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Saving Aristotle's Dispositional Ethics from the Threat of Legalism

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Saving Aristotle's Dispositional Ethics from the Threat of Legalism

Senior Project Submitted to
The Division of Social Studies
of Bard College

by
Luke Jennings

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Introduction

In our daily interactions with one another, we often use the words “ethical” and “moral” interchangeably. However, the more we speak about ethics with language that belongs to morality—using words such as “obligation” or “duty”—the more we cannot help feeling like “someone whose jaws have gotten out of alignment.”¹ A clear way to conceive of the distinction between ethics and morality is to examine the inner workings of the deliberative process in both frameworks. Whereas an ethical deliberation suggests identifying a proper course of action given the particulars of a circumstance, a moral deliberation evaluates possible actions to see if they are allowed under the purview of a natural, divine, or man-made law code. While moral judgments are carried out with specific attention to the law, which puts the perpetrators of illicit acts in the position of guilty persons, ethical determinations are taken up without reference to any legal justification. After all, in an ethical account, one is “not a villain or a scoundrel by the performance of one bad action, or a few bad actions,” but rather on account of their character.² In ethics, a vicious agent is not produced by one action because of a ground level commitment of the framework to mean dispositions. This stands in stark contrast to the driving force underlying morality—i.e. permitted and prohibited actions.

In the opening chapter of *Ethics and the Limits of Philosophy*, Bernard Williams traces the force of ethical and moral thought to a question originally posed by Socrates; namely, “How should one live?” Williams draws our attention to the “noncommittal” nature of this particular formulation of the broad question of ethics. Notice that the question Socrates puts forth is not, “What is our duty?”³ Rather, Socrates asks what would constitute a good life in general. Such an approach to ethical inquiry “does not bring in any distinctively moral claims”—i.e. notions about

¹ Anscombe 27.

² Anscombe 30.

³ Williams 5.

what constitutes good in the universal sense.⁴ In contrast, questions regarding what our duty is or what we are bound by law to do already imply a “special moral sense.” Socrates’ question leads us to understand a fundamental difference between ethics and morality.

How is it that we came to inherit these two heavily contrasted moral and ethical responses to the question of how we should live? While the first of these two strains is rooted in the Ancient Greek “ἠθικός” (ethikos), the second is derived from the Latin “mōrālītās” (moralitas). We have come to refer to both as ethical modes of thinking partially because the Latin translation of the Greek “ἠθικός” is simply “mōrālītās.” As often happens when one translates a term that captures specific content into another language, the movement of the word from Greek to Latin removed something of the Greek meaning while adding new connotations in the word’s Latin usage. Whereas “ἠθικός,” or ethics, stresses excellence in the activity of an agent who gets things right in respect to situations that arise, “mōrālītās,” or morality, highlights strict abidance to law or custom as deserving of veneration. Morality is legalistic in that it demands the abidance of individuals to certain codes of conduct. Ethics, on the contrary, makes no such demand; rather, it identifies the excellence of an individual with mean actions carried out in accordance with cultivated mean dispositions.

From the above, one can see a difference in what I will henceforth refer to as the “method” of ethics and morality. I will employ the term method to refer to the central conceptual tool that an account utilizes in demonstrating its content. Whereas morality employs a legalistic method, ethics uses a virtue, or “mean disposition,” method.⁵ Recognizing the difference in the machinery of the two ethical systems already brings us much closer to grasping the contrast. In making this distinction, we can begin to break from what modern everyday speech has muddled

⁴ Williams 5.

⁵ What precisely mean dispositions are will be elucidated in Chapter 1.

in its eliding of the commitments of morality with those of ethics. It is important to make this distinction insofar as the commitments of ethics are intrinsically different from those of morality.

In order to give voice to an account of ethics, I will turn to one of the most representative advocates of this approach in the doctrine's history: Aristotle. If we look at the work of the Greek ethicist and philosopher Aristotle, we find that the notions of "being bound, permitted, or excused that became embedded in our thought"... "in consequence of the dominance of Christianity for many centuries" were simply not of interest to him.⁶ What he pursues is something quite different. Rather than asking the question of how an individual ought to act if they are to be a morally good person, Aristotle asks after what would count as the proper functioning of a human over the course of a full life.⁷

Whereas morality finds its basis in law, which in turn guides individuals in the ways they ought to act, Aristotelian ethics is rooted in an account of mean dispositions. The possession of these dispositions is taken by Aristotle to result in the determination of mean actions in specific situations. Rather than starting from divine, natural, or man-made law, the three methods aimed at determining the complete set of bad actions in a legal sense, Aristotle begins from an account of the virtues of character, the cultivation of which he takes to produce the virtuous agent.

If not in a legalistic method, where does Aristotle find the primary expression of his ethical account? In Book I Chapter 7 of his *Nicomachean Ethics* (*NE*), the philosopher writes that "just as for...all things that have a function or activity, the good and the 'well' is thought to reside in the function, so it would seem to be for man."⁸ After diagnosing "the life of nutrition and growth" to be the end of plant life and the "life of perception" to be that of animal life,

⁶ Anscombe 30.

⁷ Barnes 1735, 1098a20.

⁸ Barnes 1735, 1097b25.

Aristotle turns to think about human life.⁹ Contrasted to the plant and animal cases, human life is understood by the philosopher to satisfy its function through “activity of the soul in conformity with excellence.”¹⁰ We later learn that this is the reliable, consistent determination of mean actions coordinated with the relevant mean dispositions.

While the mean dispositions that produce mean action can be acquired through a process of training, they are not endowed to humans through the natural progression of development—as is the case for plants and animals.¹¹ Without fail, plants undergo nutritional processes and growth while animals are endowed with sensibility. Therefore, there is only one way in which plants and animals develop. By contrast, humans must undergo significant work to achieve their function—i.e. they must cultivate the excellences of character.

If the repeated bearing of mean dispositions on mean actions is the end accorded to humans and these mean dispositions are not naturally endowed to us, but are granted through habit, then the difference between the right kind of habituation and the wrong kind is equivalent to that between the human life which achieves its end and that which does not. While we are adapted by nature to reach our end, it is no guarantee that we will. The end in the human case is attainable only through the right cultivation of dispositions. Therefore, mean dispositions and mean actions that find their basis in these honed dispositions make or break a human agent’s fulfillment of their role. This point demonstrates just how crucial the proper cultivation of dispositions is for Aristotle’s account of ethical life.

While we have taken time to investigate what the dispositional method looks like, we have not yet engaged with the legalistic approach. In contrast to the dispositional model of ethics, the legalistic code of morality provides a set of guidelines that one need only obey in

⁹ Barnes 1735, 1098a1.

¹⁰ Barnes 1735, 1098a15.

¹¹ Aristotle’s concept of mean action will be further explored in Chapter One.

order to be considered morally just. Rather than giving guidance in the form of a set of dispositions that align with right reason, morality presents its laws through natural, divine, or man-made legalistic methods. These laws take the form of a set of prohibitions and allowances determined under the specific legalistic model employed. Rather than creating an end that is a strived toward as a goal and a process, as ethics does in its identification of the mean dispositions to be had, morality ascribes laws that are to be applied equally to the actions of all individuals. It is a standard of conduct to be upheld by all.

It is due to these features of morality that an idea of being obligated to act in certain ways emerges. In this system, the terms “should” and “ought” which are used merely in terms of what a thing requires to fulfill its function in the Aristotelian sense take on what G.E.M Anscombe once named a “so-called moral-sense.”¹² This moral sense is an implication of “some absolute verdict (like one of guilty/not guilty on a man).”¹³ Contrary to the Aristotelian account, which is concerned with dispositions, morality utilizes legal codes of conduct to determine good and bad actions. Thus, morality produces laws against certain actions on the grounds that these would signify a breach of held moral commitments.

There is a major problem that arises whenever a moral account prohibits certain kinds of action in the universal sense. This failure is found in an inattentiveness to the fact that the same type of action can be described using different relevant descriptions. For example: while the dictate “one ought never to lie” supports itself in a formal sense, it might be the case that in certain instances, the involuntary nature of a situation will require an agent to act contrary to a universalized maxim or law. Thus, in the case of the held maxim “one ought never to lie,” “a lie could be relevantly described as anything but just a lie”—i.e. as a lie that in this qualified

¹² Anscombe 29.

¹³ Anscombe 29.

circumstance is permitted.¹⁴ The description of an action in the formal sense is immediately qualified in the particular. This is because the full breadth of an action type is never clearly captured by an edict or law, which can only speak on actions in a manner separated from the particular. In reality, every action is undertaken (1) in a unique fashion, (2) from a specific intent, and (3) in a particular context. Without further distinction in the way of act type, intention, and circumstance, the legalistic method of morality cannot go beyond a formal sense.

It is because of this shortcoming in the legalistic method that one begins to see something of value in the dispositional approach of ethics. Given that Aristotle's focus is on dispositions as opposed to actions, the philosopher has no issue recognizing that action types can be explained using different relevant descriptions. The philosopher realizes that particular cases fall under no art or set of precepts. As Aristotle tells us early in Book II Chapter 2:

The account of particular cases is yet more lacking in exactness; for they do not fall under any art or set of precepts, but the agents themselves must in each case consider what is appropriate to the occasion, as happens also in the art of medicine or navigation.¹⁵

A set of precepts such as a collection of laws against certain kinds of actions ultimately does more harm than good for a moral account. This is because in creating laws, one forgets that the law can never match the particular case. It is for this reason that rather than forming judgments on an agent's goodness or baseness from strict observation of an action that the individual commits, Aristotle pays attention to (1) under what circumstance, (2) to whom, (3) to what end, (4) in what manner, and (5) from which character disposition an action is committed.¹⁶ It is Aristotle's refusal to rule out certain actions on the grounds that they would be morally

¹⁴ Anscombe 27.

¹⁵ Barnes 1744, 1104a5-9.

¹⁶ Barnes 1747, 1106b20.

indefensible in any circumstance that distinguishes his ethics, and more generally ethics on the whole, from morality.

In response to the forgoing, one might argue that what is taken to be the distinguishing characteristic of Aristotle's ethical account is a standard that not even Aristotle can uphold. A baseline legalism prohibiting certain kinds of action is something that Aristotle himself incorporates into his account of ethics. We can see an example of this in Book II Chapter 6, when Aristotle tells us that "not every *action* ... admits of a mean; for some have names that already imply badness." Here, Aristotle appears to be doing precisely what we commended him for not doing—i.e. he is ruling out certain kinds of action before experience. When speaking on actions that do not admit of a mean, Aristotle includes in this category such activities as "adultery, theft, and murder;" however, we can imagine that this list is in no way exhaustive.¹⁷

What is more, he places a seemingly moral kind of judgment on the undertaking of these actions irrespective of context: "Some [actions]....imply by their names that they are themselves bad"¹⁸ If Aristotle does in fact recognize the committing of certain actions in any context to prove that an agent has gone wrong, then he is engaging in precisely the same exercise that led us to question the legalistic mode of morality. More precisely, Aristotle's ethics would be subject to the same problem of relevant descriptions that we placed upon the legalistic approach.

In our initial discussion of ethical and moral deliberation, we said that one is not made base by one or even a few bad actions in an ethical account. However, in the case of actions that do not admit of a mean, it appears that this is simply not the case. If one commits an action such as adultery, theft, or murder, they are shown to be a base or vicious agent. If this is the case, Aristotle's account of ethics cannot be said to be based strictly in an account of mean

¹⁷ Barnes 1748, 1107a10.

¹⁸ Barnes 1748, 1107a15.

dispositions. Unless we can reconcile this passage from Book II Chapter 6 with the characteristically dispositional method of ethics, we cannot claim that Aristotelian ethics does not depend on certain legalistic measures at its core.

I will take up a two pronged approach to the task of incorporating actions that do not admit of a mean into the dispositional method. The first response that I will offer is to draw attention to the goals of Aristotelian ethics as opposed to those of morality. Whereas the goal of ethics is the determination of the conditions of being a strong deliberative agent, that of morality is the production of laws that are applied to all people—irrespective of circumstance. The second component of my response will be to embrace a “narrative reading” of Books II & III of the *NE*. If we do this, we can understand Aristotle’s Book II claim that there are actions that do not admit of a mean to be true only in the “voluntary” case.¹⁹ We can say this because it is not until Book III that we are supplied with the concepts to make a distinction between voluntary and involuntary action. If we take up this narrative reading of Books II & III, the claim that there are certain actions that do not admit of a mean is not nearly as robust as legalistic prohibitions against certain kinds of actions.

The Chapters

The first chapter will be concerned with elucidating the dispositional method taken up in Aristotle’s *Nicomachean Ethics*. Included in this account will be a discussion of how the philosopher views the relation between mean dispositions and mean actions. Recognizing the degree to which Aristotle relies upon mean dispositions to ground his ethics will give us a sense of the stakes of reconciling the dispositional method with the apparent ruling out of certain actions. Accordingly, the final section will present the problem of actions that do not admit of a mean as an issue to be overcome through interpretation.

¹⁹ An extensive discussion of voluntary deliberation and action occurs in Chapter One.

The second chapter will put in context Aristotle's statement that there are actions that do not admit of a mean by taking his words to apply only to the voluntary exercise of these actions. Contextualizing the claim as not applicable to every action encountered by a strong deliberator already gets us a long way in maintaining the dispositional method of Aristotle's ethics. At the end of this inquiry, we will evaluate if this is enough to maintain the dispositional method of ethics in Aristotle's philosophy. From the work we do in this last chapter, we shall see that Aristotle's project remains deeply committed to the primacy of dispositions as the driving force of ethical life.

Chapter 1

The Dispositional Method of Aristotle's Ethics

Introduction

The purpose of this first chapter will be to establish the dispositional method of Aristotle's ethical approach. This will be carried out through engagement with Aristotle's *Nicomachean Ethics* (*NE*)—a text which demonstrates well the commitments of ethicists. It is impossible to talk about this dispositional narrative without first speaking about “the mean.” In Book II Chapter 5 of the *NE*, Aristotle introduces a tool that the virtuous agent uses to navigate everything from the seemingly banal to the most high-stakes scenarios encountered in life: the mean. Integral to ethics' dispositional method is a commitment to the mean as that to be aimed at in ethical life. We are told that in everything that is continuous and divisible, “there is an equal (or mean) that is intermediate between excess and deficit.”²⁰ However, unlike an arithmetic mean, which is understood to always stand equidistantly between two poles, Aristotle's mean is calibrated differently in varying contexts. To find the mean in a broad sense would require one to be in accordance with excellence over the course of a complete life.²¹

Much of the confusion that readers have with Aristotle's account of the mean stems from the philosopher's usage of two separate registers when speaking on the concept. On the one hand, (1) Aristotle describes the mean in terms of general character dispositions lying between excesses and deficits; on the other, (2) he identifies a mean in the actions of commendable deliberative agents who consider well the particular features of every situation. Thus, Aristotle speaks of the mean in a general sense (mean disposition) and in the particular case (mean action).

²⁰ Barnes 1747, 1106a27-31.

²¹ Barnes 1735, 1098a17.

Although there are two separate registers that Aristotle uses when speaking on the mean, they are not equivalent in importance. Mean dispositions lay the overarching foundations—creating for the possibility of mean actions in the particular. Therefore, the possession of mean dispositions is the precursor to mean action. However, the carrying out of one or even a number of supposed “mean actions” does not demonstrate the existence of a mean disposition in an agent. It could be that an agent merely appears to act in accordance with a mean in action. In contrast, if an agent has the relevant mean disposition, it follows that they will determine and apply the mean action—which will be, by Aristotle’s definition, in accordance with right reason.

From the forgoing, we are still left wondering what standard fixes the mean in its various forms. In Book VI Chapter I, Aristotle tells us that there “is a standard which determines the mean states which we say are intermediate between excess and defect, being in accordance with right reason.”²² One reaction to this response is to ask what Aristotle means when he speaks of right reason. The decision on particular cases is “for the most part... determined *κατά τόν ὀρθόν λόγον* – ‘according to what’s reasonable’.”²³ This idea of acting in accordance with right reason is unlike a legalistic conception insofar as “what is reasonable” is no canon or set of laws. Rather, the standard of right reason is in fact the good agent. As Aristotle tells us, “the good man differs from the others most by seeing the truth in each class of things, being as it were the norm and measure of them.”²⁴ It is this individual who fixes the mean in disposition and action.

In the first register, mean dispositions are understood to be cultivated over time—requiring extensive habituation in accordance with excellence. In the second register, mean action is reasoned to be the result of proper deliberation in the particular case. One’s ability to

²² Barnes 1797, 1138b20.

²³ Anscombe 39.

²⁴ Barnes 1758, 1113a30.

see what would count as a manifestation of a mean in any case-in-hand is dependent upon an understanding of the mean in both a general and a particular sense.

When speaking in the second register, Aristotle tells us that particular aspects of a situation should have an effect on the determination of a mean action. The importance of engaging with the particular emerges in many of the excess/deficit/mean examples presented in Book II. On the mean of good temper, for example, it is written: “it is not easy to determine both how and with whom and on what provocation and how long one should be angry...such things depend on particular facts, and the decision rests with perception.”²⁵ The particular facts alluded to by Aristotle here are the distinctive features of a situation at hand. Furthermore, these distinctive features are of the greatest importance for a deliberating agent in that they are the raw materials considered when moving towards a mean action. If a process of deliberation is to be counted as effective, it must engage in a decision making process that responds directly to the content of a situation at hand.

By observing these two separate registers, we see that Aristotle’s general mean is mean action that is done in a manner that reflects a relevant mean disposition. One can understand the bridge between registers to be deliberation,²⁶ which brings general mean dispositions to bear on the determination of particular mean actions. Given that mean dispositions have to pass through sound deliberation in particular cases in order to arrive at mean action, mean dispositions appear outwardly different in the varying contexts that the agent encounters. In viewing these two registers, it emerges that although Aristotle’s dispositional ethics does not supply as much definitive content as a legalistic account might, it does this in order to make room for the particular case in a way that the legalistic method cannot. Therefore, while Aristotle’s ethical

²⁵ Barnes 1752, 1109b15.

²⁶ Deliberation will be explored in greater detail in Chapter One, Section II.

account does not give us specific guidance as to which actions are good or bad free from experience, it does supply us with the tools to be strong deliberative agents who act from cultivated mean dispositions. The dispositional method of Aristotle's ethics, and more generally of ethics as a whole, grants us less than a legalistic method in the way of directives in action, but precisely enough to do ethics well. In another sense, what Aristotle gives us is far more important than what a legalistic account can offer: he tells us how to be good people—in thought and feeling as well as in action.

I. *What Are Mean Dispositions and How are they Cultivated?*

Before we can answer the question of what mean dispositions are, we are tasked with answering two broader questions: What are dispositions, and how are they formed? The answer to both questions lies in Aristotle's account of how individuals come to acquire moral excellences. In the beginning of Book II, Aristotle claims that excellences are of two kinds: (1) intellectual and (2) moral. He reasons that intellectual excellences develop through education—which requires both experience and time. On the other hand, he tells us that moral excellences arise as a result of honed dispositions of character. Given that these latter excellences come about through repeated action of a specific kind, none of these arise in humans strictly by nature. If it is true that “nothing that exists by nature can form a habit contrary to its nature,” yet moral excellences are achieved through habits that alter patterns of behavior, then it follows that “none of the moral excellences arises in us by nature.”²⁷ As such, unlike a rock that can never be “habituated to move upwards,” one can come to develop mean dispositions through cultivating good habits.²⁸

²⁷ Barnes 1742, 1103a15-20.

²⁸ Ibid.

Whereas the things we possess by nature we acquire first the potentiality for and then exhibit the corresponding activity, excellences are granted to us through our exercise of them. As Aristotle writes, “the things we have to learn before we can do, we learn by doing.”²⁹ Accordingly, builders learn to build by constructing structures and musicians learn to play their instruments by playing. However, there is an additional complication. It is not enough to merely make structures or play an instrument to become a good builder or musician. “Men will be good or bad builders” or musicians “as a result of building” or playing “well or badly.”³⁰ If one practices bad habits when building structures or practicing their instrument, their repeated action will manifest in how they carry out their respective activities—i.e. in inadequate dispositions. The builder who creates faulty structures again and again sets a precedent for his continued production of flimsy buildings. Accordingly, the musician who does not organize their practice time, opting to play aimlessly on their instrument, will find that they are unable to perform well in concert. The same principle applies to the mean dispositions. Take for example the mean disposition of courage:

...by doing the acts that we do in the presence of danger, and being habituated to feel fear or confidence, we become brave or cowardly.³¹

Regardless of whether we aim to cultivate mean dispositions or not, we are always forming dispositions of some kind by nature of being human. As a result of habituating ourselves through good or poor conduct, we form dispositions of character that match the actions we have carried out. In Aristotle’s account of the formation of mean dispositions, it is not the case that one need only expose themselves to like situations to become better. Merely putting oneself in a situation

²⁹ Barnes 1743, 1103a30.

³⁰ Barnes 1743, 1103b10.

³¹ Barnes 1743, 1103b15.

where courage is called for will not cause one to act courageously. On the contrary, given that in carrying out acts and transactions humans become good or bad, one must consistently choose to act bravely in the presence of danger if they are to cultivate courage. The same reasoning applies to how all other mean dispositions are cultivated.

In reply to what he has claimed about one becoming just by doing just acts, and temperate by doing temperate acts, Aristotle intuits that an interlocutor might argue, “if men do just and temperate acts, they are already just and temperate.”³² We can attribute this kind of critique to a moral account. With legalism as its method, morality puts forth a series of laws that restricts action alone—taking action to be the indicator of goodness or badness within an agent. In the negative case, the carrying out of an illicit act marks the agent’s character as base. Depending on the severity of the law that is broken, an infringing agent is judged to varying degrees of scorn. In the positive case, the inverse is true. An agent who acts in a fashion permitted by law is taken to be a morally commendable person. The underlying assumption is that anyone engaged in an action that appears to correspond with a skill or virtue on one occasion already possesses that skill or virtue.

Aristotle counters this claim with an example concerning grammatical action. He draws a distinction between one who does “something grammatical either (1) by chance or (2) under the guidance of another” and one who does something grammatically “in accordance with the grammatical knowledge in himself.”³³ Aristotle posits that anyone can act excellently on one occasion and still not be acting in accordance with proper reason. When one externalizes an action through the help of another or by mere chance, they are not acting from a place of knowledge; rather, their good action is merely fortuitous. Take the case of a novice athlete who

³² Barnes 1745, 1105a20.

³³ Barnes 1745, 1105a25.

meets with a trainer once a month to lift weights. While the trainee is with her trainer, she will have a successful workout session. However, any other time the novice ventures to the gym alone, she will find herself worn out too easily. Perhaps she will finish her exercise routine within 30 minutes rather than an hour. What is shown in this example is that while it is true that the novice engages in weight lifting, she has not done the action in accordance with a lifting knowledge within herself.

In the legalistic method of morality, the distinction between those who do a mean action from a certain mean character disposition and those who only appear to do so cannot be made. This is because the legalistic model legislates upon actions alone. Therefore, an agent who follows the law is, in the eyes of that law, equivalent to an agent who acts in accordance with moral excellence in general. As long as an agent does not break the law, they are believed to act in a moral fashion. In an ethical account, on the contrary, there is a concern with the state of the agent while he or she acts.

At this point, we can begin our investigation of the specific mean dispositions that Aristotle has in mind. Engaging with the virtues of character listed by Aristotle in Book II will only solidify the distinction between the mean disposition method of ethics and the legalistic method of morality.

ia. *Dispositions: Excess, Deficit, and Mean*

Throughout Book II, Aristotle gives us a number of mean dispositions relative to excess/deficit pairs. As they function in the text, these examples illustrate an Aristotelian commitment to the primacy of disposition in excellence. Rather than listing the kinds of actions that a virtuous agent

carries out, as is characteristic of legalistic moral frameworks, Aristotle concerns himself more with certain virtues of character, which produce these good actions.

Means Given in Book II

Cowardice (Deficit) – Rashness (Excess)
→ Courage (Mean)

Insensibility (D) – Self-indulgence (E)
→ Temperance (M)

Meanness (D) – Prodigality (E)
→ Liberality (M) (in regard to giving/taking money)

Stinginess (D) – Tastelessness/Vulgarity (E)
→ Magnificence (M)

Undue Humility (dishonor) (D) – Empty Vanity (honor) (E)
→ Proper Pride (M)

Inirascibility (D) – Irascibility (E)
→ Good Temper (M)

Mock-Modesty (D) – Boastfulness (E)
→ Truthfulness (M)

Quarrelsomeness (D) – Obsequiousness (a flatterer) (E)
→ Friendliness (M)

Envy (D) – Spite (E)
→ Righteous Indignation (M)

What is common to the excess/deficit/mean cases presented is an emphasis on disposition rather than action as the driving force behind ethical life. This becomes apparent when we examine how means are presented in Book II. In the case of “feelings of fear and confidence,” Aristotle reasons that those who exceed in confidence (E) are rash and impractical, whereas those who are deficient in confidence (D) are cowardly. The general mean falling between these

two extremes is courage—which is neither rash nor cowardly, but rather a disposition falling between the two.³⁴

However, courage as a mean disposition is not taken to be a mere midpoint between extremes. When speaking on any of the mean dispositions, Aristotle identifies the mean as both a middle course and a disposition as such. Accordingly, the philosopher describes courage as a disposition unto itself when he writes:

The man...who faces and who fears the right things and with the right aim, in the right way and at the right time, and who feels confidence under the corresponding conditions, is brave...³⁵

In this passage, we learn that there are clear features that constitute the disposition of courage. The courageous agent is one who fears the right things, with the right aim, in the right way, and at the right time—all the while maintaining confidence. These requirements cannot be met by either the cowardly or the rash agent. Both of the extreme dispositions include a failure in at least one component of the mean disposition's conditions. A rash agent acting in confidence may face and fear the right things at the right time, but with the wrong aim and in the wrong way. Rather than showing proper displays of fear, these individuals are boastful and overconfident—putting themselves into risky situations in an attempt to outwardly appear like the brave man. It is because of this that such agents are merely pretenders.³⁶ On the contrary, while a coward may fear the right things with the correct aim, he may do so at the wrong time or simply lack confidence.

In observation of feelings of pleasure, while Aristotle finds those who are self-indulgent (E) to be led by appetite to choose pleasant things at the cost of everything else, he finds the rarer

³⁴ Barnes 1749, 1107b1.

³⁵ Barnes 1761, 1115b17.

³⁶ Barnes 1761, 1115b30.

breed, the “insensible” individual (D), to be lacking in emotion or feeling.³⁷ A general mean falling between these extremes is temperance insofar as it avoids both self-indulgence and insensibility.³⁸ As was the case in the previous example, Aristotle supplies us with an elucidation of temperance—outside of its relation to the extremes.

(the temperate agent) neither enjoys the things that the self-indulgent man enjoys...nor in general the things that he should not, nor anything of this sort to excess, nor does he feel pain or craving when they are absent... but the things that, being pleasant, make for health or for good condition, he will desire moderately and as he should...³⁹

In this description of the temperate agent, we learn that they will only be drawn towards things that make for a healthy life. They will not be drawn to the self-detrimental pleasures that are pursued by the indulgent agent—neither will they completely cut desires out of their life. Regarding the things that are desired by this individual, these objects will not cause pain when they are withdrawn.

After observing the mean dispositions of courage and temperance, we realize that Aristotle thinks of the virtues as simultaneously (1) intermediates between excess and deficit dispositions and (2) dispositions unto themselves with specific descriptions. If we think back on the legalistic method of morality, we realize just how much more nuance the dispositional ethical approach allows. Whereas a legalistic account judges the action of an agent to be morally right or wrong without further description, dispositional ethics always names “a genus such as “untruthful”, “unchaste”, “unjust.”⁴⁰

At this point, the contours of Aristotle’s account of dispositions have come to light.

While it is true that mean dispositions exist between excess and deficit, they also have specific

³⁷ Barnes 1766, 1119a1.

³⁸ Barnes 1748-1749, 1107b5.

³⁹ Barnes 1766, 1119a11.

⁴⁰ Anscombe 33.

features that make them more than mere midpoints. As we have seen, the kind of things that should be habituated are behaviors—of which are made better or worse in action. If moral excellences are weakened or strengthened in action, there will be no small weight placed on the thought process an agent undergoes in determining a course of action.

II. *The Bearing of Mean Dispositions on Mean Actions*

What has been outlined thus far is the mean as it is found in character dispositions. However, Aristotle also tells us about a mean in action. Mean actions are arrived at by an effective situational deliberation that at one and the same time reflects a corresponding mean disposition. How a mean action is reached is owed to deliberation. Deliberation, as opposed to mere consideration, is distinguished by Aristotle as a kind of thinking directed towards action. Every deliberation is comprised of a number of considerations that inform the calibration of the mean action. When someone deliberates on a matter, they imply that as a result of this thinking, they will act in one of a number of different ways. Accordingly, deliberation can lead to excellent or flawed actions. This being so, there should be a mean in the situational exercise of the deliberative faculty. Good deliberation will point to the right action in the particular circumstance.

Here, the question might be asked: how do mean dispositions, deliberation, and mean actions relate to one another? Whereas mean dispositions are given prior to deliberation, mean actions are not. While we can recognize mean dispositions free of the particular case, deliberation is entirely dependent on the set of particulars given in the case at hand in order to do its work. Given that an arrival at a mean in action is dependent upon sound situational

deliberation, this action mean cannot be fixed before a deliberation has taken place. In this way, good deliberation acts as a middle-man between mean disposition and mean action.

How is it, then, that an agent utilizes deliberation to arrive at a decision in the area of action? First, the agent recognizes the deliberation called for. The agent then identifies the absolute excess and deficit responses. With this frame of reference in mind, the agent observes the important factors of the case at hand—first weighing the value and relevance of each new aspect, and then allowing each of these to affect the calibration of the action mean. Thus, there are a collection of considerations that underlie a single deliberation. Once all the essential factors of a situation have been collected and assessed, the mean result is noted. This mean result is then taken up in action.

ii. *Technical Deliberation: Milo of Croton and the Novice Athlete*

In approaching mean evaluation for the first time, we should turn to a moment in the *NE* where Aristotle lays out a concise technical model of how agents normally reason to action: the Milo example of Book II. This case demonstrates how an agent might utilize the excess/deficit tool to find an intermediate course of action. In Chapter 6, Aristotle presents the case of a trainer's determination on the amount of food to be given to two wrestlers: one being Milo of Croton (a professional wrestler) and the other a novice athlete.

Aristotle reasons that if one of two wrestlers to be fed is a trained athlete while the other is a mere novice, then a trainer will give more food to the former than the latter. As he puts it: "if ten pounds is too much for a particular person and two too little, it does not follow that the trainer will order six pounds; for this... is perhaps... too little for Milo... [yet] too much for the

beginner.”⁴¹ This is because the professional athlete who has greatly increased his body mass requires more food than the novice. If this were a matter of finding a mean between starving and overfeeding the athletes, irrespective of their physical differences, all that would be required of the trainer making this judgment would be to feed the two individuals an amount that was precisely between ten and two pounds.⁴² However, having noticed the distinctness in the physical needs of the two athletes, the trainer must account for this difference in his approach to portioning the food. It is in this way that the original fixed mean of six pounds is altered to a new mean that considers the caloric needs of the subject to be fed. This change from the initial generalized judgment to one that factors in the consideration of the body type of the athlete to be fed is shown below.

Considerations of a trainer (deficit — excess)

1.) Underfeeding – Overfeeding

2a.) Underfeeding a novice (lower caloric need) — Overfeeding a novice (lower caloric need)

2b.) Underfeeding a professional athlete (higher caloric need) — Overfeeding a professional athlete (higher caloric need)

Through the Milo example, we have encountered a way in which thinking through considerations can build upon itself to create more nuanced, nested excess/deficit pairs. In the case of the movement from 1 to either 2a or 2b, the parameters of ten and two pounds remain the same. What changes, rather, is how the mean is negotiated. We are still dealing with overfeeding and underfeeding; however, the alteration that takes place between 1 and 2a or 2b qualifies the consideration pool by adding caloric needs as a new factor. This consideration does not break from the conception of 1—rather, it affects the mean calibration of 1. As we reason through the

⁴¹ Barnes 1747, 1106b1-3.

⁴² Ibid.

Milo example, we are presented with new factors that influence how the trainer approaches finding the mean without ever denouncing initial parameters—i.e. those between ten and two pounds.

iib. *Technical Deliberation vs. Ethical Deliberation*

The example demonstrated above illustrates how the process of deliberation works in a technical sense. However, the trainer's determination of a mean action in this situation is not sufficient to qualify him as finding the mean in a broader ethical sense. To understand why this is the case, we should ask ourselves what this deliberating agent aims at. As an advisor to any athlete, a trainer is driven towards helping his trainee in acquiring both (1) strength and (2) refined physical performance. For this reason, the trainer pushes his athletes to build strength rather than to pursue some other end. Therefore, the trainer's deliberation is motivated by a pursuit of a localized good. This process is not undertaken with an eye to what would comprise the good life of the athlete in general. Rather, the end goal of the trainer is merely to produce strength in their trainee. Upon further inspection, an excellent trainer can at one and the same time be deficient in a whole range of different dispositions. It might be the case that they are cowardly or self-indulgent. While they are effective in deliberating in their localized field of expertise, an agent may not have an eye to the good overall.

At this point, a distinction between (1) technical deliberation and (2) ethical deliberation arises. Whereas technical deliberation refers to the reasoning to action that occurs in a localized sphere, ethical deliberation is wider in its scope. It is concerned with deliberation that holds itself in accordance with "right reason."

Who then can be said to have an eye to that which is both right and beyond a local good—one whose action is in accordance with this “right reason?” For Aristotle, the agent of practical wisdom meets this demand. In Book VI Chapter 5 of the NE, Aristotle opens an inquiry into defining the agent of practical wisdom. He begins by writing that the persons to whom we accredit practical wisdom are “able to deliberate well about what is good and expedient...”⁴³ Rather than thinking about what actions lead to localized goods, these agents deliberate “about what sort of things conduce to the good life in general.”⁴⁴

In the Milo example of Book II, we witnessed how the trainer’s food evaluation was lacking given that the end towards which he aimed was strength. He determined how much to feed his trainees based on this localized good. Rather than having an eye to what would conduce to a good life for his athletes, he looked to one merely local good. However, the life of happiness entails something that spans farther than a mere localized good.

Aristotle defines practical wisdom as “a true and reasoned state of capacity to act with regard to things that are good or bad for man.”⁴⁵ He reasons that,

...since knowledge involves demonstration, but there is no demonstration of things whose first principles can be otherwise (for all such things might be otherwise), and since it is impossible to deliberate about things that are of necessity, practical wisdom cannot be knowledge nor art; not knowledge because that which can be done is capable of being otherwise, not art because action and making are different kinds of thing.⁴⁶

The great novelty of this passage is Aristotle’s distinction of knowledge and art from practical wisdom. For Aristotle, practical wisdom in its most condensed form is the capacity to deliberate

⁴³ Barnes 1801, 1140a25.

⁴⁴ Barnes 1801, 1140a27.

⁴⁵ Barnes 1800, 1140b5.

⁴⁶ Ibid.

well.⁴⁷ Built into the capacity to deliberate well is the ability to think and act with choice in a world which, by definition, is always “capable of being otherwise.” This is a facility that knowledge does not possess given that knowledge is restricted to “belief about things that are universal and necessary.”⁴⁸ While knowledge of universals can be proven through demonstration of their existence free from experience, this universalizing cannot be done in our everyday dilemmas. This is the case because the “first principles” of day-to-day life are always changing. Every new situation calls for different kinds of deliberation given that each presents unique difficulties. This follows from the reality that every new deliberative evaluation deals with events that have never occurred before in the same exact way. For this reason, one cannot demonstrate why a specific action is to be taken for a given situation free from the consideration of the particulars at hand. If we were to act strictly in accordance to ideals at the expense of the particulars of a given situation, then rather than exercising practical wisdom, we would be acting according to universal principles. Although we cannot demonstrate activities of practical wisdom on a universal level, we can learn how to engage in practical wisdom through the continuous exercise of virtuous habits.

Aristotle also draws a distinction between action and art. Why is it that action and art/making are not like activities? In the case of the arts, one is engaged in creating rather than acting. This making manifests in two ways: (1) “a state of capacity (belonging to the artist) to make” and (2) a bringing into being of the artwork itself.⁴⁹ The creation of an object or experience involves a creator who produces a product through work. For example, the composer composes a piece, the sculptor chisels a sculpture, the playwright authors a play, and the metalworker shapes iron into its form. Contrastingly, practical wisdom is an action which has its

⁴⁷ Barnes 1800, 1140a30.

⁴⁸ Barnes 1801, 1140b30.

⁴⁹ Barnes 1800, 1140a10.

own “good action [as] its end.”⁵⁰ Its product is therefore not something external to it as is the case in the arts. Therefore, practical wisdom aims at nothing but its own exercise—that which is both goal and process.

In our consideration of the question of how much a professional athlete or the novice should be fed, we have so far approached the issue from the perspective of the trainer and the agent of practical wisdom. What was shown through this engagement was that while everyone engages in good technical deliberation in the areas of their expertise, not everyone partakes in sound ethical deliberation. Further examples will help to illustrate this point.

We might consider the standpoint of the novice athlete himself. Suppose it is the case that this learner finds his eating routine to have an overall negative impact on his body and mind. For the sake of argument, let us imagine that this individual subscribes to “the life of enjoyment” that Aristotle tells us of early into Book I Chapter 5.⁵¹ On pleasure, Aristotle states that many identify the good, or happiness with it. In taking this kind of life to be his ethical touchstone, the novice engages in misguided ethical deliberations. This individual might understand the evaluation of how much food he is to eat to be solely dependent upon his own hunger. Here, satisfaction of personal hunger would be taken by the novice to be the motivation behind this technical deliberative process. While in the technical sense, there is nothing wrong with his deliberation, in an ethical sense, he has diverged from sound deliberation insofar as he is acting from the excess disposition of self-indulgence.

He may, for example, succumb to gluttony or undereating depending on his character tendency. Therefore, there is a failure in the ethical deliberation of this agent. Whereas we were uncertain of the strength of the trainer’s ethical deliberations insofar as we were presented only

⁵⁰ Barnes 1800, 1140b5.

⁵¹ Barnes 1731, 1095b15.

with his excellence in specific kinds of technical deliberation, we can be certain that the ethical deliberation of the novice is misguided given that the end he pursues is deficient or excessive. In examining the thought processes of both the trainer and the novice athlete, two essential aspects of the agent of practical wisdom have been demonstrated. Through engagement with the trainer and novice athlete, we have demonstrated that (1) good specialized technical deliberation does not imply strong ethical deliberation and (2) the end of ethical deliberation must be in accordance with what would characterize the good life of man in general.

One could just as easily observe the way in which other agents pursuing localized goods fail to deliberate in the ethical sense. All this is undertaken to demonstrate that whether an agent is a strong deliberator or not, they will use technical deliberation to navigate situations. However, the mere fact of one's engagement in working through of excess/deficit pairs in a technical sense is not enough to establish them as an agent who deliberates in accordance with "right reason."

III. *The Problem of Actions and Passions that do not Admit of a Mean*

Over the course of the first six chapters of Book II of the *NE*, Aristotle elucidates his account of the mean as it applies to dispositions and actions. As he does this, he is careful to ground his ethical project in mean dispositions as opposed to in either actions judged to be inherently moral or absolute prohibitions on certain types of immoral action. Aristotle is interested in mean actions only in their relation to the cultivation of mean dispositions. As a result of this, he does not concern himself with actions that are permitted or prohibited. Rather, he focuses his attention upon illuminating the mean dispositions that produce mean actions. Up to a point, he takes good care not to rule out certain actions before experience. If it were not for a surprising paragraph at

the end of Chapter 6 (discussed below), it would be warranted to claim that Aristotle is consistent in his holding of mean dispositions as the driving force behind ethical life.

Outside of the excerpt in question, Chapter 6 itself reflects the commitment to mean dispositions that Aristotle holds throughout Book II. For much of the chapter, the philosopher speaks to us in a familiar voice. On the issue of how to properly feel fear and confidence, he tells us that “to feel them at the right times, with reference to the right objects, towards the right people, with the right aim, and in the right way, is what is both intermediate and best.”⁵² This language once again reminds us that if one is to consistently find mean actions in everyday life, they must first possess the relevant mean dispositions. In the case above, the dispositional mean in question is courage. If the corresponding mean disposition of courage is not possessed by an agent who appears to act in accordance with right reason, then their displayed action only coincidentally resembles what would constitute an actual mean action. This is because what comprises a mean action is not merely the action itself, but also the exercise of the mean action from a place of knowledge and choice—two factors that are entirely dependent on having the relevant mean disposition. These two components are demonstrated in the carrying out of a mean action “with the right aim, and in the right way.”

Additionally, Aristotle alludes again to excellence as being “determined by reason and in the way that the agent of practical wisdom would determine it.”⁵³ Rather than placing the weight of moral life on certain actions as a legalistic framework does, the philosopher bases his ethics upon the sound deliberation of an agent of practical wisdom.

Because so much important work happens on the topics of mean evaluation and practical wisdom in this chapter, the incongruent final paragraph is largely overshadowed. Upon first

⁵² Barnes 1747, 1106b20.

⁵³ Barnes 1748, 1107a1.

reading through Chapter 6, one can easily miss the passage that introduces so many apparent inconsistencies for Aristotle's dispositional account of ethics. This is partially because the excerpt is so short: it is a mere paragraph— just five sentences in total. However, if we take this passage seriously, it is remarkable just how much of our expectations about what the Aristotelian ethical model can deliver is upended by this statement. Stranger still is that rather than continuing his train of thought in Chapter 7, Aristotle pivots back to his normal discussion of mean dispositions. How strange it is that a paragraph that appears to be rhetorically speaking a mere afterthought can unravel so much of Aristotle's ethical thought?

But not every action nor every passion admits of a mean; for some have names that already imply badness, e.g. spite, shamelessness, envy, and in the case of actions adultery, theft, murder; for all of these and suchlike things imply by their names that they are themselves bad, and not the excesses or deficiencies of them. It is not possible, then, ever to be right with regard to them; one must always be wrong. Nor does goodness or badness with regard to such things depend on committing adultery with the right woman, at the right time, and in the right way, but simply to do any of them is to go wrong. It would be equally absurd, then, to expect that in unjust, cowardly, and self-indulgent action there should be a mean, an excess, and a deficiency; for at that rate there would be a mean of excess and of deficiency, an excess of excess, and a deficiency of deficiency. But as there is no excess and deficiency of temperance and courage because what is intermediate is in a sense an extreme, so too of the actions we have mentioned there is no mean nor any excess and deficiency, but however they are done they are wrong; for in general there is neither a mean of excess and deficiency, nor excess and deficiency of a mean.⁵⁴

The “but” at the beginning of the paragraph cues us into a coming exception or qualification. Up until this point, Aristotle has placed the weight of his ethical theory on the notions of sound deliberation and mean dispositions. In light of this, it comes as a surprise to hear the philosopher say that there are certain *actions* that, “however they are done...are wrong”

⁵⁴ Barnes 1748, 1107a10-25.

—regardless of the contexts in which they may be called for. In Chapter 2, we are told that because “particular cases... do not fall under any... precepts, ... the agents themselves... must consider what is appropriate to the occasion.”⁵⁵ Yet, in the case of actions that do not admit of a mean, it appears that such precepts do in fact exist—namely, “however they [actions that do not admit of a mean] are done they are wrong.”⁵⁶

If this passage were to arise in a legalistic account, it would pose no problem. A legalistic body or higher power determines what actions are permitted and prohibited. As such, a legalistic body is invested with the power to create laws that prohibit “actions [of] adultery, theft, [and] murder” without any kind of interior contradiction. However, this tone sounds oddly uncharacteristic for Aristotelian ethics.

For one thing, the kind of deliberation that aligns with moral legalism is at odds with that of Aristotelian ethics. The sound functioning of legalistic deliberation is the faithful testing of possible courses of action through the evaluation of their permissibility under the purview of the law. On the other hand, the sound deliberation of the agent of practical wisdom is the proper evaluation of the notable factors of every situation that arises. For this reason, Aristotle stresses that strong deliberation aims at action taken at the right time, with reference to the right objects, towards the right people, with the right aim, and in the right way.⁵⁷ The deliberation that Aristotle has in mind is strongly bound to the particulars of a situation at hand.

The novelty of Aristotle’s ethical approach was thought to be its refusal to fall into legalizing what actions could and could not be done. Its steadfastness in thinking about excellence in a manner that made no appeal to an outside source such as law is what set it apart from other ethical systems. Before encountering this surprising passage, it appeared to us that the

⁵⁵ Barnes 1744, 1104a5.

⁵⁶ Barnes 1748, 1107a10.

⁵⁷ Barnes 1747, 1106b20.

philosopher did not want to make an appeal to legalistic conceptions of morality in his description of ethical life.

What might we have expected from Aristotle in the way of these actions that do not admit of a mean? We might have predicted that when talking about these actions, the philosopher would say that there may be instances in which this kind of action is called for; that in these cases, this is the right action given the circumstance. We expect this because it is thought that one action does not render an agent bad.

However, contrary to our expectations, Aristotle writes that “not every action nor every passion admits of a mean; for some have names that already imply badness.” When the rubber meets the road, there are certain kinds of deliberation that must remain off limits for an agent operating in abidance with proper reason. Here, Aristotle has in mind “passions such as spite, shamelessness, [and] envy” along with thoughts of whether to commit acts such as “adultery, theft, [and] murder (among others).”⁵⁸

⁵⁸ Barnes 1748, 1107a10.

Chapter 2

Maintaining Aristotle's Commitment to the Dispositional Method

In addressing the issue of a perceived legalistic method underlying Aristotle's ethics, we should begin by drawing a distinction between two objections to be dealt with—one of which will ultimately prove more difficult to reckon with. In the Book II Chapter 6 passage quoted earlier, Aristotle speaks of certain passions and actions that do not admit of a mean. If we are to overcome the claim that Aristotelian ethics is at a base level legalistic in its method, we need to adopt a reading of the incongruous passage in which the existence of actions and passions that do not admit of a mean is reconcilable with the dispositional method of ethics. We will refer to the first of the two objections as the “non-mean admitting passions objection”—the second we will refer to as the “non-mean-admitting actions objection.” A reconciliatory reading of Book II Chapter 6 with the dispositional method of ethics cannot interpret the surprising excerpt to imply that “one ought not feel envy” or “one ought not commit murder.” If we were to make this kind of maneuver, we would be shown to have succumbed to the special moral sense we take ethics to reject. Additionally, such conclusions would result in a baseline legalistic interpretation of Aristotle's ethics. Rather, the reading we pursue will have to be in line with Aristotle's account of character development and mean dispositions.

The following two sections will begin with a re quoting of components of the seemingly incompatible passage that bear directly on non-mean admitting passions and actions respectively. Given that Aristotle tells us about actions and passions that do not admit of a mean fairly quickly, we will have to parse out the different arguments relative to passions and actions if we are to have any hope of reconciling these categories with the dispositional method. If we are unable to understand these categories within the dispositional framework, we will need to

reevaluate what we have said about the method of Aristotle’s ethics—and by extension, what we have said about ethics in general.

I. *The non-mean admitting Passions Objection*

Below, we have the same Book II Chapter 6 passage that was introduced in Chapter One. Here the components of the excerpt regarding passions that do not admit of a mean are underlined.

But not every action nor every passion admits of a mean; for some have names that already imply badness, e.g. spite, shamelessness, envy, and in the case of actions adultery, theft, murder; for all of these and suchlike things imply by their names that they are themselves bad, and not the excesses or deficiencies of them. It is not possible, then, ever to be right with regard to them; one must always be wrong. Nor does goodness or badness with regard to such things depend on committing adultery with the right woman, at the right time, and in the right way, but simply to do any of them is to go wrong. It would be equally absurd, then, to expect that in unjust, cowardly, and self-indulgent action there should be a mean, an excess, and a deficiency; for at that rate there would be a mean of excess and of deficiency, an excess of excess, and a deficiency of deficiency. But as there is no excess and deficiency of temperance and courage because what is intermediate is in a sense an extreme, so too of the actions we have mentioned there is no mean nor any excess and deficiency, but however they are done they are wrong; for in general there is neither a mean of excess and deficiency, nor excess and deficiency of a mean.⁵⁹

Let us begin by examining Aristotle’s claim that “not every passion admits of a mean.”

The philosopher tells us that certain passions, among them those of spite, shamelessness, and envy, “are themselves bad, and not the excesses or deficiencies of them.” One who reads this passage from a legalistic perspective will take this statement to indicate that feelings of spite, shamelessness, and envy ought never to be felt by a strong deliberative agent. The advocate of this reading will argue that Aristotle finds the agent who feels passions that do not admit of a

⁵⁹ Barnes 1748, 1107a10-25.

mean to miss the mark in any and every context in which he or she experiences them. If the claim is read in this fashion, this moment in the text is taken to demonstrate Aristotle's commitment to the idea that one ought not to feel spite, shamelessness, and envy, among other passions that do not admit of a mean in any context. The feeling of these passions would indicate an ethical failure of the agent irrespective of the situation. This, a legalistic advocate will argue, is a prohibition on certain passions free from experience. As such, this passage shows a clear example of legalism at play in the *NE*.

I argue that what Aristotle intends is something quite different. Rather than making the claim that one ought never feel certain passions on the ground that these are inherently bad, the philosopher is drawing our attention to a formal distinction that emerges from his concept of the mean. Mainly, if one were to allow an excess and deficit within what is already inadequate, the result would be “a mean of excess and deficiency, an excess of excess, and a deficiency of deficiency.” These are three logical absurdities insofar as (1) what is already deficient or excessive cannot contain within it a mean, (2) deficiency is already deficient, and (3) that which is excessive is by definition excessive.⁶⁰ More concisely put, the excesses or deficits that stand relative to any of the mean dispositions or passions are already inadequate—“not the excesses or deficiencies of them.” Thus, the passions that do not admit of a mean are excess or deficit passions. These cannot be said to contain within themselves an intermediate insofar as they are, by definition, excessive or deficient relative to the mean disposition in accordance with right reason.

Insofar as Aristotle includes both the excess (spite) and the deficit (envy) that correspond to the mean disposition of righteous indignation in his nonexhaustive list of passions that do not

⁶⁰ Barnes 1748, 1107a20.

admit of a mean, engaging with this excess/deficit/mean case should prove particularly useful in our current discussion.

Envy (D) – Spite (E)
→ Righteous Indignation (M)

As was true in the case of the bearing of mean dispositions on mean actions, the mean disposition of righteous indignation manifests itself in the situational feeling of the passion. As we demonstrated earlier, mean dispositions manifest differently in the particular situations a strong deliberative agent encounters. The mean disposition of righteous indignation presents no exception to this rule. Whereas in certain cases the calibrated mean passion of righteous indignation will more closely resemble the relevant deficit passion of envy than the excess of spite; in other cases, the inverse will be true.

If we remember that Aristotle holds that mean dispositions manifest differently depending on the case in hand, leaning more to one extreme of the excess/deficit pair than the other, we can begin to see that when the philosopher proposes that “there are certain passions that imply by their names that they are themselves bad, and not the excesses or deficiencies of them,” he is making a claim about the necessity of an agent’s holding of the right dispositional frame of reference.

When the philosopher tells us that there are certain passions that do not admit of a mean, he is not claiming that every experience of envy or spite is ethically indefensible. A situational mean passion correlated with the relevant mean disposition of righteous indignation will have elements of envy or spite. After all, the agent who is characterized by righteous indignation is, as Aristotle tells us, “pained at undeserved good fortune” (1108b1). Included in this pain are elements of envy and spite—envy over what was gained by this other and spite over their

deservingness of the fortune. Therefore, we cannot attribute a legalistic understanding of the wrongness of feelings of envy or spite regardless of situational context to Aristotle. However, what can be attributed to him is the idea that if one aims to find a mean in either envy or spite, they have already committed an ethical failure insofar as they are calibrating a mean within the confines of that which is already excessive or deficient.

? (D) – ? (E)	Envy (D) – Spite (E)	? (D) – ? (E)
→ Right Envy (M)	→ Righteous Indignation (M)	→ Right Spite (M)

If one were to ask for a mean in envy or in spite, the employed frame of reference would demonstrate an ethical failure insofar as any determined mean of envy or spite is already respectively deficient or excessive. That being said, if a strong deliberative agent acts in a way that resembles spite (E) or envy (D) while proceeding from righteous indignation (M), they are truly acting in accordance with the mean disposition of righteous indignation. The calibration of the central mean disposition in the particular case only appears to resemble the relative excess or deficit disposition given that this calibration is called for in the particular case.

From the forgoing, we see that what Aristotle says in his discussion of passions that do not admit of a mean affirms what he has already told us about mean dispositions. That there are passions and dispositions that do not admit of a mean is simply to say that what is excessive or deficient contains within itself no mean. Given that the mean passion calculated for the specific case will lean toward the relative excess or deficit passion depending upon the context, specific passions are not prohibited before experience in the Aristotelian approach. Having dealt with the section of the surprising Book II Chapter 6 passage concerning passions that do not admit of a mean, we must now turn our focus to a far more difficult task: reconciling the notion of actions that do not admit of a mean with the dispositional method of ethics.

II. *The non-mean-admitting Actions Objection*

As was done in the previous section, the same Book II Chapter 6 passage that was introduced in Chapter One is quoted in its entirety below. Here the components of the excerpt regarding actions that do not admit of a mean are underlined.

But not every action nor every passion admits of a mean; for some have names that already imply badness, e.g. spite, shamelessness, envy, and in the case of actions adultery, theft, murder; for all of these and suchlike things imply by their names that they are themselves bad, and not the excesses or deficiencies of them. It is not possible, then, ever to be right with regard to them; one must always be wrong. Nor does goodness or badness with regard to such things depend on committing adultery with the right woman, at the right time, and in the right way, but simply to do any of them is to go wrong. It would be equally absurd, then, to expect that in unjust, cowardly, and self-indulgent action there should be a mean, an excess, and a deficiency; for at that rate there would be a mean of excess and of deficiency, an excess of excess, and a deficiency of deficiency. But as there is no excess and deficiency of temperance and courage because what is intermediate is in a sense an extreme, so too of the actions we have mentioned there is no mean nor any excess and deficiency, but however they are done they are wrong; for in general there is neither a mean of excess and deficiency, nor excess and deficiency of a mean. (1107a10-25)

The argument for Aristotle defaulting to baseline legalistic claims in his dispositional account of ethics is much stronger in reference to actions that do not admit of a mean. Upon first glance, the proposition that there are actions that are “themselves bad” appears inconsistent with Aristotle’s commitment to mean dispositions. Previously, we believed that Aristotle’s dispositional approach allowed us to bypass the problem of relevant descriptions. Yet in this moment of the *NE*, it appears that Aristotle fails to recognize the different relevant descriptions that belong to the actions of “adultery, theft, and murder” among other actions that do not admit of a mean. Here, the actions of adultery, theft, and murder in any situational context are understood to bring to light the vicious character that an agent had all along. However, we can imagine many

particular cases in which one might be forced to deliberate and act in ways that do not admit of a mean. In these cases, we are tempted to say that the resultant action should not always reflect on an agent's character.

Originally, we were under the impression that while mean dispositions can be discussed away from the particular, mean actions cannot be known in advance insofar as they are beholden to the particular case. To make a claim about what agents ought never to do, as Aristotle appears to do here, is to speak on mean actions as if they could be known in advance. Such a maneuver is inconsistent with Aristotle's distinctively "ethical"/"dispositional"—as opposed to a "moral"/"legalistic"—framework. The employment of ground level prohibitions in Aristotle's ethical account would imply a deference to certain legalistic moral claims that speak with the charged ought of the "so-called moral sense."⁶¹

On the surface, it appears that Aristotle is committed to the idea that certain actions, regardless of how they are described in the particular, ought never to be undertaken. This point comes through most saliently when the philosopher tells us that there is no such thing as "committing adultery with the right woman, at the right time, and in the right way, but simply to do [it] is to go wrong." By extension, this means that if an agent finds themselves deliberating on how to carry out an action that does not admit of a mean, they have already gone astray. To say that certain actions always indicate an ethical failure is to betray the dispositional model of ethics in that such a move defaults to prohibitions against actions. Whereas up to this point, Aristotle has spoken in the language of disposition, which arises quite naturally from an ethical framework, here he appears to be switching registers to talk about action in a legalistic sense.

In response to this non-mean admitting actions objection, I propose two different kinds of responses. Both of these demonstrate that Aristotle remains committed to the dispositional model

⁶¹ Anscombe 29.

of ethics in that he creates no universal, absolute prohibitions in the area of action. The first reply that we can offer is to say that (1) Aristotle interests himself in determining the character of a model ethical agent whose eye to the right end is manifest in their dispositions and actions. In stark contrast to morality, which in its various forms offers a set of laws to be upheld by all people, Aristotelian ethics focuses upon identifying the characteristics of the strong deliberative agent. Aristotle does this because he takes the agent of practical wisdom to be the subject of his inquiry into ethical matters. More concisely put, whereas Aristotelian ethics identifies the conditions of one being a strong deliberative agent, morality identifies the obligations of being a human being.

From the forgoing, we can see that Aristotle does not advocate for the position that we can hold all people to the same standard that we apply to the strong deliberative agent. We are cued into this as early as Book I Chapter 5 of the *NE*. Here, the philosopher tells us that there are a number of different types of lives that people identify as being representative of “flourishing.” Aristotle classifies the three prominent lives men lead: the pleasurable, political, and contemplative life.⁶² It is in this same passage that the philosopher tells us that “*most men*... identify the good, or happiness with pleasure”—pursuing the life of enjoyment.”⁶³ If everyone identifies flourishing with different manners of living, one cannot expect that everyone will have cultivated, or much less be interested in cultivating, the proper mean dispositions. In fact, Aristotle expects that very few people will be able to reach practical wisdom. It is the exception rather than the norm.

This brings us to one further point. Unlike the deliberation characteristic of morality, Aristotle’s model of ethical deliberation is not about how to do any pre-determined type of act

⁶² Barnes 1731, 1095b15.

⁶³ *Ibid.*

well, but is rather about how to live well in general. If a human is to live well in this sense, they will not “voluntarily” undertake certain non-mean admitting actions. That non-mean admitting actions are not undertaken by the agent of practical wisdom “voluntarily” is a condition of their being such. It is simply the case that if one wishes to be a strong deliberative agent, they will not “voluntarily” deliberate on certain actions that are by definition excessive or deficient. That being said, there are other instances outside of voluntary situations in which a non-mean admitting action might be called for. This brings us to our second reply to the problem at hand.

Our second mode of response is to say that (2) Aristotle recognizes that even when speaking about agents of practical wisdom, one cannot say prior to experience that they will never either deliberate on an action or act in a fashion that does not admit of a mean. This is because there are certain predicaments in which a deliberation on a non-mean admitting action will be called for. In these cases, the deliberation and action of the agent will not reflect a poor character brought to light. In such instances, a distinction between “voluntary” and “involuntary” action needs to be drawn.

In our discussion of deliberation and mean action, we have elucidated both as they take place in the “voluntary case.” However, we have not yet spoken of action and deliberation that takes place in the “involuntary case.” This is largely due to the fact that the discussion of mean evaluation that occurs in Book II does not yet have access to the conceptual distinction between voluntariness and involuntariness. This distinction is made by Aristotle in Book III. As a result of this, we can read the mean evaluation described in Book II to remain within the parameters of the voluntary.

ii. *Involuntary Deliberation and Action*

In Book III of the *NE*, Aristotle explores the different circumstances under which an agent's poor deliberation or action is taken not to reflect their character. To this end, Aristotle establishes the existence of what he terms "involuntary action." As early as the first chapter of Book III, Aristotle tells us that involuntariness "takes place under compulsion or owing to ignorance."⁶⁴ Whereas upon voluntary actions "praise and blame are bestowed," upon involuntary actions forgiveness and pity fall.⁶⁵ Whereas we can judge character on the basis of deliberations and actions taken up by an agent voluntarily, we cannot determine character from deliberations and actions taken up in involuntarily situations.

In his book *Character*, Jay Elliott identifies three primary cases of involuntary action that Aristotle discusses: tragic dilemma, unendurable force, and ignorance.⁶⁶ Whereas the first two cases are wrought by compulsion, the third arises—as one might expect—through that which is not known by the agent at the time of their base act. For the purpose of this inquiry, we will concern ourselves exclusively with the form of compulsion known as "tragic dilemma." We will engage with this case given that it is the only kind of involuntariness that results in a base deliberation as well as a base action. Whereas unendurable force pushes an agent to act basely, causing him or her to bypass deliberation entirely, a tragic dilemma pushes an agent not only to act poorly, but to deliberate on actions that would otherwise not admit of a mean as well. On the other hand, ignorance can only be recognized in hindsight. In its appearance in a situation, ignorance does not force a deliberation on that which does not admit a mean; rather, it causes base action alone.

⁶⁴ Barnes 1752, 1110a1.

⁶⁵ Barnes 1752, 1109b30.

⁶⁶ Elliott 41.

In the following section, we will take a closer look at involuntariness arising from compulsion. This will inevitably lead us to a focused discussion of tragic dilemma. In doing so, we will show that strong deliberative agents may be forced to both deliberate and subsequently act in a manner that would not admit of a mean in the voluntary sense. Showing this will demonstrate how an agent of practical wisdom may deliberate on non-mean admitting actions or act uncharacteristically in tragic dilemmas without bringing the strength of their character into question.

iiia. *Compulsion*

Thus far, we have spoken extensively on matters of voluntary action. The most direct example of this discussion was in the section regarding mean action and deliberation. There, we laid out the deliberative process as it happens under strictly voluntary conditions. Such deliberations and actions are entirely voluntary in that they are chosen by the agent free from any kind of external force (or general ignorance). However, there are some instances in which an agent's actions are rendered utterly involuntary due to external compulsion. Between these two extreme case types, there exists a spectrum of situations in which agents are said to act voluntarily and involuntarily to varying degrees. In these cases, the action cannot be shown to be strictly voluntary or involuntary. When an action cannot be proven completely either way, it is placed by Aristotle into the category of "mixed actions" in that the action contains within it elements of voluntariness and involuntariness.⁶⁷

It is because of the spectrum of cases in the area of compulsion that an ethicist must "say exactly when an agent was 'forced' in such a way as to make his action involuntary and to render

⁶⁷ Barnes 1752, 1110a10.

it out of character.”⁶⁸ In his discussion of compulsion, Aristotle aims to do just this. The philosopher defines compulsion as “that...of which the moving principle is outside [the agent].”⁶⁹ Within this larger category, there are two kinds of compulsion that Aristotle never directly names, but nonetheless distinguishes. I will refer to the first as “passive compulsion” and the second as “active compulsion.” The first kind is marked by an utter passivity possessed by an agent in a situation of compulsion—e.g. “if he were to be carried somewhere by the wind.”⁷⁰ In this first instance, the agent contributes nothing whatsoever to the situation. In being carried away, he has no deliberative or active capacity—he is simply an object that is moved against his will. This first kind of compulsion is entirely involuntary—i.e. it holds within it no hint of voluntariness.

In the case of active compulsion, an external force also acts upon the agent. What marks this case as divergent from passive compulsion is that the agent subsequently carries out an involuntary, base action at the behest of this external force. Cases of active compulsion are in a sense voluntary insofar as the agent ultimately carries out the base action. What is meant by this is that an action undertaken by an agent in response to any situational condition implies a choice to act in a certain way as opposed to any other. Insofar as “the things of which the moving principle is in a man himself are in his power to do or not to do,” the agent who acts basely holds a certain responsibility for the action he chooses—regardless of the circumstance.⁷¹ As Aristotle concisely writes in Book III Chapter II, “when you have let a stone go it is too late to recover it.”⁷²

⁶⁸ Elliott 42.

⁶⁹ Barnes 1752, 1110a1.

⁷⁰ Ibid.

⁷¹ Barnes 1752, 1110a15.

⁷² Barnes 1759, 1114a20.

Because the performance of a base action is done “only with profound aversion and regret,” an agent of practical wisdom will feel properly shameful over what they have done.⁷³ In fact, “certain responses to them [involuntary bad actions]—detachment, disavowal of responsibility, or indifference toward the suffering that results—can reveal serious character flaws.”⁷⁴ For example, if someone were to commit a terrible action out of active compulsion and subsequently claim no responsibility whatsoever, this would reflect poorly on their character. Here, we see that the dispositional method of ethics remains ever present in situations of involuntary action. There is no simple default to legalistic measures here.

In another sense, an effective deliberator’s action out of active compulsion is not seen to reflect on their overall character. An action taken up under these conditions does not ultimately undermine an agent’s character given that while “such actions... are voluntary,” “in the abstract [they are] perhaps involuntary; for no one would choose any such act in itself.”⁷⁵ While these actions are worthy of choice at the time they are done, they would never be sought after in strictly voluntary situations.

iiab. *Tragic Dilemma*

Within the broad category of active compulsion, we find two of the three primary cases of involuntary action given to us by Elliott: (1) tragic dilemma and (2) unendurable force. As we have said previously, we will engage exclusively with the former given that it results in both base deliberation and base action. In demonstration of actions wrought by tragic dilemma, Aristotle offers us a clear example at the beginning of Book III:

⁷³ Elliott 54.

⁷⁴ Elliott 44.

⁷⁵ Barnes 1753, 1110a18.

...if a tyrant were to order one to do something base, having one's parents and children in his power, and if one did the action they were to be saved, but otherwise would be put to death.⁷⁶

In such a case, there are only two options available: one can either do the base action or allow their parents and children to be killed. Here, it is important to recognize just how limited the field of options is. If one chooses to commit a base act, their parents and children will be spared. However, as a result of their choice, one will have to deliberate on how to carry out the base action in question. If the action requested is one that under voluntary circumstances would admit of no mean, the agent will be forced to deliberate on actions that are deemed "themselves bad" when undertaken voluntarily.⁷⁷ What's more, the agent will then take up the result of that deliberation in action. On the other hand, if the agent refuses to engage in deliberation or action in the circumstance on the basis that these activities deal with matters that admit of no mean, they will stand idly by as their parents and children are slaughtered. This case and others like it are exceptional in that they present situations in which the options are so drastically limited as to provide only two terrible outcomes.

Only if one's options are really so limited can the situation be called a tragic dilemma and the shameful action rendered involuntary. Furthermore, it will be no excuse that the agent did not think of a third alternative.⁷⁸

The question of what counts as a tragic dilemma inevitably arises. There is a constant fear that upon facing a tragic dilemma, there could be a third route available to be taken. If an agent does not take a third alternative, as opposed to the other two awful options, when it is in her power to do so, the deliberation and action that she takes up will be seen to reflect poorly on her character.

⁷⁶ Barnes 1752, 1110a5.

⁷⁷ Barnes 1748, 1107a10.

⁷⁸ Elliott 54.

This is because agents are responsible not only for what they know, but what was in their power to know.⁷⁹

Therefore, we may say that such appalling actions are worthy of choice at the time they are done, but not in general—i.e. in strictly voluntary cases. Like the sea captain who throws goods overboard in a storm “on condition of its securing the safety of himself and his crew,” she who carries out a base or a non-mean admitting action in the hope of saving her family from death is acting as “any sensible man does.”⁸⁰ Actions made as a result of active compulsion “are more like voluntary actions; for they are worthy of choice at the time they are done.”⁸¹

A Sharp Legalistic Counterargument against Compulsion

In response to the broader section regarding compulsion, a moral legalist might point out just how easily one could mistake the allure of a passion for a force of compulsion. One could justify actions stemming from anger, appetite, or any other excessive or deficient passion by calling them involuntary. One can imagine many situations in which such a conception would backfire. An agent who commits adultery voluntarily might claim that they were forced by extreme pleasure to do something against their character. Likewise, a murderer might claim that they were compelled by overwhelming anger to kill a loved one. Without further distinction about what characterizes true involuntariness, an agent could claim all kinds of deficient or excessive passions as external powers that force them to act in regrettable ways. Under such a paradigm, these actions would not be seen to reflect the character of the agent who did them insofar as they were taken up “involuntarily.”

⁷⁹ Elliott 54.

⁸⁰ Barnes 1752, 1110a10.

⁸¹ Barnes 1752, 1110a10.

This fear can be quelled if we remember that Aristotle is focused upon giving an account of the character of the strong deliberative agent. If we re-center ourselves in this way, we find that such an agent claims involuntariness due to compulsion only in situations that are rightfully said to be involuntary. To claim any deficient or excessive passion as an external power that forces one to act is to speak of that which is voluntary as if it were involuntary. Here, it is important to make a distinction between involuntary actions done under true compulsion and the voluntary, poor actions of incontinent, or weak-willed, agents.

Truly virtuous character, according to virtue ethics, requires not merely good judgments, but also harmonious desires and effective action. Agents who engage in weak-willed actions do not act against their temperate character; rather, they reveal themselves to lack that kind of character altogether. Insofar as the weak-willed agent acts on his appetite, his action is still seen as voluntary, even if it is not in keeping with his considered judgments about what he ought to do. This contrast helps to bring out the point that truly uncharacteristic action needs to be involuntary and not just against the agent's best judgment.⁸²

If an agent acts upon an appetite simply because his desire for something is too great to refuse, he cannot claim his action to be an outlier against his otherwise temperate character. Regardless of the strength of his preceding “considered judgments” that told him to do otherwise, the weak-willed agent ultimately acts voluntarily against these judgments insofar as he wills base actions. Therefore, the poor action of the weak-willed agent is entirely voluntary—containing within it no trace of involuntariness.

⁸² Elliott 43.

III. *Can We Say that Ethics is Purely Dispositional?*

We can see that Aristotle is willing to make certain ground level claims about how an agent of practical wisdom will deliberate and act in voluntary cases. However, we should recognize how different of a maneuver this is from providing a set of laws prohibiting certain actions. Notice that Aristotle does not say that the agent of practical wisdom will abide by certain prohibitions against actions that do not admit of a mean. Rather, the philosopher singles out actions and deliberations that will never voluntarily be taken up by the agent of practical wisdom. That a strong deliberative agent will not take up these actions voluntarily is understood as a condition of their being excellent. However, over the course of a full life, a strong deliberator—like any other human being—will encounter a broad range of situations. As a result of this, one cannot say that a strong deliberative agent will never “act” in certain ways. Whereas morality legislates on actions in a universal sense, inevitably encountering the disparity between the universal and the particular, ethics recognizes the importance of relevant descriptions, thus making its business the evaluation of particular deliberations and actions in light of mean dispositions.

While we originally set out to show how Aristotle’s ethical account could move forward from mean dispositions alone, we have discovered that in the category of the voluntary, there are certain kinds of deliberation and action that are taken to immediately demonstrate an agent’s ethical failure. Here, it is important to understand this ethical failure as being relative to the ideal of the strong deliberative agent. It is quite unlike a moral failure, which stands relative to the law it breaks.

This leads us to a further point about the scope of Aristotelian ethics. Aristotle does not claim that *all people* “ought” never to voluntarily deliberate or act in ways that do not admit of a mean. Rather, he posits that a *strong deliberative agent* will not voluntarily engage in

deliberating or acting in these ways. Contrasted with morality, which aims to apply its laws to everyone under its jurisdiction, Aristotle's ethics concerns itself with uncovering the character of the strong deliberative agent. Aristotle advocates for the position that if we are to call someone an agent of practical wisdom, it cannot be the case that he or she will voluntarily deliberate or act in a manner that does not admit of a mean. Although the conditions of strong deliberation in the sphere of the voluntary are tied to an account of non-mean admitting actions, we can still understand Aristotle's approach to be thoroughly dispositional in its method. After all, when deliberation is undertaken voluntarily (as it is in normal circumstances), it precedes from a bearing of the relevant mean disposition on a mean action in the case at hand. Without having cultivated the mean dispositions, one cannot consistently find mean actions in the particular case.

The question might be asked, what if we were to extend this same kind of voluntary deliberation to the most extreme cases? If we stop for a moment to imagine someone voluntarily deliberating on an action that does not admit of a mean, we face an absurdity in that such a deliberation or action is itself excessive or deficient. Thinking on agents who act this way, we might imagine cases like the agent who deliberates upon how to murder someone; or perhaps we might think of the individual who deliberates upon sexually assaulting a peer. In normal voluntary deliberations, a mean disposition comes to bear on action; however, trying to find a corresponding mean disposition in these non-mean admitting cases is already indicative of an ethical failure. There is simply no corresponding mean disposition to be found—and for good reason. This last point is illustrated nicely in Bernard Williams's *Ethics and the Limits of Philosophy*.

One way in which ethical life serves them [individuals] is by encouraging certain motivations, and one form of this is to instill a disposition to give the relevant considerations a high deliberative priority—in the most serious of these matters, a virtually absolute

priority, so that certain courses of action must come first, while others are ruled out from the beginning. An effective way for actions to be ruled out is that they never come into thought at all, and this is often the best way. One does not feel easy with the man who in the course of a discussion of how to deal with political or business rivals says, 'Of course, we could have them killed, but we should lay that aside right from the beginning.' It should never have come into his hands to be laid aside. It is characteristic of morality that it tends to overlook the possibility that some concerns are best embodied in this way, in deliberative silence.⁸³

Williams' idea of "deliberative silence" appears to be an accurate expression of the Aristotelian claim that there are certain voluntary deliberations that should not be engaged in insofar as they do not admit of a mean. Like the cases we supplied above, deliberating upon whether or not to have business rivals killed is perhaps better "ruled out from the beginning." Whereas morality "tends to overlook that some concerns are best embodied...in deliberative silence," Aristotle's ethics recognizes the importance of this silence. This deliberative silence plays a significant role in the excellence that is characteristic of the strong deliberative agent. It may just be the case that this silence is one of the most important underpinnings of ethics as a whole.

⁸³ Williams 185

Bibliography

Anscombe, G.E.M.. "Modern Moral Philosophy." *Ethics, Religion and Politics* vol. 3 (1981): 26-42.

Aristotle. "The Complete Works of Aristotle." Translated by Jonathan Barnes, vol. 2, Princeton Univ. Pr., 1984.

Elliott, Jay. "Character." London and New York, Bloomsbury, 2017.

Williams, Bernard. "Ethics and the Limits of Philosophy." Harvard University Press, 1985.