Roger Teichmann, Nature, Reason, and the Good Life: Ethics for Human Beings
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most democratic citizens could reflectively endorse either it or the principles of justice that flow from it" (240). We see then that Taylor and Rawls disagree about the nature of the conception of the person to which Rawls must be committed and its impact on the success of Rawls's political-liberal defense of Justice as Fairness.

It could be that Taylor is of the view that Rawls's political conception of justice implies the Kantian conception of the person, and thereby contains the Kantian conception of the person. Of this stronger claim, I am not entirely convinced, but the case Taylor presents shows us that a serious reexamination of the question is in order. *Reconstructing Rawls* provocatively resurrects the issue of Rawls's Kantian ties and finds a unique approach in the well-trodden ground of the literature on Rawls's reliance on Kantian metaphysics. Critical comments notwithstanding, this book is one that calls for attention from those who thought that the issue of Rawls's Kantian conception of the person had been settled. Taylor presents new and challenging reasons to think that we ought to question even Rawls's own claims that he need not rely on Kantian metaphysics, given the importance of that metaphysics to the justification of Rawls's principles of justice.

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Teichmann, Roger. *Nature, Reason, and the Good Life: Ethics for Human Beings.* Oxford: Oxford University Press, 2011. Pp. 224. $65.00 (cloth).

The revival of virtue ethics in its neo-Aristotelian form has been carried on by philosophers with an allegiance to Ludwig Wittgenstein, but for most virtue ethicists this allegiance does not play out in explicit reference to his work. Teichmann's book offers a version of neo-Aristotelian ethical naturalism which is much more explicit in its appeal to Wittgenstein than most of its prominent advocates have been. His approach to naturalism is distinctive in its emphasis on the fact that human beings use language. Following Wittgenstein, Teichmann holds that our ability to make sense to each other is predicated on a shared form of life, which is at least in part a matter of having common reactions to the world. Our ability to describe the world linguistically depends on sharing certain fairly stable reactions to the world, as does our ability to act on reasons. Indeed, giving reasons is generally a matter of offering a description which fits a proposed action under the heading of a natural or normal human activity. Teichmann wants to exploit this point to do considerable work for ethics. As he has it, "there are wounded people over there" gives a sufficient reason for action because "it is part of human nature to look after each other in this sort of way" (12). Of course human nature also includes a lot of mindless killing, and yet there is a difference in the force of reasons of helping and reasons of hurting. As Teichmann puts it, "human beings would not have developed a concept of a reason for action such that 'I am doing this to harm you' may count all by itself as a good reason . . . hence it is *not* (as such) a good reason for action" (12). This statement points to the complexity of Teichmann's position. He is not deriving "ought" from "is" as in traditional ethical naturalism, but rather engaging in some complex counterfactual reasoning. He is not simply claiming that we do not have a concept of a reason for action such that "I am doing this to harm you" counts as a reason, but that we would not have developed a language game in which such would count as a reason for action. But why not? His answer is that statements function like tools and "must relate in some way to general needs and proclivities" (15). The force of this claim is unclear. After all, badly conceived or constructed tools surely relate in some way to human needs and proclivities even if the tools utterly fail to serve the needs and proclivities they were designed to serve. Further, something can surely still count as a tool if it was designed based on a false view of our needs and proclivities. For example, someone operating with vaguely Nietzschean views on human psychology might take the view that we have an innate proclivity toward cruelty and think that a moderate amount of inflicting harm pursued for its own sake is really necessary for psychological health. He could thereby support the claim that at least in some contexts reasons of harm are good reasons. Let us hope that such a Nietzschean is wrong about our needs and proclivities. The point is that a good reason must surely relate to actual human needs and proclivities and do so in the right way. Whether a set of considerations does so is something that is up for reasoned debate, but Teichmann often seems to want to close down debate about what reasons we have with a sort of pragmatic-conceptual appeal which says something to the effect of "that cannot be a reason because we would not have developed such a language game as a tool." Yet we have in fact developed tools, such as weapons, which arguably mistake our true needs or fill them in a bad way.

Teichmann contrasts his ethical naturalism from competing versions in that his view, linguistic though it is, relies more heavily on empirical facts about human nature. Yet these are certainly facts of an armchair observer of language or participant in it. Not much is said in defense of this methodology, which may be defensible but is certainly out of step with what is nowadays generally meant by an empirical approach inasmuch as there is no reliance on scientific research. Further, there seem to be methodological problems with attempting to press such linguistic facts to perform the ethical work Teichmann demands of them. The idea that we would not have developed a language game in which we take ourselves to have a reason to harm for its own sake appears to be targeted against philosophical interlocutors who have fled into abstraction and left behind the "rough ground" of our actual language games. Yet it seems that there are clearly those who do take themselves to enjoy cruelty or, if not that, who just fail to see the force of "they are hurt, so I will help them." Of course no philosopher has anything very compelling to say to such folks; they would surely not sit still for a lesson in moral philosophy. Yet there is a question of what force, if any, they have against morality. It is not entirely clear what Teichmann would say about linguistically proficient immoralists or amoralists. Will he reject the idea that they are competent language users, or will he possibly claim that they are not human in some sense of that term? It would seem that one can be immoral or amoral and yet still be a competent user of language. The facts about how most humans use language are not likely to register to any degree with such a person, and yet perhaps this need not call into question the importance some facts about what matters to humans have to the rest of us. Arguably, the importance of such facts depends on our having acquired a certain sort of second nature, which is more than acquiring language. It is a second nature that is the result of an ethical upbringing, which imparts a sense of why it matters to benefit humans. This is a central lesson of John McDowell's "Two Sorts of Naturalism" (in *Mind, Value, and Reality* [Cambridge, MA: Harvard University Press, 1998], 167–97). Teichmann accuses McDowell of having a "strangely abstract" view of reason (xii). But it seems that the accusation could be turned around. In the absence of a second nature of the relevant sort, we have only facts about what "we say" that are not obviously pertinent to ethics.

Teichmann takes the fact that we take part in "the language game of asking for and giving reasons" to establish that good practical reasoning must be altruistic, in the sense of taking the well-being of others into some account and avoiding harming others for its own sake. This leads him to propose a linguistic supplementation to Aristotle's view of the good life (80). The idea is that the ethical virtues do not flow from our nature alone but from our engagement with other language users. He takes his linguistic Aristotelianism to have force against individualism generally and hence inveighs against various individualistic progeny of the Enlightenment, including liberalism and utilitarianism. He devotes several pages to attempting to refute Mill's Harm Principle, which he describes as a "politically stabilized version of Aleister Crowley's so-called Law of Thelema '*Do what thou wilt* shall be the whole of the Law'" (82). He objects to the Harm Principle essentially on the grounds that Mill was overly optimistic about human nature. Left to our own devices, we often behave badly, and there is no intrinsic reason not to interfere with those who are acting on bad or crazy desires, only extrinsic reasons such as that one may do harm in the means one selects to interfere with people (83). Teichmann also examines central tenets of consequentialist thought, such as the idea that there is no morally significant difference between intended and foreseen consequences and the idea that we are as responsible for what we fail to bring about as for what we cause to happen. Teichmann thinks that such views employ an implausibly abstract notion of causality. Without focusing on causes which are humanly knowable, the realm of facts relevant to one's action is limitless. The idea that evaluation is answerable to the total outcome of one's actions Teichmann finds "just idiotic" (92). He thinks that such a view would provide grounds for making the claim that Hitler's atrocities were possibly good because the history of mankind may have gone worse without him.

Teichmann develops his positive conception of the good life drawing on Aristotle. Contemplation, broadly understood, is a central aspect of the good human life. Contemplation he sees as good because it is a sort of conciliating element between conflicting human impulses to activity and rest. Although there is something intuitive about conceiving happiness as a comprehensive fulfillment of our desires, and thereby the attainment of rest, Teichmann believes this cannot be a correct view of happiness. After all, we recognize the excellence of the virtues and their place in a happy life, and yet the virtues are needed precisely because the world is something other than paradise. He concludes: “Human life is to be pictured as an ongoing struggle, and human life is a matter of conducting that struggle well” (143). Part of what it is to conduct that struggle well, according to Teichmann, is to cultivate an attitude of reflective detachment to life and the word, in its bitterness and its sweetness. In this way, we achieve a kind of embracing rest or completion in the midst of our activity. Against Raimond Gaita, Teichmann argues that this Aristotelian contemplative ideal can be reconciled with a Christian ethic of love. The ideal practitioner of charity, on Teichmann’s view, is in fact practicing a kind of contemplation. A person who attends to the suffering of an afflicted person is engaging in a kind of broad emotional understanding predicated on a way of seeing another human being, namely, seeing another person as “infinitely precious” (156). Actions flow from that understanding as a kind of “embodied” understanding (158). Yet such a life is merely one good life among many for Teichmann. Philosophy is another sort of contemplative activity which can equally well fill a good life, and there are many others, he thinks. Those activities will be privileged which can be given a rationale showing how the activity “involves and enlarges one’s understanding” (162). One might find this view unsatisfactory in opposing directions, as it seems both too open-ended and too narrow. Could the Marquis de Sade’s troupe of aristocrats in the *One Hundred and Twenty Days of Sodom* not claim to have enlarged their understanding of cruel sexual perversity with encyclopedic thoroughness? Surely there is need to argue that love has some distinctive claim on us in order to avoid this conclusion. The view, however, also threatens to be too narrow. Can one really not achieve a good human life without achieving some sort of reflective understanding? The intuitive case to the contrary seems insufficiently explored here, and so the case for importance of contemplation is unconvincing.

Much of the book serves as a platform for Teichmann to argue against cultural trends which he finds disturbing, such as funding for neurological research into moral psychology and religious belief, which he believes to be based on a false moral psychology, as well as more general trends such as individualism and liberalism. There are also numerous philosophical targets here, such as Kantians, Humeans, and consequentalists. These views sometimes seem to be taken in something less than their strongest form. For example, Teichmann criticizes Korsgaard as a representative Kantian for a case in which she describes someone aiming to shoot another person (13). The shooter must be able to will that the other person shoot him as well, but this he cannot rationally do, he finds Korsgaard claiming. Teichmann finds this result to be too sweeping; it rules out the possibility of just war and unconvincingly lands us in pacifism. Yet in the passage in question Korsgaard is using a rather pat example to illustrate two forms of universalizability, and it surely does not capture her considered views on the ethics of warfare, much less illustrate the best a Kantian can do on the issue of warfare.

This is an unusually expansive book, engaging broadly with culture rather than narrowly with other philosophers. It is also bold in its unapologetic Wittgensteinian methodology. His Wittgenstein is surprisingly doctrinaire, given the vogue for "resolute" readings of Wittgenstein which avoid positive philosophical commitments altogether. Yet surely there is something right about appreciating the fact that we are language users within the context of ethical naturalism, and this book does well to make an attempt in this direction.

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Zimmerman, Michael J. *The Immorality of Punishment.*
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No one could, or should, deny that punishment in the West and elsewhere is a "nasty business," as Michael Zimmerman says in the preface to his book (vii). In America, certainly, we punish too many too harshly for too long. But Zimmerman is not content to suggest ways in which legal punishment might be reformed or softened. He argues against the institution of punishment as such. As he writes, "I doubt that legal punishment . . . can be justified. I don't just mean our current practice of punishment which is obviously deplorable in many respects. I mean any feasible practice of legal punishment" (vii).

Zimmerman immediately concedes that his claim will seem "preposterous" to many (vii). After all, legal punishment is pervasive, and it can seem both inevitable and necessary. But Zimmerman is correct that we should not too readily engage in what Mary Margaret MacKenzie has called "begging the institution" (*Plato on Punishment* [Berkeley: University of California Press, 1981], 222). Why assume that we need punishment at all? And why assume that punishment can be justified?

The key chapters of Zimmerman's book are chapters 3–5 (chaps. 1 and 2 mostly do philosophical ground clearing by defining terms). Chapter 3 deals with retributive justifications of punishment. Zimmerman, I think rightly, sees retribution as the best justification of punishment, or at least the justification on which all other justifications explicitly or implicitly rely: if we want to rehabilitate people or to punish them in order to deter others, we can't just do this to anybody. Rather, we can only do these things to those who are guilty, for guilt removes the "moral barrier" to punishment, so that we can punish some "in the name of public security," for instance (61). Punishment in the name of other goods would be seriously immoral if it involved the punishment of the innocent. Retributivism alone adequately recognizes this fact.

But retribution has a serious problem, which Zimmerman does an excellent job of diagnosing. Retributivism in either its weak or strong form says the guilty either can (weak) or should (strong) be punished in proportion to the wrong they've done. But how do we measure proportionality? For just as it would be immoral to punish an innocent person, so too would it be unjust to punish a guilty person more than he deserves. Indeed, this is just another way of punishing the innocent: someone who has done wrong but is punished more than he