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### Abstract

This paper is an attempt at framing Virtue Ethics in a manner that it is not derivative of either deontological or utilitarian ethics. The purpose in doing this is to avoid certain pitfalls in the other two approaches, and the argument hinges on a holistic treatment of values in a social community, as well as the role of practical rationality as the means to edify such a system. There follows an examination of John Dancy and John McDowell's work on this, with a critical perspective on where these clarifications have currency, and where these fall short.

# Value Theory for Virtue Ethics: Rational, Objective, and Human Criteria

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## Abstract

This paper is an attempt at framing Virtue Ethics in a manner that it is not derivative of either deontological or utilitarian ethics. The purpose in doing this is to avoid certain pitfalls in the other two approaches, and the argument hinges on a holistic treatment of values in a social community, as well as the role of practical rationality as the means to edify such a system. There follows an examination of John Dancy and John McDowell's work on this, with a critical perspective on where these clarifications have currency, and where these fall short.

Virtue Ethics, or Neo-Aristotelianism as it has also come to be known in academic moral philosophy, offers a possibility for working out a system of ethics that at least putatively could resolve the problems that one may face as either a deontologist or a consequentialist/utilitarian. The central problem from the deontologist's point of view, that in any case where one can formulate a rule that one is necessitated to acquiesce to, may lead one to either conflicting moral decisions, or to formulating rules so unspecified as to their content: that one might universalize rules that are either trivial, or that are immoral at closer inspection<sup>1</sup>. For consequentialism, the central problem that needs to be addressed is that of proper knowledge of one's consequences and that they indeed maximize happiness.

I take these two objections to be the main problems present in these strategies in moral philosophy. The strength that I find in reframing these issues in terms of practice within virtue ethics is that such a system would resolve the problems present in both while not rendering itself vulnerable to problems in either of the former.

What I want to argue for in the following is a particular understanding of Virtue Ethics, according to which it is indeed a real third alternative, and not just a kind of synthesis of consequentialism and deontology. This kind of synthesis would be easy to argue for, since virtue ethics in some sense has to define itself in terms of a deontology of the

virtuous agent, that is an agent which knows which actions are the right actions in the right particular context. In this light, we would be outlining the function of possessing the virtues required *a priori* for such action. Any situation where this system encounters the problems of a deontological ethics, we can appeal to what justice requires in light of the particular situation and chose the best possible act in light of the consequences available. This, however, is not so much an argument for virtue ethics, but rather how other ethical philosophies would derive its decision-method for conflict resolution.

I think such an argument fundamentally misconstrues the central aim of such a system and that it is more rightly considered a failure on the part of the deontologist and the consequentialist to appreciate the scope of the theory on its own terms. Rosalind Hursthouse lays out one of the possible objections to virtue ethics in the paper “Virtue Theory and Abortion” as that it rests on a circularity of defining virtuous action in terms of it being practiced by the virtuous agent, and that conversely the virtuous agent is defined by his action<sup>2</sup> (p.220), which then later pans out to give a moral theory that has no adequate normative theory (p.223). Hursthouse points out that this does get the point wrong, since in the end one does need to formulate a normative theory of “worthwhile” goals in order to assert what virtuous action would look like. Often the objection still manages to stand on the assertion that virtue theory cannot give a ‘realistic’ description of what one should do (p.225).

This does in a way sum up my formulation of this problem, in that formulating an ethics is not only formulating the rules that need to be observed in situations of conflict-resolution, but gets to a much deeper discussion that necessarily involves the content of the values that we espouse. Virtuous action would otherwise not make sense as it does not arise out of just being able to make the ‘right’ decision in a conflicting situation, or for that matter to follow the rules of good conduct in such a way that there are never any conflicts. The paradigm here that I want to broach later is that of casuistry. One general observation that I want to make here in light of this, is that the motivation of a conclusion in an Aristotelian practical syllogism is not just summed up by its premises as stated in propositional form, but that these have content beyond what is explicitly stated, which is why these are aptly named ‘practical’ syllogisms.

In the title I named Rationality, Objectivity and Human as qualifiers of such a theory. In a way it is conventional, since rationality and objectivity are the criteria that both neo-Aristotelians want to integrate into just such a system. It also figures as a very important element in both Kantian and utilitarian moral philosophy in terms of establishing a praxis that one can find both necessary, as understood by a rational actor, and that the standard is applicable objectively. As such though, with virtue ethics, one does have to answer the question as to what counts as rationality and objectivity, since it would be unsatisfactory to set the vocabulary of ethics apart from every other discipline in philosophy. Thus, Reason as I want to use it is tied to what our mind does

in terms of not just instrumental concept manipulation, but what a person engages in, in both moral as well as other kinds of practices. Thus, Reason is the power of a rational mind to be able to recognize concepts, laws of nature, codes of conduct etc. and to recognize them as having content

As to Objectivity, there are two possible ways in which one can approach the question. The first would be that which moral philosophy has, again, inherited from Hume, in that one cannot really speak of values in terms of being objective, but that there is value imputed by the sentiments that motivate our actions. The other possibility we inherit the deontological necessity of Reason in how this sets up what kind of action is permissible in the first place without specifying the sufficient conditions for action. What virtue ethics would be able to solve here is that it locates objectivity in activity; that this activity inherently has a certain value attached to it and that value is actualized through action.

One of the main notions that I wish to challenge here is that we need to give an account of value inhering in things or actions. The Humean challenge would be that there is no value in a thing or an action over and above those passions, which may be elicited. The Kantian response is that value is given to something by an act of Reason. Both are in some sense flawed, because Hume psychologizes value, whereas Kant just makes it into something that can be neatly stated in propositional form without paying attention to what the thing or action is. What we can recognize as value or valuating has to be in some sense independent of my own personal relation to it or just how it coheres with how I can formulate rules that anyone would follow. However, the value a particular thing or action only becomes validated by one's judging thereof. So, in short, one may need a particular subject that validates the judgment, but all of the possible judgments about whatever it is that one makes moral judgments, these have to inhere ontologically in an intersubjective community of others that may or may not judge like oneself does. So, in a sense, one already needs to account for value in how it is generated by the valuating action, but this does not mean that the action of valuing creates the particular value *ex nihilo*. These values draw their ontological possibility from existing in a social/intersubjective nexus between other subjects.

A passage from Marx's writings on overcoming alienation brings forth just such a value that is independent of particular judgment. The value of human life and activity is brought forth in the activity of one human that brings forth something appraisable in terms of what is in the public sphere and that this also actualizes another human being's value as a human. There is a kind of enjoyment of one's particular activity in that of another's life as well. The passage in Marx refers to his initial critique of capitalist political economy and how human labor becomes alienated from human activity and value. The alternative proposed involves the affirmation of "in my (personal) labor the *particularity* of my individuality ... is affirmed because [of] my individual life. Labor

then would be *true, active property*” (p.53). Marx here determines that any ethics that is to be worthy of humanity must “*twice affirm* [oneself] and the other” (p.52).

Marx, if he is a virtue ethicist, affirms the value of the person’s labor as the activity of the same person, and adds an objective aspect to the product of labor that is alien to the particularity of the laborer. The value of the human in one’s labor can only be asserted in the mode of the universal, which always takes precedent over that which is possible within the social relations in which this particular valuing takes place (one could speak of a semantically closed system, where every value has to be intelligible in terms of the ontic measuring capabilities that one has).

The main point is that in labor there occurs production of an object intelligible to another person, and thus the realization of value within the nexus of human relations. One can establish that the value is not in itself solely dependent on a subjective judgment of whether or not one or the other finds subjective value in what is produced. Value is conferred as a production of labor benefitting another, thus tying value to the activity necessary for producing a good or a service.

Thus we come to my last qualification of what virtue theory should aim for: that it should be human. This may seem strange, since ethics is already intrinsically bound up in action, and it would be non-sense to try and discuss ethics apart from human action, since that is its subject matter. The preoccupation here is that one should not only give a descriptive account of value in order to codify it, but that this also lends itself to appreciating that values are not an arbitrary construction within a particular system, or even a particular disposition to feel. Rather, if the goal of practice is *εὐδαιμονία*, then right action also carries with it certain kinds of consequences that are independent of just the way we conceptualize them. Put bluntly, values are a kind of facts that resist false or purely ideological accounts thereof, and the validation of these in practice, i.e. ‘flourishing’, is desirable in such a way that one can also increase one’s own or other’s participation in this. What I want to stress is that we have, in the way I have laid it out, a certain capacity for valuing, and that this is properly understood by the action of validating a value as it is possible within the nexus of human relations.

I can only start to discuss the good for human life in terms of what we can understand as good for human life, how it is first intelligible, and how it objectively scopes the reasons for action and valuation for a community of agents.

Returning to casuistry, we can turn to applications of rationality and objectivity, with casuistry understood as deliberation on permissible action. Dancy and McDowell have some significant points here that come to bear on what we should take to be objective when engaging in this kind of deliberation.

Dancy in “The Particularist’s Progress” gives an account of the logical structure of how deliberation produces choice. Dancy puts forward a triple holism in terms of reasons, values, and choices, where the scope of an action is fully encompassed by the relation of these three factors as one deliberates upon an action that should be taken with respects to the world and what a particular case is. He illustrates this with a hypothetical case of himself needing to find a house, searching the housing market for an adequate choice with respects to what his needs are, and then determines what values, reasons and possible choices come into play with respects to how one makes a decision that would fulfill the requirements of the as yet indeterminate action that one sets out to actualize (p.143). The hypothetical case is that of a choice between two houses, one smaller and closer to the workplace, the other larger but slightly further away. Upon deliberation, Dancy chooses the larger house. An interesting development occurs though when new information about the housing market comes to light with a house that is even larger, yet further away from the workplace. This alteration of the case brings Dancy to choose the smallest house of the three, considering that the first choice does not fit any more. This may seem irrational at first, since one may just consider that the third house should be the natural choice as it would correspond more fully to the reasons given and the values that came into play in the first case. Not so, asserts Dancy, because “Every alternative is an object, though not all objects are alternatives (to each other). Since every object may have its value affected by others, every alternative may have its value affected by other objects, including some that are alternatives to it.” (p. 142)

What we may take from this is that every particular situation presents itself with different relations of values, to reasons for action, to choices. Another element that one should take into consideration here is that for Dancy, reasons have a situatedness with regards to particulars that are not general and applicable deductively like a universal rule. Reasons are in a sense polar, that they can give one a reason to act or not to act (p.139). In a way this discloses how deliberation about action is impervious to a radically demarcated fact-value distinction. If situations come up where an action that was previously solicited becomes undesirable, it is because there is a different relation of values, to reasons, to choices, not as the sentimentalist approach understands it as a non-cognitive disposition that determines the goal. Casuistry is very much an everyday activity that brings to bear an action that is coherent with objectively intelligible factors. Treating facts as distinct from values misses the point as one could clearly trace an action that aims at a specific good. This is objectively understandable in terms of how deliberations with respect to particular situations alter based on what holistic relations between values, reasons, and choices are appropriate to a particular situation and a particular action. In whatever situation one finds oneself in, the choice is rational i.e. governed by a values-reasons-choice matrix, which can change based on what facts about a situation are fed in as input. As such, the matrix is never a closed and pre-determinate structure that one can expect like a calculator to give you consistently the

same results, or that it will make a decision based on the same parameters or procedures as previously used.

In addition to this, McDowell in “Virtue and Reason” broaches the method of the practical syllogism in Aristotle that sheds more light in terms of how actions are not just objective, but also rational. Although McDowell argues that such syllogisms are non-codifiable at least with respects to universalizability, but that they formulate a structure of general application as to how one relates a determinable goal to an action that aims at bringing this about. Within a practical syllogism, the former takes the shape of the major premise, the latter the minor premise (p.343). McDowell also brings in an idea similar to that of Dancy’s holism in the concept of a “conception of how one should live”. Here it is not “an unorganized collection of propensities to act, on this or that occasion, in pursuit of this or that concern”, but, if it relates to virtuous action, it is a matter of fit. Fit is understood as the particular situations certain motivations and dispositions to act come into play. McDowell and Dancy may disagree to an extent as to how codifiable or uncodifiable understanding virtuous action is, but there is an agreement on deliberation as an objective and rational activity on the part of a human being.

What I want to draw attention to here, is that, as much as we have cleared up the discussion around the Objectivity and Rationality of ethical action, the question still arises whether or not we have shown that virtue ethics as a system is a real alternative to either consequentialism or deontology. When criticizing, each of the three may appeal to their own criteria of Objectivity and Rationality to show that the other side does not share their definition. This shows that any grounds for preferring one over another system needs to give justification, in light of the substantive valuative content, in its practice and the success criteria appropriate for action, rather than argument. Thus, if we are going to observe the third criteria that I delineated, which I mainly formulated in its framework for value theory, we also need to formulate a relational quality for the success terms of applying our Ethics to practical situations. One frustration comes in this kind of problem: I can explain Dancy’s choice within the decision-matrix and its relation to facts, but I cannot give a justification for why the particular available choices are desirable in the first place. That these are what is desirable at the time is an unsatisfactory explanation, because we would need to sacrifice our criteria of Objectivity and Rationality to justify the arbitrariness of what is good and desirable at any one time. Thus, it seems that I can remain on the level of conceptual analysis as long as I do not engage with actually explaining the substantive elements of actual cases that do carry the full valuative brunt of determining the decision within the values-reasons-choice matrix. But this is exactly what would make virtue ethics into another synthesis or variation of consequentialism or deontology rather than a substantively different system of ethics.



Consequentialism does have genuine currency within such debates, because it is much easier to determine a reason to act, because one does not have to take the structure of subjective value judgments into account in order to determine both the practicability of an action or whether or not an action is good in terms of its consequences. It conflates objectivity and humanity, the substantive claims of ethics, and dispenses with explaining how this is rational in any deep sense of the word. Kant's verdict that we need only to follow what may be formalized into a universal law that may be assented to by everyone is an already important restriction of what we may consider rational and objective in terms of our ethical discourse. That an action is not permissible based on what their consequences can be may be easy from a conceptual standpoint because of a lack of criteria on which to judge such an action. However, it is no stretch of imagination to take a consequentialist standpoint and formulate one's criteria into a deontology aiming at some form or the other of a maximization principle. The point here is that we can clarify our use of concepts to codify our ethical discourse and practice for so long, until we have to talk about the substantive issues that are at the core of any discourse. That these have to involve value-content is obvious. However, looking at Dancy's codification of the decision matrix should show, is also that we need a wider framework for determining the success-criteria of our values in achieving *εὐδαιμονία*, not just success-criteria for determining if we have succeeded in making a choice.

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<sup>1</sup> I am thinking here specifically of Adolf Eichmann's defense in Jerusalem and his appeal to abiding by the Categorical Imperative when he followed his orders and helped make possible the Holocaust.

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<sup>2</sup> However, she iterates that one could probably draw a larger circle going to *εὐδαιμονία* being defined in terms of the actions that one engages in (p.220).