through abstractions. By this we mean that that practical deliberation must be an immanent practice, where the deliberation is focussed on that which we can experience, and if we find the good through introspection, then the faculty that allow us to achieve the good must be immanent to a human life. This is due to Aristotle's (and consequently Nussbaum's) understanding of utilising the truth within appearances already discussed above. Aristotle rejects Plato's 'transcendent' understanding of ethics. What makes a human life good is based on what a human life can experience, as Nussbaum explains, 'Aristotle's claims that practical deliberation must be anthropocentric, concerning itself with the human good rather than with the good *simpliciter*' (FOG, 290-291).

As *phronesis* is the effective use of our intellect, it is one of the intellectual virtues. Arguably, *phronesis* is the most important intellectual virtue in reference to the moral good as it is the guiding virtue for our achievement of the moral virtues. Practical wisdom is concerned with actions that contain choice (hence why we mentioned only voluntary action should be praised as moral, as those forced or ignorant of their actions are not making effective choices) in relation to achieving a certain outcome. As stated before, we deliberate about means, not ends (NE, 3.3, 1112b12-24) because deliberation is to achieve a certain outcome. The important choices involved are the ones that allow us to arrive at the desired outcome. In doing this, the ethicist must utilise their practical wisdom. This is best explained through example. Using our previous example of Aeneas, one would describe him as prudent, or successfully using

his practical wisdom when he gathered the remaining citizens of Troy as he saw what is good for himself and good for his fellow citizens. The person with *phronesis* is the person that is reasoned and capable of action to envisage what is good for themselves and good for people in general (NE, 6.5, 1140b5-10). When faced with a decision to make, the practically wise, will attempt to achieve the best outcome not only for themselves but for others too. Furthermore, the person with *phronesis* does not allow other influences to sway their judgment, such as pleasure or pain (NE, 6.5, 1140b16-19). Instead, the person with *phronesis* deliberates and acts simply because they recognise that they should be doing that action for the sake of the action's outcome, which is the good. The outcome being proportional to not only the ethical agents moral and intellectual virtues but also of those around them. Furthermore, like other intellectual virtues, practical deliberation requires repeated practice of the virtue in order to improve upon the abilities that an individual has to recognise the correct course of actions to be taken. However, how do we know that the person with practical wisdom is able to deliberate upon the correct choice of action for the correct action? For an action to be right, not only does the choices made to achieve it must be good, but also the desire for doing said action too. This is the result of *phronesis*, where those with excellent *phronesis* will desire the good and act on this pursuit for the sake of the good alone (NE, 6.1, 1139a4-16).

We should now have an even better understanding of why the attack against relativism from Nussbaum's perspective is so compelling. Her metaethical commitment to this good is paramount to the normative success of this theory. What is good is grounded in the immanent understanding of what it is for a human to be able to be. One might think that it is impossible to give such an account, or that any would be grounded in a specific

moral framework, so would fall back into moral relativism. If Aristotle had only enumerated the virtues of his culture, and any subsequent Aristotelian would be committed to just these virtues, then perhaps this would have been the case. But evidently, the Aristotelian recognises that their cultural practices are not the only ones. As such, we recognise the thin account of virtues where we isolate the sphere of experience and ultimately only decide on what it means to be disposed to act appropriately in that sphere (NRV, 35). Then once the Aristotelian has recognised this thin account of virtue, we can establish culturally specific understandings of that virtue, where cultural differences are not shunned, provided the understanding that a virtue can be universally agreed that it is a virtue in relation to the fundamental characteristics of any human life. The specific cultural expression of virtues are the 'thick' definitions of those virtues, whereas the 'thin' account of said virtue is the notion of what it means to act well in relation to a common humanity. There may be many 'thick' definitions of courage, but the normative 'thin' virtue of courage still is contained within that thicker culturally specific understanding of courage (NRV, 44).

This means that there can exist, without competition, many culturally defined definitions of virtues globally. However, what I want to stress is that the 'thin' definition of these virtues is part of the ontology of the human experiences, where the virtues are normatively applicable to all. As the Aristotelian moral virtues involve effective use of the intellectual virtues to recognise a delicate balancing between the general rules, such as the thin virtues, and awareness of particular situations and cultures that can provide the thicker virtues. What needs to be stressed is the good and virtuous decision is allowed to be context sensitive. This does not mean that any decision that is right in one contextual understanding of the virtue is relative to that context, because that

virtue is ontologically significant for any human being. In this case, the particular does not vanish in the universal, but is understood and expressed through the universal. We are not trapped in our own perspectives unable to understand others, but at the same time we do not claim, as in the case with Plato, a third 'god's eye' view.

This is perhaps the most significant argument against the relativist. Because Aristotelian ontology can encapsulate a lot of what the relativist would like to suggest, which is that different moral frameworks act differently based on their cultural uniqueness. However, at the same time, Aristotelianism is more effectively flexible than the moral relativist could ever hope to be, since morality can be analysed and understood in terms of what is shared and what is not between cultures to make a better account of the virtues in order to provide a non-culturally specific account of what it means to not only be ethical, but also be a functioning human (NRV, 44-45). The relativist is stuck with the relational moral frameworks, but cannot see the common humanity that we share, and which allows us to communicate across different cultures and histories.

Conclusion

This dissertation's primary objective was to situate Nussbaum's understanding of Neo-Aristotelianism as an answer to moral relativism, primarily through analysing the metaethical commitments of the theories in question. My own opinion will suggest (rather obviously) that this has been successful. To remind ourselves as to how this conclusion was achieved let us consider the outline of the chapters, much like we did within the introduction. However, this time we shall consider the implications of each chapter within a different light, where we can consider the conclusion with a more experienced perspective as we have gotten this far and already know the content of the dissertation.

We started with the obvious definition of terms within the metaethical space that we were to discuss throughout the whole dissertation. The intention of this chapter was to categorise not only the metaethical commitments of the ethicist we were to consider throughout but also two significant factors. The first of which is to bring to the foreground, before we discussed any theoretical arguments between the ethicists in question, that metaethics is the primary point of contention for the whole dissertation. Nussbaum's virtue ethics rests primarily on the metaethical commitments to an immanent and essentialist view of her ethics. This was important to the dissertation as we have effectively claimed that Nussbaum's virtue ethics is superior to moral relativism due to its metaethical commitments. The outcome of the analytical side of our account of moral relativism then would suggest to the reader that their metaethical commitments cannot provide such a convincing account of morality compared to

Nussbaum's. The final element of this chapter was to categorise what ethics can be understood to be. As alluded too within the introduction, the typical understanding of ethics from my own perspective within a modern liberal western world is that ethics is merely a linguistic device that allows us to recognise and deliberate upon contentious issues between oneself and others, whether within our own culture or in relation to other cultures. Nussbaum's understanding of ethics is not so simple though, it is more intuitive and I would argue that it is more phenomenologically intuitive and speaks to our own experience of morality. Chapter 1 shows us that ethics can be understood as an effective way of living rather than just a model of language. Nussbaum's essentialism in Chapter 1 shows us that ethics can, and through the later chapters we conclude should, be understood as a much more convincing form of ethics. Her theory tells us that ethics should be understood to be an intrinsic part of the collective human experience, where ethics is no longer a conflict between different moral beliefs, but an integral part of the human experience.

Our second chapter then set out to do two things. The first of which was to summarise the absurdity of vulgar moral relativism to pave the way for a more advanced and convincing form of moral relativism, which we found in Harman's realist moral relativism. It was important to discuss vulgar relativism because it a predominant view in our culture, but also that it is in itself contradictory. In the latter case, we used the criticism of Williams, who was also the basis of Harman's rejection of vulgar or naïve relativism. The second of the overarching goals of this chapter was to reject vulgar moral relativism with a more compelling relativism. It is this more sophisticated relativism that is the object of Nussbaum's critique, but also reveals what is at stake in her version of virtue ethics. This more sophisticated account of moral relativism we

discovered in the work of Harman. His theory, unlike the vulgar relativist, suggests that ethics is a realist endeavour, since it is necessarily linked to a culture like a language, and like a language has a direct and recognisable effect on how that person lives their life. From this point onwards, we can perhaps even make claims that Harman's and Nussbaum's ethical realism share almost parallel viewpoints. Both see their ethical realism to be linked intrinsically to any ethical agent's individual identity. This is one of the many reasons discovered throughout our analysis of Harman's ethical relativism that allowed us to conclude in the second chapter that his ethics is a very strong argument for the possibility of moral relativism and if we were going to reject it then there would have to be fundamental reason to do so, unlike superficial or naïve relativism.

After establishing a suitable opponent within our second chapter, we were then equipped to deal with the crux of the argument within the third chapter. My argument is that Nussbaum's virtue ethics is a substantially more convincing account of ethics compared to that of the moral relativist. In this case, specifically Harman's moral relativism. In this chapter our goal is twofold. The first of which is to show that even with the more developed and intellectually stimulating version of moral relativism that is Harman's there are still issues that persist. In this instance, we focussed primarily on the implications which Harman's metaethical commitments end up leading to. One of the issues discussed was the limitations of his notion of inner judgement. We discovered that Harman does not allow for any meaningful ethical content beyond the 'should or should not' and 'ought or ought not' of propositional claims. To do so he has to disprove the existence of character traits, and therefore the virtues. His argument was that there was no evidence within social psychology that supports the existence of

character traits. My argument is that Harman misrecognises what a virtue is precisely because he thinks their status can be determined by an empirical investigation. From Nussbaum's perspective, virtues are displays of a positive character trait within the confines of an ethical dilemma, where choice is non-optional and problematic, and these virtues refer to a common 'sphere of human experience'. It is because Harman understands virtues psychologically that he can dismiss them, but in so doing he fails to recognise their ontological depth. Harman only recognises a relational account of ethics in the terms of a judgement. Personal integrity, in the sense we might say that someone has led a good or bad life, or their life ended tragically, relates to our sense of what a meaningful human life is, and to make this kind of statement we need to have some sense of what it is to lead a meaningful human life. This is an ethical, and also ontological claim, and not merely a psychological one. Virtues describe what such a meaningful life might be, as opposed to merely describing isolated actions.

Our second issue with Harman was found within his notion of moral bargaining and the formation of a moral framework. Harman's claim is that moral frameworks come to be through the effective conclusion of the process of moral bargaining, where a group of people implicitly or explicitly decide what constitutes the ethical content within their culture and in which the survival and thriving of those individuals as a whole is concerned. We saw that this process would eventually lead to moral stagnation, since the moral framework, as the outcome of moral bargaining, would prevent any kind of flexibility or plasticity. Perhaps an answer would be that the process of moral bargaining is never completed so that no moral framework would ever be finalised. Or perhaps, the process of moral bargaining does finish, but then if there was a change in moral outlook, the moral framework would have to be completely reinvented. What we discover is that

Nussbaum's account of ethics gives us a better account of moral development and intercultural communication. In this regard, the important distinction is between a thick and thin understanding of the virtues. The thin definition of the virtues shows that the virtues are not culturally unique. The sphere of human experiences, which the virtues refer to, an expression of our common humanity. Nonetheless each culture will give a different interpretation of how such virtues are expressed. This indeed reflects the very nature of ethical judgement, or *phronesis*, where each situation demands its own interpretation of how the virtues are to be applied. This difference between the thin and thick understanding of virtues does not provide evidence that the virtues are not to be considered normative. Instead, the existence of a thick and thin understanding of the virtues shows us how, even though there are seemingly incompatible cultural differences across the globe, they do in fact relate to the same core principles of the spheres of human experience. Nussbaum's virtues, and a full ontological understanding of them, convince me that there is a core and shared aspect of human life and a unified understanding of what is perceived to be the content of a good human life.

In the fourth chapter I provided a positive account of Nussbaum's virtue ethics. In this chapter, I focussed initially on a detailed description of Nussbaum's ontological commitment that demonstrated that ethics is more than a linguistic convention. Instead, Nussbaum claim is that ethics is an intrinsic part of human life. In this way, being ethical is not just part of a human life but is what it means to be human for all human beings equally. Such is the importance of the spheres of experience in Nussbaum's account, out of which the virtues emerge. These spheres of experience are not culturally specific but express what is common to all humanity. Additionally, we do not only share this common humanity, but also the intellectual virtue of *phronesis*. If

ethics is something that we all share as human beings, then this is not because the same ethical decisions are imposed on all. Each situation requires a deliberation by the ethical agent has to how the virtues are to be applied. If Nussbaum's theory of ethics is normative, then it is not by imposing her values upon others. Instead, it is normative through the recognition of the most fundamental elements of an ethical life, which are the spheres of human experience. It is because virtue theory does not impose any form of specific right or wrong action that it is more suitable in dealing with the issues of inter-cultural ethical values and more so than the moral relativist who might mistakenly believe they are more tolerant.

What distinguishes Harman and Nussbaum is a fundamentally different approach to philosophy. I am pretty sure that Harman would not accept the ontological dimension of Nussbaum's ethics, since for him ethics is merely a judgement of what constitutes good or bad action as relational to a moral framework. By definition, the idea of common humanity expressed through an ethics of virtue and practical wisdom would wholly be lacking in such an approach. Like with most fundamental philosophical disagreements, I do not think there is a proof that could convince someone to accept the existence of such a common humanity, except their own experience of their own ethical life. I do think, however, that Harman's philosophy is perhaps a reflection of a fractured and dismembered world in which we might fail to recognise the other in ourselves but also ourselves in others. Ultimately, I think for Nussbaum, as was for Aristotle, ethics is inseparable from our politics. How could we fight for a just world for all if we cannot recognise in our differences our own and other's humanity?

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