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The Limits of Virtue Ethics

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Introduction

A wide variety of normative ethical views have been developed as the
field of ethics has progressed.[1] Proponents of each view disagree with
one another about the deontic status of acts and about the exact
right-making features of acts. Utilitarians, for instance, believe that an
action is right because it maximizes utility, while Kantians believe an
action is right because it accords with the categorical imperative. Virtue
ethics is often understood as a set of normative ethical views that are
purported rivals to versions of consequentialism, deontology, contrac-
tualism, and other normative ethical views.[2] To be sure, not all accounts
of virtue ethics are developed to fit this role. Some accounts of virtue
ethics don't consider the virtues to be directly tied to right action, but
nevertheless assign the virtues a non-trivial role with respect to what
makes an action right.[3] Nevertheless, numerous contemporary accounts
of virtue ethics *are* developed to rival existing substantive normative
ethical views, irrespective of whether such accounts should be
categorized in this manner.[4] We will henceforth collectively refer to

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[1] This work is the product of full and equal collaboration between its authors.

[2] See, e.g., Simon (1986: 212), Hursthouse (1991, 1999, 2006), Slote (1996), Zagzebski
(1996: 135; 2010), Swanton (2003: ch. 11), Strangl (2010), Doviak (2011), and Ciurria (2012).

[3] For an approach that paves the way for this strategy, see e.g. Adams (1976), Hurka (2000),
and Driver (2001). Other work within virtue ethics, such as identifying the correct theory of
virtue, is not directly concerned with right action, though is nevertheless closely related to it.
See Bradley (2018).

[4] For reasons to doubt that such accounts should be categorized in this manner, see
Nussbaum (1999). See also Copp and Sobel (2004) and Sobel (2017, ch. 10) on the limits of a
virtue ethics position that rivals existing normative ethical views.

virtue ethics positions that purport to rival existing normative ethical views as VNETs (for virtue-theoretic normative ethical theory).

VNETs have been met with skepticism partly because of their supposed problems that are allegedly not shared by versions of consequentialism, deontology, or contractualism. For example, VNETs have been criticized on the grounds that they cannot produce action-guiding moral prescriptions, that they cannot provide grounds for justified moral beliefs, and that they lack codifiability.[5] Virtue ethicists have responded to these critiques and, as a consequence, have significantly advanced accounts of VNETs in the last few decades. The aforementioned objections to VNETs have usually been leveled, and rebutted, in a piecemeal fashion.[6] However, we believe that greater attention should be spent on the general criteria that must be met in order for VNETs to count as complete normative ethical views that rival existing consequentialist, deontological, and contractualist views. So, our goal in this chapter is twofold. First, we aim to provide criteria that determine the degree to which a traditional normative ethical theory is *complete*, and then investigate virtue ethics on the basis of these criteria. In doing so, we argue that, contrary to popular opinion, no existing VNET is a complete normative ethical view that rivals existing consequentialist, deontological, and contractualist views. Second, we argue that one of the most significant challenges facing virtue ethics consists in offering a plausible account of the right-making features of actions, while remaining a distinctively virtue ethical view.

1. The Criteria for Being a Complete Normative Ethical Theory

1.1 Motivating the Criteria

At first glance, one might think that a complete normative ethical theory need only offer necessary and sufficient conditions for each deontic status of an action (e.g. supererogatory, obligatory,

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⁵ See e.g. Louden (1984), Nussbaum (1999), Copp and Sobel (2004), Svensson and Johansson (2018: 502–3).
⁶ See e.g. Hursthouse (2016).

permissible, impermissible).[7] For instance, consider the following deontological view:

(1) An action is right *iff* that action accords with moral principle P. Suppose P is sufficiently precise such that (1) renders a verdict about whether an action is right under *any* possible circumstances. Is (1) thereby a complete normative ethical view? No. At least, (1) is not a complete normative ethical view in the sense that may be ascribed to, e.g., hedonistic act-utilitarianism, Peter Singer's two level preference-based utilitarianism,[8] or Allen Wood's Kantianism.[9] Nor does it *approach* completeness in the way that may be ascribed to other incomplete normative ethical views, such as Doug Portmore's commonsense consequentialism or Rossian deontology.[10] This is, in part, because such views identify the right-*making* features of actions, while (1) does not. To see this, note that (1) is consistent with the following consequentialist view that is similarly *not* a complete normative ethical view:

(2) An action is right *iff* that action results in the best consequences. The notion of 'the best consequences' can be cashed out in such a way that an action accords with principle P *iff* it results in the best consequences. More generally, for any (plausible) set of necessary and sufficient conditions under which an action is right, such conditions can arguably be spelled out in consequentialist terms.[11] What's missing, then, in the above accounts is the notion of 'because.' In other words, a complete normative ethical theory not only identifies the deontic status of all possible actions under all possible circumstances, it also identifies the features that *determine* the deontic status of all possible actions under all possible circumstances.[12] So, assuming P is sufficiently precise, we can turn (1) into a complete normative ethical view with the following addition.

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[7] For instance, Moore (2007: 297–9) gives an account of completeness understood solely in terms of identifying right and wrong action.

[8] Singer (2011).   [9] Wood (2007).   [10] Portmore (2011).

[11] See Portmore (2009) and Dreier (2011).

[12] It's standard to hold that complete normative ethical theories must both take a stance on the deontic status of any possible act under and possible circumstance and identify the right-making features of actions. See Timmons (2012: 15) and Kagan (1997). This is sometimes referred to as the *theoretical aim* of normative ethics. Many ethicists, however, hold that

(3)   An action is right *iff* (and because) that action accords with moral principle P. To be sure, distinct complete normative ethical views can yield identical prescriptions about the deontic status of any possible act under any possible circumstance, even when they disagree about the features that *determine* their deontic status. This is one reason why the identification of right-making features is a crucial element of any complete normative ethical view. To illustrate this point further, consider the following two views.

DIVINE COMMAND THEORY (DCT) An action is obligatory *iff* (and because) God commands it. An action is impermissible *iff* (and because) God forbids it. An action is permissible, but not obligatory, *iff* (and because) God neither commands it nor forbids it.[13]

HEDONISTIC ACT UTILITARIANISM (HAU) An action is obligatory *iff* (and because) it maximizes hedonic utility. An action is impermissible *iff* (and because) it does *not* maximize hedonic utility. An action is permissible, but not obligatory, *iff* (and because) it's a member of a set of actions, and there is at least one additional set of actions, such that these two sets result in identical maximal amounts of hedonic utility.

Now suppose that God exists and commands agents to always perform actions that maximizes net hedonic utility and forbids performing actions that bring about less net hedonic utility than some available act-alternative. On that supposition, DCT and HAU yield identical prescriptions about the deontic status of any action under any possible circumstance.[14] Nevertheless, DCT and HAU are inconsistent with each

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complete normative ethical views also must satisfy the so-called *practical aim* of providing a decision procedure for agents to successfully reason about what to do. See, for instance, Svensson and Johansson (2018: 491) and Forcehimes and Semrau (2019). At least for the purposes of this chapter, we're understanding complete normative ethical views to consist of the theoretical aim, and understand the practical aim as distinct from the theory itself. But nothing important, for the purposes of our argument, hangs on this assumption.

[13] Quinn (1978), Alston (1990), Adams (1999).

[14] This is assuming, as some theists do, that God necessarily exists and that God's commands are invariant across possible worlds.

other because they disagree about the right-*making* features of actions, and so they are rivals.

1.2 The Criteria for Completeness

We have thus arrived at the following conclusion: the degree to which a normative ethical theory T is complete is, at least in part, dependent upon the degree to which T satisfies the following two conditions:

(A) T *takes a stance*[15] on the deontic status of everything T takes to have deontic status(es) under any possible circumstance, and does so by providing maximally precise and informative necessary and sufficient conditions for whichever deontic status(es) proponents of T believe such things (e.g. acts, beliefs, intentions, dispositions, desires) possess. T holds that everything else has no deontic status.

(B) T identifies the maximal set of fundamental right-making features for whatever T takes to have deontic statuses.

In light of these criteria, some readers may worry that we're talking past proponents of VNETs, as such views may be thought to assume moral particularism and thus be necessarily uncodifiable. We address this worry in Section 2.

To reiterate, in this chapter we are targeting the set of normative ethical views with the traditional aim of identifying the criteria of a right action. Those views are complete to the extent that they satisfy conditions (A) and (B).[16] Being complete, and so fully satisfying conditions (A) and (B), is a theoretical asset since complete normative ethical theories will have explanatory power that incomplete normative ethical theories lack. While being incomplete is a strike against a normative

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[15] *Taking a stance* includes assigning a deontic category to a specific action, as well as the claim that an action has an indeterminate deontic status, or any related notion. If T holds that there are evaluative rankings (e.g. better/worse) over and above deontic statutes, then they must also take a stance on everything T takes to have an evaluating ranking.

[16] These criteria don't necessarily apply to work done in normative ethics with different aims, such as identifying a correct decision procedure, accounting for the nature of moral responsibility, moral debt, and so on.

ethical theory, it's also worth noting that such views may have other theoretical assets and may even be, all things considered, superior to existing complete theories.

1.3 Metaphysical versus Epistemic Explanations

Before we apply these criteria to VNETs, we need to clarify our conception of a right-making feature of an action. As illustrated above, terms such as 'because' are often used to identify the right-making features of actions. Such terms, however, can also be used to denote substantially different explanatory 'because' locutions, and this linguistic ambiguity can obfuscate the purported meaning of various formulations of normative ethical views. A particularly egregious obfuscation arises when a metaphysical grounding relation is mistaken for an epistemic one. On our view, an account of rightness that incorporates the term 'because' (or similar explanatory terms) satisfies (B) only if that term is understood in a metaphysical sense rather than an epistemological one. It can, at times, be difficult to discern which locutions are being invoked by certain accounts of VNET. For instance, Linda Zagzebski's exemplarist virtue theory contains the following definition of a right action (2010: 54–5):

> A right act (an act that a person would have most moral reason to do) in some set of circumstances C is what the admirable person would take to be most favored by the balance of reasons in circumstances C.

Zagzebski employs the phrase "the admirable person" in order to, as Zagzebski (2010: 51) puts it, "anchor" the concept of rightness (and other basic moral concepts) by direct reference to particular exemplary persons of moral goodness who, like water and gold, function as natural kind terms. Zagzebski, however, seems to be picking out an epistemic, as opposed to metaphysical, grounding relation in her work.[17] As we

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[17] This is what a general reading of her work suggests and it seems to follow from the fact that she's interested in concepts rather than properties. Thanks to an anonymous referee for raising this point.

will argue in the next section, epistemic explanations won't satisfy condition (B) and so won't make any headway to making VNETs competitors to other normative ethical theories.

1.4 Epistemic Explanations Do Not Satisfy Condition (B)

The problem is that the sort of foundation being invoked in Zagzebski's account is, to all appearances, epistemic. This is illustrated when she claims that we identify and imitate moral exemplars through the emotion of admiration which "can be used to give us both a way of *understanding* significant moral concepts and a way of making ourselves and our lives conform to the admirable" [italics added] (2010: 54). If anchoring basic concepts of morality in a particular virtuous person is understood epistemically, then this theory (while potentially plausible in its own right) does not satisfy condition (B) and so is not complete in the sense at issue in this chapter.

There is, of course, a perfectly natural use of terms such as 'because' that aims to offer epistemic reasons for believing that some specific action in certain circumstances is morally right. For instance, in response to the question, "*Why do you think that helping that elderly person cross the street is the right thing to do?*," it's perfectly natural to invoke epistemic reasons for *believing* that the action in question is morally right. One may respond "*Because Sharon is an exemplary person and she often helps elderly people cross the street.*" Such responses that appeal to epistemic reasons can explain why one may *justifiably believe* that some act token has a particular deontic status, but it does not explain *why* the act token has that status. Complete normative ethical views must be able to answer the latter question and not merely the former.[18] Moreover, since other traditional normative ethical views invoke a metaphysical explanatory relation, it's not clear that they're strictly inconsistent with

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[18] In his (2011: 198), Glen Pettigrove briefly alludes to this sort of distinction when he writes that the "*criterion* used for picking out good actions may involve an *identification of the good-making feature of the action*. But it need not."

VNETs cashed out in terms of the epistemic grounding relation, such as Zagzebski's view.[19]

A metaphysical interpretation of Zagzebski's moral exemplarist theory that aims to satisfy condition (B) is, we think, highly implausible. If helping the elderly person cross the street is ultimately *made* right by the fact that Sharon, a particular moral exemplar, has performed this action as a result to taking this action to be most favored by the balance of reasons, then there is no deeper explanation as to *why* performing this action is right; the reasons themselves don't explain the deontic status of an action. As we argue in the next section, however, the right-making features of an action cannot plausibly be the fact that that action is what a particular moral exemplar would perform, even though moral exemplars surely can—through the role of admiration—provide epistemic reasons for believing that some action is right.

1.5 Varying Degrees of (Metaphysical) Explanatory Levels

In addition to avoiding an obfuscation between epistemic and metaphysical explanations for an action's deontic status, we must recognize that explanatory terms like "because" can be accurately applied at various levels of explanatory priority. For instance, consider a version of Portmore's (2011) commonsense consequentialism that accepts a Rossian plurality of good-making features. On such a theory, an answer to the question, "*Why is donating to charity right?*" may invoke multiple correct uses of "because" that are not all equally fundamental, even though all such uses are metaphysical rather than epistemic. To illustrate, consider the following two answers to this question:

"*Because donating to charity is what I have, all-things-considered, most reason to do.*"

"*Because donating to charity maximizes utility and promotes justice.*"

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[19] Others have made a similar claim by briefly suggesting that some understandings of virtue ethics are consistent with other normative ethical views. See, for instance, Svensson (2010: 258) and Svensson and Johansson (2018: 500).

The first answer is less fundamental than the second one insofar as the rightness of the action is explained at least partly in terms of reasons for action, and these reasons are in turn explained at least in part by a plurality of good-making features (maximizing utility, promoting justice, etc.) that *provide* pro tanto reasons for action.

In light of these multiple explanatory levels that account for a right action, a complete normative ethical theory that fully satisfies condition (B) must identify the number of explanatory levels invoked and, crucially, identify the most fundamental explanatory level(s). Moreover, in order to determine whether two theories are genuine rivals with respect to identifying the right-making features of an action, we must identify the number of layers of explanation to which a theory is committed and see whether the two theories in question are incompatible at any layer of explanation, with special attention paid to the most fundamental (i.e. the "rock bottom") explanation of an action's deontic status.

1.6 A Brief Recap

To recap, in this section we have defended the claim that a normative ethical view with the traditional aim of identifying the criteria of the right is complete to the extent it satisfies conditions (A) and (B). Additionally, we noted that it's unclear whether a theory purports to satisfy condition (B) when it does not specify whether it's offering a metaphysical or epistemological account of right action and when it does not specify the level of fundamentality in the account of right-making features. In order to fully satisfy (B), the theory must offer a metaphysical account of right action that identifies the most fundamental right-making features of actions.

In the next section, we argue that existing VNETs do not satisfy (A) to a high degree, so much so that they are at least extensionally consistent with a wide range of normative ethical views. As such, unless they identify different right-making features than their supposed alternatives, they are not competitors to such views. Then, in the final section, we assess VNETs' prospects of satisfying (B). In doing so, we argue that every VNET faces a familiar, yet significant, challenge. They seem

unable to offer a plausible account of the right-making features of actions, while remaining a distinctively virtue ethical view. We pose a version of this challenge that, we believe, has not been adequately dealt with in the current virtue ethics literature.

2. VNETs' Prospects of Satisfying (A)

In this section, we proceed by highlighting a few particularly difficult moral questions that can be answered by VNETs' normative ethical rivals, and explain why existing VNETs, by contrast, can do very little to answer such questions. We also consider (what we take to be) some of the best accounts of VNET on offer and argue that more work needs to be done in order for them to fully satisfy condition (A).

The careful reader will notice that our argument seemingly generalizes to other pluralistic accounts of well-being, perhaps most notably Rossian deontology. While our focus in this chapter is specifically on VNETs, it's worth noting that we embrace this conclusion. Different normative ethical theories will approach completeness to varying degrees, and theories such as Rossian deontology likely fare about as well as existing VNETs.[20] To be clear, Rossian deontology (and any incomplete normative ethical theory) *can* be precisified to the point of completeness, and such theories may even be true. As we note in this section, such theories may even have other theoretical virtues that provide us with most reason, all things considered, to accept them in spite of their incompleteness. Nevertheless, we think completeness is one important theoretical virtue, and it's one worth thinking about with respect to all normative ethical theories, and not simply VNETs.

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[20] Other accounts of completeness in the literature, such as Moore (2007), entail that Rossian deontology is incomplete and no account on offer seems to entail that it is complete. Incompleteness, of course, doesn't apply to all pluralistic normative ethical theories and it certainly isn't exclusive to pluralistic accounts. In our view, typical formulations of many monistic and pluralistic normative ethical views are incomplete for a variety of reasons, including the fact that they don't take a stand on the actualism/possibilism debate in ethics. See Timmerman and Cohen (2019).

2.1 The Primary Obstacle to Satisfying (A)

Consider any set of exceedingly difficult moral questions. Are we obligated to give the welfare of one's intimates extra weight in our moral deliberation? To what extent are people in affluent nations obligated to sacrifice their welfare to aid those living in extreme poverty? Under what conditions, if any, is it permissible to get a late term abortion?

A complete normative ethical theory that fully satisfies (A) provides answers to these types of questions. Consider the last one. According to Singer's (old) two level preference-based utilitarianism, it's permissible for an agent to get a late term abortion at time *t iff* aborting at *t* maximizes preference satisfaction. Alternatively, according to one version of Kantianism, it's permissible for *an agent* to get a late term abortion at *t iff* the agent does so by acting on a universalizable maxim. To be clear, individuals will still encounter a good deal of normative uncertainty on both of these views. However, so long as one knows all of the *relevant non-normative facts,* one could in principle identify the deontic status of any possible act in any circumstance given either Singer's utilitarianism or the above version of Kantianism. The same is true of any complete normative ethical theory that fully satisfies (A).

Existing VNETs are, in this respect, unlike their rivals because they have not been developed in enough detail to provide (even in principle) answers to such difficult-to-navigate moral questions, *even if* all of the relevant non-normative facts are known. Consider what is required of a VNET to answer questions about late term abortions. Imagine a woman, Sherrill, who is in her third trimester with a fetus who will, if brought to term, develop a life-threatening illness. This will mean that the child will require around-the-clock care which will result in hundreds of thousands of dollars in medical bills. This will bankrupt the family, causing them to live below the poverty line for the remainder of their lives.[21] Carrying the child to term will display certain virtues: perhaps selflessness, generosity, bravery, and respect for life. Aborting the child will also display certain virtues: perhaps compassion, prudence, and a

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[21] Hursthouse alludes to a case of this kind in her (1991: 241).

kind of fortitude with respect to providing adequate care for one's children.[22]

In order for a VNET to answer the question of whether it's permissible for Sherrill in the above scenario to get a late term abortion at *t*, it must identify each of the virtues that would be displayed by each of the actions available to her. Since these actions would display different virtues to different degrees, the VNET in question must provide some way to rank the virtues. That is, in order to answer the question of whether it's permissible for Sherrill to go through with the late term abortion, the VNET must say how the conflicting virtues weigh against one another in order to determine the deontic status of going through with the abortion and the deontic status of not doing so.[23] To fully satisfy condition (A), then, a VNET must complete this task for *every* possible difficult-to-navigate moral case. No VNET we are aware of provides a method for identifying all of the virtues that may be displayed for any possible action or provides a method for ranking the evaluative "weight" of these virtues against one another in order to determine which action available to an agent is the *most* virtuous. Accounts of VNET that fail to do this don't fully satisfy condition (A) and, to that extent, are therefore incomplete.

2.2 Classic Aristotelianism to the Rescue?

Our stipulations in the abortion case reveal our commitment to a position shared by many, but not all, virtue ethicists, viz. that an action may be aretaically mixed: one action available to an agent may express one virtue while another, incompatible action available to the agent may display a different virtue (Swanton 2003, 2015; Smith 2018). Of course,

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[22] Hursthouse invokes the virtue of "appropriate modesty or humility" to these types of cases in her (1991: 244).

[23] Again, for the purposes of this chapter, we include indeterminate deontic statuses as types of deontic statuses. Still, unless we suppose that nearly *all* actions have an indeterminate deontic status or that all actions with indeterminate deontic statuses are equally choice worthy, the virtue ethicist must explain how certain virtues that are displayed by a right action "outweigh" the virtues that are displayed by an alternative wrong action.

there is logical space for a particular VNET which holds that, necessarily, agents always have just one available act alternative that would involve a display of virtue of *any* kind. To our knowledge no virtue ethicist has defended such an implausible view.

One might suspect, however, that a classical Aristotelian virtue theory that affirms the unity of the virtues can provide a methodological tool for identifying the deontic status of an action in difficult, morally complex scenarios.[24] Some classical virtue theorists pick out four cardinal virtues—courage, temperance, justice, and wisdom—from which all other virtues may be derived (cf. Oderberg 1999). The history of classical virtue ethics also suggests that some virtues are more valuable than other virtues to the extent that the more valuable virtues express the excellences of higher aspects of human nature (Irwin 2007). While this gets the classical VNET in question a few steps closer to satisfying (A), it does not get them very far. In order to *fully* satisfy condition (A), such virtue theorists would have to provide a complete list of both the cardinal and non-cardinal virtue(s), a list of which cardinal virtue(s) each non-cardinal virtue is derived from, and an account of how each possible display of each (cardinal or non-cardinal) virtue ought to be ranked against each possible display of every other (cardinal or non-cardinal) virtue. For example, does an act that displays moderate generosity outrank one that displays moderate temperance? What about a display of mild generosity versus a non-trivially smaller display of temperance?

Now, one might think that this objection misses the point because the virtue ethicist who accepts the unity of the virtues supposedly obviates

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[24] Hirji (2019) argues that neo-Aristotelian virtue ethics can be distinguished from other prominent normative ethical views by the fact that it analyzes "the goodness of actions in terms of the goodness of character" and because it analyzes "virtue of character in terms of human flourishing" (p. 5). The first commitment is supposed to make neo-Aristotelian virtue ethics a competitor to other normative ethical views. However, the first commitment is consistent with various forms of consequentialism and deontology, so this condition (in itself) will not make neo-Aristotelian virtue ethics a competitor to other types of normative ethical views. The second commitment may be unique to typical accounts of virtue ethics, but it could be consistently adopted by proponents of any (or almost any) normative ethical view, and so it too is insufficient to make neo-Aristotelian virtue ethics a competitor to other types of normative ethical views.

the need to provide such rankings. You can't weigh the manifestation of one virtue against itself, can you? In one sense, perhaps you cannot. But in another, more accurate, sense you can. Such virtue ethicists can rank particular displays of a virtue entailed by performing one action against displays of that same virtue entailed by performing an alternative action in the same context, and that is exactly what a proponent of the unity of virtues would need to do in order for their view to fully satisfy (A). To our knowledge, no such classical VNET has come close (or even tried) to fully answer such questions.

2.3 Swanton's Account

Nevertheless, recent developments in virtue ethics offer a more promising method for satisfying (A). Consider Christine Swanton's (2003: 228) account of a right action:

(1) An action is virtuous in respect V (e.g. benevolent, generous) if and only if it hits the target of (realizes the end of) virtue V (e.g. benevolence, generosity).
(2) An action is right if and only if it's overall virtuous.

An action that hits the target of a certain virtue is one that accomplishes the goal behind that virtue. For example, an action hits the target of justice insofar as that action promotes the aim of justice, such as providing someone with a good that they deserve. Swanton understands an act that is overall virtuous to be one that is "the, or a, best action possible in the circumstances" (2003: 239–40).

This is a promising route to providing a full-fledged VNET that fully satisfies (A). But it still needs to identify all of the (cardinal and non-cardinal) virtues, as well as provide a ranking of these virtues in order to identify which action counts as overall virtuous. Without meeting these requirements, we simply have no way to determine, even in principle, the deontic status of actions in difficult-to-navigate moral cases, even when we know all of the relevant non-normative facts.

2.4 The Shift to Moral Particularism

More recently, Swanton (2015) and Nicholas Ryan Smith (2017) have developed versions of VNET that adopt Jonathan Dancy's (2004) moral particularism, which denies an assumption that VNETs' rivals share, viz. that all right actions are *made* right by the same set of fundamental right-making features (whatever those features happen to be). The shift to moral particularism may be viewed as a way of side-stepping the need to fully satisfy criteria (A). Any version of VNET that adopts moral particularism will not, *by definition*, yield a verdict about the deontic status of all possible actions, even if every possible action does in fact have a deontic status. More precisely, such particularlist versions of VNET could, in principle, yield a verdict about the deontic status of all possible actions, but could not do so in a way that is both finitely stable and action-guiding. Does this get VNET off the hook with respect to satisfying (A)? We don't think so.

First, even if all VNETs embrace moral particularism, moral particularism still fails to satisfy condition (A). Of course, if moral particularism is true, it would be impossible for humans to both identify the correct moral theory and fully satisfy (A). Still, it would not be satisfied. Second, and perhaps more importantly, we don't believe that embracing moral particularism justifies *the degree to which* existing VNETs currently fail to satisfy (A). We have been arguing that in order to fully satisfy (A), a VNET must provide a method for ranking the evaluative "weight" of the virtues, specifically in order to address cases in which all of the actions available to an agent are aretaically mixed, and thus all actions available to an agent would display some virtue or other. Similarly, a moral particularist VNET that intends to even *partly* satisfy (A) still needs a method—albeit an incomplete one—for ranking the virtues in such a manner that this VNET renders a verdict about the deontic status of at least *some* possible actions. To illustrate this point, consider a case in which Bill can donate either to charity X or charity Y, each of which serve the exact same goal. Furthermore, Bill knows that charity X is the significantly more effective one. Assuming that donating to charity Y would still do some good, the act of donating to charity Y is aretaically

mixed insofar as there is at least some reason for doing so, even if there is more reason to donate to charity X. Now, we can all agree that donating to charity X is the right action. But the central question is how a normative ethical theory arrives at this commonsensical verdict (Louden 1984: 232–3).

Utilitarianism, for instance, identifies the action of donating to charity X as the right one since this action maximizes utility. If a moral particularist VNET is also in the business of yielding such a verdict, it would seem that it needs to tell us which virtues would be displayed by performing each action, as well as *why* the virtues that would be displayed by donating to charity X would outweigh, in some sense, the virtues that would be displayed by donating to charity Y. Obviously, this superficial case would need to be described in detail—*much* more detail—in order for us to even begin to say which virtues would be displayed by each action. One of the points virtue ethicists are quick to bring up is that assessing an action's deontic status requires knowledge of the messy, complex details that are involved in real world moral scenarios. But the point still stands that, once these details have been filled in, we need to see how a moral particularist VNET *arrives* at identifying the deontic status of an action in not-so-difficult moral scenarios, specifically by telling us which virtues typically happen to outrank or outweigh other virtues, at least if the moral particularist VNET intends to generate at least some deontic verdicts distinct from versions of consequentialism and its cohorts.

2.5 Virtue Ethics without Deontic Statuses

A VNET proponent could retreat to a more extreme position by denying that any action has a deontic status, even though some acts are virtuous while others are not (cf. Hacker-Wright 2010).[25] This may suffice to make the normative ethical view complete, but such a commitment does not render one's view a distinctively virtue ethical position since there

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[25] These views should not to be confused with accounts of virtue ethics that seemingly acknowledge that acts have deontic statuses, but nevertheless hold that we should eliminate discussion of them from our moral discourse. See, for instance, Kraut (2006).

are rivals to virtue ethics that similarly deny that actions have a deontic status, such as scalar consequentialism (Norcross 2006; Sinhababu 2018). In order for a VNET to rid itself of deontic concepts while simultaneously counting as a genuine rival to, e.g., scalar consequentialism, such a theory must not reduce the notion of a virtuous action to the concepts employed by scalar consequentialists or other *possible* consequentialist, deontological, or contractualist views. Were a VNET to be worked out in this way it would in fact be a distinctively normative ethical view. In the next section, however, we are going to argue that VNETs' prospects of satisfying (B) are not promising, and so it's unlikely that there could be a plausible VNET that rivals other normative ethical views.

To conclude our discussion of (A), we think that existing VNETs do not satisfy criterion (A) to a significant degree[26] insofar as they still need to show us how their respective theory identifies the deontic status of actions in moral scenarios by telling us which virtues are displayed by the actions available to an agent, and which virtues outweigh other ones in such a manner that one of the actions available to the agent is the most virtuous or overall virtuous one. In the next section, we turn to VNETs' ability to satisfy criterion (B), which concerns the fundamental right-*making* features of an action.

3. VNETs' Prospects of Satisfying (B)

3.1 A Dilemma for VNETs

Some VNET proponents have attempted to provide necessary and suffi-cient conditions for right actions. Consider, for instance, Rosalind Hursthouse's proposal (1991: 225):

(HP) An act is right *iff* it's what a virtuous agent would do in the circumstances.[27]

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[26] The sole exception is a VNET which holds that there are no deontic statuses. Though, they would need to be developed in more detail to be a distinctively virtue ethical position.

[27] See also Hursthouse's (1996) revision of her account of a right action (1991: 225). See also Oakley (1996), Swanton (2001: 34), and Svensson and Johansson (2018: §3).

First, as an aside, notice that (HP) does not satisfy condition (A) because it does not include an account of how virtuous agents would act in every possible circumstance. Knowing HP, even with Hursthouse's significantly more detailed supplements, and all of the relevant non-moral facts will still be insufficient to generate a deontic verdict for every possible act in every possible circumstance. So, unless we have a principled means for determining how a virtuous agent would behave under every circumstance, the necessary and sufficient conditions that HP offers are neither maximally precise nor particularly informative.

Second, as we have seen, merely identifying necessary and sufficient conditions does not suffice for the purposes of identifying the right-*making* features of an action. As an initial step towards fully satisfying criterion (B), a VNET should invoke "because" in the above biconditional, which is how Smith's formulation of a VNET is construed: "*an action is right if, only if, and because it is virtuous*" (2017: 241). Now, in light of our discussion of multiple explanatory layers of a right action, the absolutely critical question is whether there are features that *make* an action virtuous, and whether virtue-theoretic concepts are indispensable for describing *those* features. For example, if an action is virtuous because it maximizes utility, then such a theory will clearly not count as a genuine rival to utilitarianism. We present this concern in more detail in the form of a dilemma:

(i) The fundamental right-making feature(s) of an action is *not* that that action is what a virtuous agent would do, what a virtuous agent would be motivated or disposed to do, or that that action is 'overall virtuous,' whereby the notion of an overall virtuous action is either not analyzed further or is analyzed specifically in virtue-theoretic terms.

Or,

(ii) The fundamental right-making feature(s) of an action *is* that that action is what a virtuous agent would do, what a virtuous agent would be motivated or disposed to do, or that that action is 'overall virtuous,' whereby the notion of an overall virtuous action is either not analyzed further or is analyzed specifically in virtue-theoretic terms.[28]

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[28] Svensson considers the merits of a eudemonistic account of virtue ethics that accepts this horn in his (2011), but ultimately rejects such a view.

If the VNET proponent accepts (i), then the view in question is not a distinctively *virtue ethical* position. To see why, imagine an exceptionally simple theory that identifies "acting honestly" as the sole right-making feature (and so acting honestly is the sole virtue).[29] Call this view VNET$_H$. Given VNET$_H$, in order to know how one ought to act, an agent *only* needs to know that acting in a manner in which one knowingly does not deceive others is the sole right-making feature.[30] Consequently, φ-*ing* is permissible iff (and because) φ–ing is an action in which one does not knowingly communicate a falsehood to others. No mention of virtues or virtuous agents is needed. Now, one might try to make VNET$_H$ a distinctively virtue ethical position by asserting that a virtuous agent would always act honestly. One could even provide necessary and sufficient conditions for right actions in terms of virtuous agents' actions in the following manner:

(**HONESTY**) An action is right *iff* it's what a virtuous agent would do in the circumstances and, in all circumstances, virtuous agents act in such a manner that they don't knowingly communicate a falsehood to others.

The problem with HONESTY, as we see it, is that no virtue-theoretic concepts are indispensable to this theory. To see this, notice that a utilitarian can similarly provide necessary and sufficient conditions for right actions in terms of virtuous agents' actions:

(**UTILITY**) An action is right *iff* it's what a virtuous agent would do in the circumstances and, in all circumstances, virtuous agents act in such a manner that they maximize utility.

No virtue-theoretic concepts are indispensable to UTILITY since utilitarianism can be described in a way that makes no explicit appeal to what virtuous agents would do, just as HONESTY can be described in a manner that does not invoke the notion of a virtuous agent.[31] In both

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[29] To simplify, let's assume that for any set of available act-alternatives, "acting honestly" clearly picks out one action or one set of actions.

[30] On this view, honesty may be understood as a virtue in the "thin" sense of virtue instead of the "thick" sense, although our argument does not hinge on this detail.

[31] In his (2012: ch. 2), Dan Russell touches on this problem. Building on Gary Watson's work, Russell concedes that virtue ethics should allow that the rightness of an action is

cases, we are identifying the necessary and sufficient conditions of a right action, and then simply tacking on the claim that that is precisely what a virtuous agent would do in the relevant circumstances.

3.2 Swanton's Account Falls on the First Horn

To illustrate this point with an example, Swanton (2015: 42) seems to accept (i) when she writes that "What *makes* actions right…is not that they would be chosen by virtuous agents, but that the actions themselves are favoured by v-reasons." Swanton's conception of a v-reason is construed in terms of her (2003) 'target centered' account of virtue ethics. Recall that on this view, an action that hits the target of a certain virtue is one that accomplishes the goal behind that virtue. So, if kindness is a virtue, then the target of kindness may be, e.g., preventing someone from experiencing pain. If this is correct, then the fundamental right-making feature of an act that displays kindness need not appeal to a virtue-theoretic concept at all, notwithstanding the fact that these reasons are dubbed 'v-reasons.' To see this, consider the following increasingly more fundamental levels of explanation of a right action:

- Some action, φ, is right because it's overall virtuous
- φ is overall virtuous because it's favored by v-reasons.
- φ is favored by v-reasons because φ "hits" the target of the virtue kindness.
- φ "hits" the target of the virtue kindness because φ prevents pain.

contingent upon the goodness/badness of outcomes. But he argues that distinctively virtue ethical positions can hold that bad outcomes *prevent* actions from being right, while right actions will necessarily invoke the concept of a virtue. Importantly, the virtues in question are understood as "prior" to right action in the sense that virtues can be understood apart from right action, but not vice versa. These conditions are perfectly coherent and strike us as plausible. The problem, however, is that other normative ethical views (e.g. commonsense consequentialism) can also incorporate these conditions into their view. Nothing prevents a normative ethical view from understanding virtues apart from the deontic status of acts, as virtues don't need to be defined in such terms, even if they're logically related to them. Thus, these conditions will not suffice to make a view a distinctively virtue ethical one.

It seems, then, that the fundamental level of explanation of φ's deontic status of being right appeals to a factor that dispenses of virtue-theoretic concepts. For this reason, our interpretation of Swanton's account situates her view on the first horn of our dilemma. If, however, Swanton were to insist that the explanatory component of her account bottoms out at the third bullet, then her view would fall on the second horn of our dilemma. It's to this horn that we now turn.

3.3 The Second Horn

A VNET that accepts the second horn of the dilemma has to identify the fundamental, rock-bottom features of an action that make it right, *and those features must employ virtue-theoretic concepts.*[32] There appear to be two possible moves for accomplishing this task.

According to the first move, the fundamental right-making features of an action are that it possesses the (extrinsic) property of being the action that a virtuous agent would perform. This does not appear to be plausible insofar as we are searching for the *fundamental* right-making features of an action. To see this, consider a virtuous agent who comes across a child drowning in a shallow pond. That agent presumably has a reason to save the drowning child because doing so would save the child's life, which is good for the child and from the perspective of the universe. But the VNET proponent who adopts the first move cannot say this. Instead, she must say either that the virtuous agent who is obligated to save the drowning child nevertheless has no reason to save the drowning child, or that their *only* reason for saving the drowning child is that this is what they *would* do if they were in the very circumstances in which they find themselves. One would have thought, however, that the correct normative ethical theory would entail that virtuous agents would save the child's life because doing so is what they have most reason to do (or is right or good). One would not have thought that saving

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[32] We take Julia Annas to defend this general line of thought in her (2011: ch. 3). Annas denies the need for virtue ethics to give an account of right-making actions independent of the virtues. She grants that there are right actions in a thin sense but denies that there is something substantive and informative that unifies all right actions (p. 50).

the child's life is what virtuous agents have most reason to do (or is right or good) simply because a virtuous agent would save the child in the situation in question.[33]

The second move for proposing that the fundamental right-making features of an action cannot dispense with virtue-theoretic concepts says that the fundamental right-making feature of an action is one that is overall virtuous. Now, in order for this move to avoid collapsing back into the first horn of our dilemma, the notion of an overall virtuous action cannot ultimately be explained in terms of non-virtue-theoretic concepts. To illustrate, recall our discussion of the multiple explanatory levels concerning Swanton's account of a right action:

- Some action, φ, is right because it's overall virtuous
- φ is overall virtuous because it's favored by v-reasons.
- φ is favored by v-reasons because φ "hits" the target of the virtue kindness.
- φ "hits" the target of the virtue kindness because φ prevents pain.

Unlike Swanton's view, it seems that this move must deny that an overall virtuous action can be ultimately defined in terms of the target of a virtue, such as an action's preventing pain, at least if this move wishes to stay on the second horn of our dilemma. J. L. A. Garcia makes this sort of move in his (1990), arguing that some virtues are prior to deontic verdicts (while some virtues are defined in terms of dispositions to do the right thing). Garcia denies that all virtues can be defined in terms of deontic verdicts because they're complex character traits that consist of a "mental response," which may or may not be expressed in action. Perhaps one is disposed to act kindly, for instance, even if they don't get the chance to act in that way. Likewise, a virtuous agent may display the virtue of kindness while performing an act, while a vicious agent may perform the same act for different reasons, *not* displaying the virtue of kindness. So, such accounts of virtue ethics take the praiseworthy/

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[33] Svensson makes this point in his (2011: 328) and in Svensson and Johansson (2018: 499). Similar concerns are raised in Das (2003), Copp and Sobel (2004: 547) and (2017), Driver (2006: 118), and Tännsjö (2001: 170, 173).

blameworthy features of actions to play a role in determining the deontic verdicts of actions, which other normative ethical views (e.g. typical forms of consequentialism) do not.

Is this enough to create a distinctive account of virtue ethics and avoid being impaled on the second horn of the dilemma? We don't think so. First, while other normative ethical views tend not to let the praiseworthy/blameworthy features of actions figure in the deontic verdicts, nothing prevents them from doing so. For instance, one could create a number of different forms of consequentialism, where the agents' motivations for acting factor into the goodness/badness of the consequences. Second, while it's certainly possible that virtues are explanatorily prior to deontic verdicts, we find that implausible for reasons already given. Virtues may function in the way Garcia suggests, but that does not provide reason to believe that virtues are prior to deontic verdicts. In fact, virtues seem to get their normative force from the fact that acting on them results in some (intrinsic) good or preventing some (intrinsic) bad. If virtues are not grounded in such goods (or the prevention of such bads), then it's unclear why being virtuous matters morally at all.

So why exactly is it supposed to be problematic for VNETs to deny that an overall virtuous action can be ultimately defined in terms of the target of a virtue? Isn't it plausible to think that the exemplification of certain virtues outranks, in some sense, the exemplification of other virtues? The answer is 'yes' in one sense and 'no' in another. We find this view plausible *if* the ranking of certain virtues over others (whether universally or only in certain circumstances) is explained *further*, e.g., by the fact that one action (which displays certain virtues) maximizes utility, or accords with some deontological principle, or more generally increases the value of the world to a greater extent than any other action that is available to the agent. However, the problem with accepting any such further explanation for the ranking of certain virtues over others pushes the VNET in question back onto the first horn of our dilemma.

Alternatively, the VNET proponent could maintain that there are no further explanations for the ranking of certain virtues over others (whether in all or only some circumstances). But then it remains utterly mysterious as to *why* certain virtues outrank others. The arbitrariness of

such ranking facts seems to bleed into the entire moral system if these facts truly are thought to be the fundamental, rock-bottom explanations for an action's deontic status.

4. Conclusion

We have argued that a normative ethical theory, with the traditional aim of identifying the criteria of rightness is complete to the degree to which it satisfies two conditions: (A) taking a stance on the deontic status of anything that can have a deontic status in any possible circumstance, and (B) identifying the maximal set of fundamental right-making features (if the theory in question thinks anything has a deontic status). We argued that more work needs to be done in order for existing VNETs to satisfy (A), at least to the degree to which other typical normative ethical views satisfy (A). Until this is done, such VNETs will remain consistent with a range of particular versions of consequentialism, deontology, and contractualism. Some proponents of VNETs will not like this conclusion, as many vehemently reject existing forms of conse-quentialism, deontology, and contractualism. They may even be right to do so. However, whether one personally rejects these normative ethical views is a distinct question from whether the particular positive view they defend, as it's formulated in print, is a competitor to such views.

Second, we argued that satisfying condition (B) poses a dilemma for each VNET. Either it will fail to be a distinctively virtue ethical position or it will be committed to an implausible or mysterious set of funda-mental right-making features. If our arguments are successful, there is good reason to be skeptical of the possibility of developing a viable account of virtue ethics that fulfills the same role as its supposed norma-tive ethical rivals.[34]

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