ABSTRACT

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Tragic dilemmas are commonly understood to be situations in which an agent has overriding moral reason to choose between two incompatible actions, each of which there is very strong moral reason against taking. As a result of choosing, tragic agents tend to feel guilty, tainted, and the need to make amends. We tend to suspect the virtue of agents who do not have these feelings, suggesting that they are in some way appropriate, but in order for them to be fitting, i.e. in order for them to track reality accurately, the tragic agent must be morally responsible for wrongdoing. Moreover, second-person responses of resentment toward and forgiveness of tragic agents also appear to be appropriate, suggesting that the tragic agent is culpable for wrongdoing. Yet third persons do not blame tragic agents as would be fitting if this were so, but rather tend to experience pity and fear.

Classical Virtue Ethics and standard versions of Kantian and Utilitarian ethical theories do not have the resources to explain why this phenomenology is fitting because they deny that the tragic agent engages in wrongdoing. I argue that neo-Aristotelian ethical theory, grounded in personal flourishing, has the resources to do so. To this end I put forward an account of wrongdoing according to which an action is wrong if and only if it either counts against an agent’s virtue or seriously negatively affects an agent’s flourishing. An implication of this account is that tragic dilemmas are situations of inescapable wrongdoing, for whatever the agent does in them will significantly undermine her flourishing. I also employ Aristotle’s account of voluntariness to argue that the tragic agent is morally responsible for the specific wrongdoing.
that she chooses to do in a tragic dilemma. As such, we can make sense of the phenomenology as fitting. Additionally, I argue that whereas Classical Virtue Ethics has trouble accounting for the ways in which virtue is vulnerable to luck, by allowing that the tragic agent engages in wrongdoing and suffers significant harm, a neo-Aristotelian theory of the sort I develop is capable of recognizing this vulnerability.
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INTRODUCTION

Tragic dilemmas, generally described, are situations in which an agent has overriding moral reason to take one of two courses of incompatible action, each of which there is very strong moral reason against taking. Consider, for example, the case of Sophie as described in William Styron’s *Sophie’s Choice.* Sophie arrives with her two children at the Auschwitz concentration camp. While standing in the entry line a Nazi guard presents her with the following choice: she must either choose which of her two children will be sent to a gas chamber to die (the other will be allowed to live) or not choose with the consequence that both will be sent to a gas chamber to die. Sophie has an overriding moral reason to choose which one of her children will be sent to the gas chamber, for in so doing she prevents both of them from dying. Nevertheless, there is also a strong moral reason—with respect to each child—for not choosing that child because in so choosing she is sending that child to its death. The seriousness of the moral reasons against each of her action options, in terms of the disastrous consequences that ensue both for herself as the tragic agent and for those others who are most negatively affected by her decision (in this case the selected child), mark the dilemma as tragic.

A number of puzzles arise upon examination of the phenomenology of tragic dilemmas. Tragic agents, such as Sophie, tend to feel guilty, tainted, and obligated to make amends as a result of what they have done, and such feelings are fitting or rationally justified, i.e. they accurately track reality, if and only if the agent is morally responsible for wrongdoing. Yet tragic agents do not appear to be morally responsible for wrongdoing, at least not according to Rationalist (i.e. Classical Virtue-Ethical, and standard versions of Utilitarian and Kantian) ethical theories. Nonetheless, we tend to suspect the virtue of agents who do not have these feelings,

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suggesting that they are, despite the seeming absence of moral responsibility for wrongdoing, in some way appropriate. In addition, second-person responses of resentment toward and forgiveness of tragic agents also appear to be in some way appropriate, but for the reasons just cited are puzzling as well. Finally, if agents feel guilty then it is typically appropriate for them to incur blame, yet third persons do not blame tragic agents, but rather tend to pity them and experience fear in response to witnessing the terrible circumstances in which they are placed, circumstances in which they see wrongdoing as unavoidable and flourishing severely undermined.

This phenomenology is regarded as unfitting by Rationalist ethical theorists because they all deny that the tragic agent engages in wrongdoing. They all hold the position that if a tragic agent acts in accordance with the conclusion of sound moral deliberation, as defined by their respective ethical outlooks, then the agent is in no way morally responsible for having done anything wrong. Moreover, she does what is right. In the case of Sophie, then, since the conclusion of moral deliberation according to all of these views is that she should act so as to save one of her children as opposed to letting both die, she does nothing wrong in so acting. Therefore, a consequence of adopting these ethical outlooks is that we cannot understand how the first-, second-, and third-person responses to tragic dilemmas described above, i.e. the phenomenology of tragic dilemmas, can be fitting. These theories simply do not have the resources to account for, as rationally justified, the tragic agent’s moral distress, felt need to make amends, and feelings of being tainted. Moreover, they cannot account for the second person’s resentment and forgiveness as accurately tracking the facts of her situation. Additionally, the third-person experiences of fear and pity in witnessing tragic dilemmas have to

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2 It at least certainly seems inappropriate to blame tragic agents given that they find themselves in a situation in which a horrible choice must be made through no fault of their own.

3 Henceforth they will simply be referred to as Rationalists.
be discounted as not rationally justified. Thus, not only do Rationalist ethical theories deny that there are situations of inescapable wrongdoing, but also our common experiences and strong intuitions that the first-, second-, and third- person responses described are rationally justified. We tend to think that the phenomenology of tragic dilemmas is appropriate, i.e. we tend to think that virtuous or decent agents would have the responses described above. Given that we take virtuous agents to be, as part of their virtue, tracking reality, suggests, moreover, that the phenomenology arising from tragic dilemmas is rationally justified.

In order to accommodate them as rationally justified (i.e. fitting) responses, then, we have to identify a sense of wrongdoing and moral responsibility according to which they would, indeed, be rationally justified responses. I argue in this dissertation that neo-Aristotelian ethical theory, grounded appropriately in personal flourishing, does just this.

The first chapter provides a number of examples of tragic dilemmas and defines tragic dilemmas as practical negative moral dilemmas in which the moral considerations or reasons against an agent’s courses of action are grave, but there is nonetheless overriding moral reason to take a course of action. Next, the phenomenology surrounding tragic dilemmas and the puzzles they lead to are described in detail. Regarding the phenomenology of the tragic agent, it is argued that the feelings we think a tragic agent ought to experience—some kind of moral distress—all have as a key part of their evaluative cognitive content some kind of moral responsibility for wrongdoing on her part. Not only does guilt have this content, but also the felt need to make amends and the feeling of being tainted when amends cannot be made either sufficiently or at all. As mentioned above, however, it is at least initially counterintuitive to think that an agent who acts in accordance with the conclusion of sound moral deliberation has in any way engaged in wrongdoing. Moreover, the tragic agent does not appear to be morally
responsible for the fact that wrongdoing takes place; rather it seems that she is just the victim of bad circumstantial luck. These initial conclusions, however, conflict with what seems to be the appropriate initial response of the second person (i.e. the person in a tragic dilemma most directly negatively affected by the tragic agent’s decision other than the tragic agent herself). It is argued that an initial response of resentment appears to be appropriate at least insofar as the tragic agent would attach significance to being forgiven by the second person, thereby suggesting that the tragic agent has engaged in culpable wrongdoing, to which resentment is a fitting response. This putatively culpable wrongdoing, however, is puzzling in the light of the fact that third persons do not appropriately blame the tragic agent for what she does where blame would be the fitting response to such wrongdoing. Instead, they pity her and fear being in a similar situation themselves, a situation in which they would have to do something they find grievously wrong.

In order for the first-, second-, and third-person responses to tragic dilemmas to be fitting, however, a tragic dilemma must be the kind of situation in which the tragic agent will be morally responsible for wrongdoing no matter what she does. According to Rationalist ethical theories, this condition is not met because, according to each theory, the tragic agent does not engage in wrongdoing. Instead, the tragic agent, since she does her best to satisfy the specific end of ethical action extolled by the particular ethical theory—whether it be pursuing the ends of the virtues, maximizing the aggregate good of all persons, or satisfying one’s perfect duty—does what is right. This, then, makes it difficult to account for what seems to be the appropriate phenomenology as being rationally justified.

The second chapter lays out the central components of a theory of neo-Aristotelian flourishing and moral responsibility, which along with the account of wrong action developed in
Chapter 3, provide the basis from which to respond to the puzzles described in Chapter 1. The account of neo-Aristotelian flourishing developed draws heavily from the work of Douglas B. Rasmussen and Douglas J. Den Uyl and incorporates some standard Aristotelian views as well. Neo-Aristotelian flourishing has six key characteristics. It is: 1) objective; 2) inclusive; 3) individualized; 4) agent-relative; 5) achieved with, and among, others; and 6) self-directed. It consists of virtuous activity with an adequate supply of external goods for a complete life. I argue that the virtuous activity most central to flourishing is performed in the context of an agent’s significant projects and relationships, which comprise the major part of her good. This conception of flourishing is contrasted at various points with the differing notions of the good espoused by the various Rationalist ethical theories under consideration. The Aristotelian views of practical reason and choice (prohairesis) are also described, which are useful in developing the accounts of moral responsibility and of wrong action in Chapter 3.

In the third chapter I argue that neo-Aristotelian ethical theory should regard tragic dilemmas as situations of inescapable wrongdoing and develop an account of wrongdoing according to which this is the case. First, the arguments of those neo-Aristotelians who deny that tragic dilemmas are situations of inescapable wrongdoing are examined. These theorists employ a conception of wrongdoing according to which an action is wrong if and only if it counts against an agent’s virtue or personal goodness. In other words, they employ a conception of wrongdoing that relies solely on agent assessment. Second, the views of those who accept that tragic dilemmas are situations of inescapable wrongdoing are described. These theorists do not address in any detail how their views of wrongdoing differ from those of the Rationalists nor do they explicitly develop an account of wrongdoing. Both of these deficiencies are remedied by the

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account of wrongdoing I go on to develop. My account adds a sufficiency condition to the standard neo-Aristotelian account, a condition having to do with action assessment. According to this account, an action is wrong if and only if it either counts against an agent’s virtue or negatively affects an agent’s flourishing in a serious way. As such, instead of focusing merely on agent assessment, it is argued that a complete account of neo-Aristotelian wrong action also needs to focus on action assessment. The claim is that there are certain kinds of actions that necessarily undermine flourishing and are thus wrong in the action-assessment sense, but are not thereby absolutely prohibited actions in terms of action guidance. Although they are wrong in the action-assessment sense, they are nevertheless right in the action guidance sense since they best approximate *eudaimonia* in the circumstances, which is what an agent, all-things-considered, should do. An implication of this account is that tragic dilemmas are situations of inescapable wrongdoing, for whatever the agent does in them will significantly undermine her flourishing.

In the fourth chapter I argue that the tragic agent is morally responsible for the specific wrongdoing that she chooses to do in a tragic dilemma according to the account of moral responsibility developed from Aristotle’s discussion of voluntary action in Chapter 3. According to this account, a moral agent who is aware of what she is doing or bringing about and whose beliefs and desires (rational or non-rational) are together the efficient cause of her action is morally responsible for her action. Since these conditions are met by the tragic agent, she is morally responsible for her action in the tragic dilemma. Although she is not culpable for the fact that some wrongdoing will take place, she is culpable for which particular individual is wronged. As such, we can make sense of her feelings of guilt, taint, and the need to make amends as fitting. She feels guilty and a need to make amends in the light of the fact that she has
wronged some individual or group of individuals, but given that the harm involved in the wrong is so grievous—e.g. death—sufficient amends cannot be made. This fact leads to the feeling of being tainted because normally when an agent is guilty of something she can make it up to those harmed and thereby stops feeling guilty, but in a tragic dilemma this is not possible.

In addition, I argue that resentment is an initially fitting second-person response to the choice made by the tragic agent since there is an important sense in which the tragic agent is culpable for wronging the second person. The tragic agent has seriously violated the terms of a responsibility relationship that exists between her and the second person. Ultimately, however, depending on the subsequent actions, feelings, and attitudes of the tragic agent, it is argued that forgiveness might be more fitting. Finally, I argue that although the tragic agent is morally responsible for wrongdoing, because tragic dilemmas are situations in which the agent does not have prohairesis (deliberate choice) in the full sense because she is placed in circumstances in which her character has no natural outlet in the actions available to her, third-person blame is not a fitting response unless the tragic agent acts contrary to the correct conclusion of moral deliberation. When we take into account the circumstances of action, the reasons for which the tragic agent acts, her subsequent actions, emotional responses and attitudes, we see that fear and pity are more fitting responses than is blame.

In the fifth and final chapter I explain why a neo-Aristotelian ethical theory, contrary to Rationalist ethical theories, can explain the fittingness of third-person responses of tragic fear and pity to the plight of an agent who experiences a tragic dilemma. Key conditions for the fittingness of these responses are that the tragic agent is in a sense forced to engage in wrongdoing and that she suffer significant evil. Rationalist ethical theories deny that tragic dilemmas are situations of inescapable wrongdoing and therefore also deny that the agent suffers
the significant evil of having to engage in wrongdoing. I argue that since these theories put little
emphasis on the importance of external goods to flourishing, they also deny that the typical loss
of these in the tragic dilemma is an evil suffered by the agent. Although Utilitarian ethical
theories, specifically, do not accord such little importance to external goods, they nonetheless fail
to account adequately for the evil suffered by the tragic agent because they do not account for the
significance of integrity violations to an agent’s well-being. Neo-Aristotelian ethical theory, on
the other hand, appreciates the importance of the external goods to flourishing. Flourishing is
activity in accordance with the virtues, given an adequate supply of external goods. These
external goods provide the preferred context for the exercise of the virtues. The preferred
context for an individual is agent-relative, meaning that it is determined by the contingent
aspects of her practical identity: her particular ends in terms of relationships and projects. Her
flourishing depends on her being able to engage in virtuous activity in this personal context. As
such, neo-Aristotelian ethical theory regards the loss, for instance, of a family member or friend
as a significant evil. In addition, when it includes an account of wrongdoing that addresses
action assessment as well as agent assessment, neo-Aristotelian ethical theory allows that the
agent violates her moral integrity in a tragic dilemma because she engages in wrongdoing. As
such, a neo-Aristotelian ethical theory can account for the fittingness of the reactions of tragic
fear and pity in response to a tragic dilemma.

Moreover, the fact that neo-Aristotelian ethical theory allows that the tragic agent
engages in wrongdoing and suffers significant harm helps us to recognize the ways in which

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5 All tragic dilemmas need not involve a loss of external goods or at least need not involve such a loss in any
straightforward or direct way. An agent may face a dilemma in which each of her alternatives involves an integrity
violation but does not directly involve the loss of an external good. For example, an agent may face a choice
situation in which she either accepts a job with a political party she despises or one with a company that engages in
egregious research practices. She has been unemployed for a year and it is a very difficult job market. She is the
sole caretaker of three children, one of which has a disease requiring expensive medications. Both of her job options
involve violations of her integrity, but she seems to have overriding moral reason to take one of the jobs.
virtue and thus flourishing is vulnerable to luck. The harms the tragic agent suffers can negatively affect her flourishing in three different ways: 1) she loses an important context for virtuous activity, 2) her virtuous activity is internally impeded, or 3) her virtuous disposition is severely debilitated, lost, or made exceedingly difficult to maintain.
CHAPTER 1: THE PROBLEM OF TRAGIC DILEMMAS

1.1 INTRODUCTION

Sophie arrives at the Auschwitz concentration camp with her two children, Jan, 10, and Eva, 7. She is given the option by a Nazi official of choosing which of her two children will immediately be sent to a gas chamber to die and which will continue to live in the camp. If she does not choose, then both will be sent to the gas chamber. Sophie must choose which of her two children will live, or alternatively, which will die.6

Agamemnon and his armies, on orders from Zeus, set sail to attack the Trojans.7 The goddess Artemis impedes the voyage by calming the wind. All onboard will die of starvation unless Artemis lifts the calm. She lets Agamemnon know that she will do so only if he sacrifices his daughter, Iphigenia. Agamemnon must choose between killing his daughter and allowing his armies to die.

Captain Edward Fairfax Vere and the members of a court-martial must decide what to do about the young sailor Billy Budd.8 Billy Budd, a simple, innocent, well-liked “child-man” is falsely accused of plotting a mutiny aboard a naval ship by his envious Master-at-Arms John Claggart. Captain Vere calls forth Billy and Claggart in order to test the accusation. Billy has a terrible speech impediment that is activated in times of stress. Facing his evil accuser leads to stress and instead of responding to the accusations Billy stutters and cannot speak. In frustration and indignation he strikes Claggart who subsequently drops dead. For this insubordination the Captain orders an immediate trial. The court correctly judges that the accusation of planning a mutiny is false and that Billy did not intend to kill Claggart. Before the court Vere grants that

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6 Styron, Sophie's Choice, 483-4.
8 Herman Melville, Billy Budd, Sailor (an inside Narrative) (Chicago: University of Chicago Press, c1962.).
Billy was falsely accused and that “compassion” and “natural justice” demand leniency. At the same time, however, he argues that the court has an overriding obligation to the King to enforce martial law which demands execution and that this penalty should not be lessened in the circumstances: the navy has recently experienced two mutiny attempts and it is wartime. Captain Vere and the court-martial members must choose between upholding the value of allegiance to law and to private conscience.

These are all generally considered to be examples of tragedies given what most take to be the disastrous consequences of the agent’s choice: the loss of or severe injury to another’s life and the agent’s own. Consider, for instance, the overwhelming sorrow, horror, and loss of faith that is likely to be experienced by the agent. Moreover, such disastrous consequences ensue no matter what the agent chooses to do in these situations. As such, these tragic scenarios all appear to be members of a subset of tragedies: tragic dilemmas. Let us, then, examine more closely the notion of a tragic dilemma.

1.2 DEFINING TRAGIC DILEMMAS

Tragic dilemmas are a subset of moral dilemmas. A moral dilemma is a situation in which it is incumbent upon an agent to take each of two (or more) courses of action; the agent can take each of these courses of action; but the agent cannot take both (or all) of these courses of action.\(^9\) It is incumbent upon the agent to take these courses of action due to any of the following moral

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\(^9\) Note that this is an ontological as opposed to an epistemic conception of moral dilemma. On an epistemic conception, an agent is in a moral dilemma simply because she does not know whether one set of moral considerations favors doing one course of action over another regardless of whether there is a fact of the matter. Also note that although I will be speaking of moral dilemmas, it should be understood that an agent could face a situation in which there are greater than two courses of action open to her, each of which has strong and compelling moral considerations in its favor. Thus for instance an agent could face a trilemma, and so forth.
considerations impinging upon the agent: moral principles, virtues, obligations, *oughts*, duties, et cetera.

Some further distinctions will help us to arrive at a definition of *tragic dilemma*. A moral dilemma is a *practical* one if an agent faced with these incompatible courses of action is committed to acting in accordance with the moral considerations adduced. If say, on the other hand, an agent is vicious, then the moral considerations adduced will not move her and so the situation will not be a practical moral dilemma, although from the perspective of various moral theories, the situation may still be described as a moral dilemma. A *negative* moral dilemma is one in which there are strong and compelling moral considerations against both courses of action. An example of a practical negative moral dilemma is one in which a parent must decide which of her conjoined twins’ lives should be put most at risk in a surgery to separate them, without which both will die early deaths. In such a scenario, there is a strong and compelling moral consideration favoring minimizing the risk for each child, e.g. a consideration arising from the parental obligation to seek an offspring’s welfare, but there is also a strong and compelling moral consideration against minimizing the risk for a particular child, namely that it involves betraying a parental obligation to the other child. In other words, in a practical negative moral dilemma, each action alternative represents a significant moral cost to the agent insofar as she must grievously violate a moral value to which she is committed. The fact that an action

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10 This is not to say that these considerations outweigh strong and compelling moral considerations in favor of either course of action. Also, it should be pointed out that a strong and compelling moral consideration against a course of action may be that it entails an omission that has a strong and compelling moral consideration against it as well. Also, note that a *positive* moral dilemma, on the other hand, is one in which there are strong and compelling moral considerations in favor of both courses of action that strongly outweigh any negative moral considerations against them. An example of a positive moral dilemma is a situation in which a parent wanting to give her daughter a birthday present is faced with an “embarrass de richesse” and giving any one of a number of things is putatively equally desirable and acceptable. This example is taken from Rosalind Hursthouse, *On Virtue Ethics* (New York: Oxford University Press Inc., 1999), 66-7.

11 Practical negative moral dilemmas are the concern of this dissertation and as such I will henceforth use ‘moral dilemma’ or ‘dilemma’ to refer only to such dilemmas.
would, for example, harm someone, involve the breaking of a promise, or violate someone’s rights would be a moral consideration against it and would involve a significant moral cost for the agent committed to not harming others, keeping promises, and respecting rights. For another agent not committed to these values, a situation in which she must perform one of these types of actions would not present a practical moral dilemma.

Tragic dilemmas, like those described as such at the outset, are a subset of practical negative dilemmas. Now let us examine two aspects of such dilemmas that make them tragic before arriving at our definition of tragic dilemmas. One appears to be the gravity of the moral considerations against each alternative. It has already been noted that such dilemmas result in disastrous consequences both for the tragic agent and for those others who are most negatively affected by her decision and as such the moral reasons against each alternative are especially serious. Sophie, for instance, has an especially strong moral reason, in the case of each particular child, not to decide that that child be sent to the gas chamber since that is sending her child to die. Even though there is also a very strong moral reason for choosing one of her children to die, namely, she saves one of her children, the seriousness of the moral reason against doing so appears to mark the dilemma as tragic. Consider a dilemma in which an agent promises to attend her friend’s party but misses it in order to help the victims of a car accident. Although there are very strong moral reasons not to break promises in general, the strength of reasons against doing so on a case-by-case basis are more context-dependent than are the strength of reasons, for instance, not to let a loved one die or killing someone. In this agent’s case, it is because she would otherwise let someone die that she deems keeping the promise as outweighed.

A way of determining whether a dilemma is grave is to determine how easily the consequent harm can typically be rectified. If it is either impossible or typically extremely
difficult to rectify, then the moral considerations against each course of action are grave ones and
the dilemma is tragic. Death, for instance, is a harm impossible to rectify and so moral dilemmas
in which either action leads to death are especially grave. Consider again the moral dilemma
faced by the agent who promises to attend her friend’s party. Since typically she can easily
rectify any temporary harm to the friendship caused by the broken promise, perhaps just by
explaining to her friend what happened, her dilemma is not a grave one and thus not tragic.

Despite the fact that the harm done is either impossible or typically extremely difficult to
rectify, there is in these situations nonetheless a strong overriding moral reason to take a course
of action. One moral reason or obligation overrides another if and only if it conflicts with
another (meaning both cannot be fulfilled) and it is morally stronger.\(^\text{12}\) This, then, is another
aspect of tragic dilemmas. So for instance, although moral considerations speak heavily against
Sophie’s calling out the name of one of her children to be sent to its death, there is an overriding
moral reason—\(^\text{13}\)—that a child will be saved—for her nevertheless to do so. Likewise, in the case
of Agamemnon, despite the fact that strong moral considerations speak against killing his child,
there is overriding moral reason for him to do so, namely, he will save the Greek forces and be
able to proceed to Troy.

*Tragic dilemmas*, then, are practical negative moral dilemmas in which the moral
considerations or reasons against an agent’s courses of action are grave, but there is nonetheless
overriding moral reason to take a course of action.

\(1.2.1\) Further Distinctions


\(^{13}\) At least there is on the types of normative outlooks that will be of concern in this dissertation.
Two further distinctions with respect to moral dilemmas, including tragic dilemmas, should be noted. First, moral dilemmas may be either resolvable or irresolvable. A resolvable moral dilemma is one in which one of the action alternatives has the net weight of moral considerations in its favor. In other words, the moral reasons in favor of one alternative outweigh those in favor of another.\(^{14}\) Agamemnon’s dilemma is generally considered to be of this type: his obligation to Greece as the general of all its armies is thought to outweigh his obligation to his daughter. An irresolvable moral dilemma, on the other hand, is one in which neither of the alternatives has the net weight of moral considerations in its favor when compared to the other alternative. In other words, the moral reasons for one alternative are not outweighed by those in favor of the other alternative. Sophie’s dilemma is typically regarded as such a dilemma: her obligations to each child are thought to be equivalent.

Second, moral dilemmas may be either symmetrical or asymmetrical. In a symmetrical moral dilemma, the moral considerations favoring each course of action are of the same type. Sophie’s dilemma, in which the moral considerations favoring saving each child both arise from parental obligation, is of this type. As such, Sophie’s dilemma is a symmetrical irresolvable dilemma. In an asymmetrical moral dilemma, on the other hand, the type of moral consideration favoring each course of action differs. Agamemnon’s dilemma is of this type for it pits parental obligation against a duty to the State. Another example of a resolvable asymmetrical dilemma is the car accident case described earlier. It is asymmetrical insofar as the moral considerations favoring each course of action are of different types: keeping a promise versus acting beneficently. We might think that in the driver’s situation, the moral reasons in favor of helping

\(^{14}\) Note that on this account if both alternatives have strong and compelling moral considerations against them, e.g. there is a decision to be made with respect to two evil actions, the fact that one action is the lesser evil counts as a moral consideration in its favor. Also note that with respect to a resolvable dilemma we may say that one of the moral obligations overrides the other.
to save someone’s life at little cost to herself outweigh the moral reasons to keep a promise to her friend. Hence the dilemma would be a resolvable one. According to these distinctions, then, Captain Vere represents his dilemma as an asymmetrical resolvable one, although this may be disputed. Some regard it as resolvable in the other direction and yet others as irresolvable.  

1.3 PHENOMENOLOGY AND PUZZLES

The tragic dilemmas that we have been considering can be viewed from a number of perspectives: from the perspective of the person making the tragic choice (i.e. the tragic agent), from the perspective of the person who is the object of that choice, and from the perspectives of persons who are bystanders to the dilemma, observing and evaluating it. Let us call these, respectively, the perspectives of the first, second, and third person. As we shall see, the responses of these persons to the tragic dilemma can diverge from one another. Consider, briefly, Sophie’s dilemma. Sophie (the first person) is horrified and feels guilty for letting her daughter be taken by the Nazis to be murdered. She is thankful afterward that at least she did not see her daughter’s face as she was taken away because she was blinded by tears. Her daughter Eva (the second person), we can imagine, resents Sophie for letting her be taken away while she screams “Mama!” but perhaps also forgives her given the circumstantial restraints under which Sophie acted. A bystander (the third person), looks upon the scene with horror but does not blame Sophie. After all, what else should she do, let both of her children die? Rather he pities her for being put into such a horrific situation and also perhaps fears that he likewise could be so unlucky and have to face a situation in which he would have a hand in destroying one of his dearest values.

16 Styron, *Sophie's Choice*, 484.
As we shall see, in order for this phenomenology and more, yet to be described, to be rationally justified, tragic dilemmas must be construed as situations of inescapable wrongdoing. Some of the most prominent ethical theories, however, deny that there are situations of inescapable wrongdoing and so deny that the phenomenology is rationally justified. Moreover, some of these ethical theories even deny, contrary to what seems to be readily apparent, that there are tragic dilemmas.\textsuperscript{17} The primary aim of this dissertation is to demonstrate how this phenomenology is rationally justified according to neo-Aristotelian ethical theory, thereby saving the appearances and showing an advantage of this theory over its rivals. Now let us examine the phenomenology surrounding tragic dilemmas more closely. Initially, some of what appear to be appropriate responses to putative tragic dilemmas will be canvassed and described, and then we will examine some of the puzzles to which they lead.

\textit{1.3.1 First Person}

\textit{1.3.1.1 Guilt}

First let us reflect on some of our intuitions regarding first-person responses to tragic dilemmas. We tend to think that it is appropriate for an agent who has faced a tragic dilemma to experience, in response to what she has done, some sort of negative feeling. In other words, we tend to think that a decent or virtuous agent would have such a response; and so that in a sense of ‘ought’ having to do with the kinds of agents we should be, we think an agent ought to have such a feeling. Consider the case of Sophie. In the story she has a pervasive negative feeling of guilt, a feeling that she thinks she will never get rid of. She says, “This guilt is something that I cannot get rid of and I think I never will.”… “I know I will never get rid of it. Never. And because I

\textsuperscript{17} As such, we are actually discussing putative tragic dilemmas, but in order to avoid the awkwardness of repeatedly referring to putative tragic dilemmas, I will just refer to them as tragic dilemmas.
never get rid of it, maybe that’s the worst thing the Germans left me with.”\textsuperscript{18} The appropriateness of this, at least \textit{qua} negative feeling, can be seen by contrasting her response with that of Agamemnon.

Recall that the goddess Artemis demands a sacrifice: either he kill his daughter Iphigenia or allow the men of his armies to die. Agamemnon cries out, “Which of these is without evils?”\textsuperscript{19} and indeed there seems to be no satisfactory answer. He identifies the action that has the weight of moral considerations in its favor, in this case the lesser evil consisting of killing his daughter, and thereby acts ethically in performing it. His character nonetheless appears to be impugned by the way in which he performs the action. At first he has what intuitively seem to be correct attitudes toward the sacrifice of his daughter, Iphigenia—he experiences anger and grief.\textsuperscript{20} Furthermore, he thinks that there will be a wrong done, whichever way he acts. Either he will kill his own child or fail in his duty to the alliance. Martha Nussbaum thinks that we would expect him to take part in the execution of his daughter with horror and reluctance, but instead Agamemnon cooperates internally with necessity and approaches the sacrifice with “exceedingly impassioned passion”.\textsuperscript{21} She says,

Agamemnon now begins to cooperate inwardly with necessity, arranging his feelings to accord with his fortune. From the moment he makes his decision, itself the best he could have made, he strangely turns himself into a collaborator, a willing victim…the correctness of his decision is taken by him to justify not only action, but also passion: if it is right to obey the god, it is right to \textit{want} to obey

\textsuperscript{18} Styron, \textit{Sophie's Choice}, 286.
\textsuperscript{20} Nussbaum, \textit{The Fragility of Goodness}, 35.
\textsuperscript{21} Aeschylus, “Agamemnon,” 214-17.
him, to have an appetite for the crime, even to yearn for it with exceedingly
impassioned passion.\textsuperscript{22}

Agamemnon’s attitude makes us think less of him. It is not enough that he has correctly assessed
his alternatives and acted accordingly, his feelings must reflect, at least to some degree, the great
repugnance of the action he is called to perform, they must accord with a proper appreciation for
the value he is about to destroy.

The base-line intuition we have in both of these cases is that \textit{some} sort of negative feeling
or attitude is appropriate in recognition of what the agent has done in the tragic dilemma because
lack of it makes us doubt the agent’s virtuousness. We expect some sort of negative assessment
in the agent’s feeling of herself, her action, or both. The question now before us is whether this
feeling or attitude is properly construed as regret or guilt.\textsuperscript{23} The evaluative cognitive content of
regret is that a bad state of affairs has been brought into existence.\textsuperscript{24} The negative feeling of
regret is perhaps best construed as sorrow for what has been done or failed to be done. The
evaluative cognitive content of guilt, on the other hand, is that one is morally responsible for
wrongdoing.\textsuperscript{25} This, also, is accompanied by a negative painful feeling. Which better describes
the feeling of the tragic agent? Certainly a bad state of affairs has been brought into existence:
Eva and Iphigenia are both dead.\textsuperscript{26} Regret, however, leaves out the causal role of the agent in
securing the harm. After all, we can regret that a person’s head has been hit by a branch falling
from a tree, although we were not in any way involved in causing this. In both Sophie’s and

\textsuperscript{22} Nussbaum, \textit{The Fragility of Goodness}, 35-6.
\textsuperscript{23} There are actually a number of other contenders here, e.g. compunction, agent-regret, moral anguish, remorse, and
so forth. The main dividing line between them, however, in terms of their evaluative cognitive content, is whether
or not wrongdoing is part of it. As such, we will focus on the two responses that arise most frequently in the
literature on moral dilemmas: guilt and regret, which are divided along the same line.
\textsuperscript{24} Terrance McConnell, "Moral Dilemmas," \textit{The Stanford Encyclopedia of Philosophy}(2010),
\textsuperscript{25} Ibid.
\textsuperscript{26} Certainly a good state of affairs has also been brought into existence: both of Sophie’s children are not killed and
Agamemnon’s armies survive, but these do not nullify the bad that has also been brought about.
Agamemnon’s dilemmas, they are not mere bystanders to evil, but they participate in it. They play a causal role in bringing about harm to a particular individual insofar as they decide which individual is to be harmed. The tragic agents do, then, it seems, bear some sort of responsibility for what occurs. Moreover, the strength of the negative feeling does not seem to be adequately represented by even the strongest forms of regret. Agamemnon cries out, “Which of these is without evils?” This corresponds to his at least initial horror and reluctance at performing the severely repugnant act he is called to perform. Consider Sophie’s response to the Nazi official telling her that she has a choice of which of her children to send to its death:

“You’re a Polack, not a Yid. That gives you a privilege—a choice.” Her thought processes dwindled, ceased. Then she felt her legs crumple. “I can’t choose! I can’t choose!” She began to scream. Oh, how she recalled her own screams! Tormented angels never screeched so loudly above hell’s pandemonium. “Ich kann nicht wählen!” she screamed…. “Don’t make me choose,” she heard herself plead in a whisper, “I can’t choose.”…

It seems that in response to such a situation, a parent is not going to feel mere regret, but something much stronger. Is it guilt? In other words, do tragic agents tend to regard themselves as having done something wrong? Agamemnon regards both of his options as involving evil, and evil is often regarded as involving serious wrongdoing. Likewise, Sophie’s screams that she cannot choose imply very strongly that she thinks that she ought not to choose and in a sense this seems to be right. After all, Sophie is Eva’s mother and it seems that she should, i.e. has an obligation to, protect her daughter, not send her to her death. Hence in a sense it seems that she has engaged in wrongdoing, or at least we can understand how she herself might see it this way.

Given all of the above considerations, it seems that the feeling the tragic agent has in response to

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27 Styron, Sophie's Choice, 483-4.
what she has done in a tragic dilemma, and the one that we deem it appropriate for her to have as a decent or virtuous agent, is one of guilt.  

Note that since it is plausible to think that Sophie would and should (in some sense) feel guilty regardless of which child she chooses, her tragic dilemma would be one of inescapable guilt. The same could be said of the dilemmas of both Agamemnon and Vere. If Agamemnon failed to abide by his duty to heed Artemis’ command with the result that the Greek troops are destroyed, then intuitively it seems that he would feel guilty about this as would Vere also if he had not abided by his allegiance to the King. If this is correct, then tragic dilemmas, both

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28 Or at least it appears to be the case that wrongdoing is part of the evaluative cognitive content of the attitude or emotion that the tragic agent has in response to her tragic action. Consider another moral dilemma, from Christopher Gowans, which although perhaps not best thought of as tragic, nonetheless seems to be one in which a negative feeling like guilt is appropriate:

Craig and a younger acquaintance from work, Roberto, were hiking in a rather remote area of a state forest in Pennsylvania on a weekday in early November. After lunch, they became separated from one another, and Craig was unable to find Roberto. Moreover, while frantically looking for him, Craig lost his way and then fell and broke his arm. Though injured and exhausted, he managed to keep moving, and eventually he came upon a deserted picnic area. He had no idea where Roberto was, or for that matter where he was. There was no phone in sight, only a few picnic tables in a state of disrepair. A dirt road appeared to go down to the valley, but it could be miles before it reached civilization, and Craig was too fatigued to go any farther. So he waited, hoping that someone—Roberto, or help from the outside world, or both—would arrive soon. Several hours passed and no one came. The afternoon began turning to evening. Finally, and it seemed miraculously, a car came up the road. It stopped and two teen-age girls got out, laughing, a six-pack of beer in hand. Craig approached them and tried to explain the situation. But they were frightened by his disheveled appearance and desperate demeanor. They refused to help and hurriedly headed back towards the car. It was clear they were leaving.

Craig was uncertain whether or not they would send someone to help. They did not seem to believe him and appeared more scared than concerned. Moreover, he felt that if they did not send help, it could be a very long time, perhaps days, before someone else would come along. The prospect of this did not strike Craig as exactly life-threatening. After all, he was somewhat knowledgeable in the ways of wilderness survival. On the other hand, he was injured, perhaps more seriously than he realized, and the nights were beginning to get very cold. Moreover, he had no idea where Roberto was, and as it seemed that Roberto had agreed only with reluctance to go hiking in the first place, he was unsure about his ability to take care of himself in the wilderness. Who knows what might happen to the two of them? As all this passed through his mind, Craig realized that, if he acted quickly, he could probably grab the girl with the car keys, forcibly take them from her, steal the car, and go and get help. Though he felt it would be wrong to treat the girls in this way, he also felt it would be wrong to fail to help Roberto as well as himself.

It seems that Craig would experience guilt no matter what he did: steal the car or allow the girls to leave with it. This feeling would seem to be a response to his evaluation that in stealing the car, he would in some way be wronging the girls or that in not stealing the car, he would in some way be wronging Roberto and himself. Gowans, *Innocence Lost: An Examination of Inescapable Wrongdoing*, 98.
irresolvable and resolvable, may be ones in which feeling guilty is inescapable for a decent or virtuous agent.

The claim that a decent or virtuous agent should feel guilty is rather puzzling, however, upon consideration of some additional factors. First, the tragic agent acts in accordance with the correct conclusion of moral deliberation. All things considered, Sophie should save one of her children, even at the cost of one of them dying for if she does not, then both of them will die. All things considered, Agamemnon should save his troops, even at the cost of his daughter for if he does not, then they all die. They both do what all things considered they ought to do in the situation. If anything, it seems that each does what is right. If so, then what seems to be the appropriateness of guilt is puzzling. Second, the tragic agent finds herself, through no fault of her own, in a tragic dilemma in which each of her action alternatives is morally repugnant. If she acts for the best possible moral reasons, but should nevertheless feel guilty, then this is rather surprising. We tend to think that one should feel guilty only if one is guilty and that one is guilty only if one is at fault. Moral dilemmas seem to present cases in which an agent is not at fault for what she does and thus it seems that we should think that she should not feel guilty.

These considerations give rise to the question of whether the tragic agent’s guilt is fitting. An emotion is fitting if and only if it accurately tracks reality. In other words, its evaluative cognitive content correctly represents a state of affairs. Given, then, that a fitting emotion accurately represents a state of affairs, we may refer to it as rationally justified. Consider, for example, the emotion of fear. Fear has as its evaluative cognitive content that someone or

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29 Justin D’Arms and Daniel Jacobson say that an emotion is fitting (or correct) if “it accurately presents its object as having certain evaluative features.” An emotion, in their view, may or may not be proper to feel, regardless of whether it is in the circumstances fitting. The propriety of feeling an emotion depends on prudential, moral, and all-in practical considerations. They note “there is a crucial distinction between the question of whether some emotion is the right way to feel [propriety] and whether that feeling gets it right [fittingness].” Justin D'Arms and Daniel Jacobson, "The Moralistic Fallacy: On the 'Appropriateness' of Emotions," Philosophy and Phenomenological Research LXI, no. 1 (2000): 65-6,71.
something endangers someone or something one cares about. As such, fear would be fitting or rationally justified for example, *ceteris paribus*, if one detected a drunk driver erratically changing lanes near one’s car on the highway, but not in response, *ceteris paribus*, to standing on “The Ledge” on the 103rd floor of the Sears tower in Chicago. (The Ledge is a glass floor jutting out from the observation deck through which you can see the ground below.) An emotion is *appropriate*, on the other hand, if it is what a good person would feel in the situation, regardless of whether or not it is fitting. A good person, for example, would feel fear in response to a poisonous spider landing on her child’s arm, it would be appropriate even if unbeknownst to her it is a fake spider and therefore the fear is not fitting.

A tragic agent’s feelings of guilt, while appropriate since we think a decent agent would feel them in the situation, are fitting if and only if the tragic agent is, in fact, morally responsible for wrongdoing in the tragic dilemma. Although some considerations seem to support this view, e.g. the tragic agent seems to have voluntarily picked one action alternative over the other and acts contrary to an obligation, other considerations oppose it, e.g. the agent is not at fault for facing morally repugnant action alternatives and so it seems that she is not morally responsible for acting contrary to an obligation. Moreover she does what all things considered she ought to do in which case it is not entirely clear that she has acted contrary to an obligation that is still standing at all.30

30 Both Bernard Williams and Ruth Marcus argue that in moral dilemmas, of which, recall, tragic dilemmas are a subset, an unfulfilled obligation continues to exert force on the agent who does not fulfill it and that this force is a moral remainder or residue to which the feelings of either regret or guilt are responses. (See Ruth Barcan Marcus, "Moral Dilemmas and Consistency," *The Journal of Philosophy* 77, no. 3 (1980); ———, "More About Moral Dilemmas," in *Moral Dilemmas and Moral Theory*, ed. H.E. Mason (New York: Oxford University Press, Inc., 1996); Bernard Williams, "Ethical Consistency," in *Moral Dilemmas*, ed. Christopher W. Gowans (New York: Oxford University Press, Inc., 1987).) Consider the car accident case described earlier. In this scenario, the moral reasons to help the accident victims override the reasons to keep the promise to the friend. In other words, the correct conclusion of all-things-considered moral deliberation is that the agent ought to help the car accident victims; nonetheless, our intuition is that the agent should at least call her friend to explain what happened. This intuition accords with the view of Marcus and Williams that there is some kind of moral remainder or residue after
1.3.1.2 Amends

Another first-person response to tragic dilemmas is, as Christopher Gowans notes, the feeling of a sense of culpability for moral failure differing from the sense of culpability one has in acting contrary to the conclusion of sound moral deliberation, which may be due, Gowans notes, to maliciousness, weakness, negligence, and so forth. The agent feels a need to explain, apologize, make restitution, offer reparations, and the like since she has participated in causing harm to another. This feeling strikes us as appropriate. Just think of how annoyed we would be if we were the friend to whom the promise was made in the car accident and then the friend just ignored the fact that she broke the promise, offering nary an explanation. If amends seem to be expected of a virtuous agent in this scenario, then they are even more expected in tragic dilemmas where what is done is much worse.

Regardless of whether the tragic agent can or cannot do any of the things constituting making amends cited above—after all, in the tragic dilemmas just discussed the person to whom these might be owed is dead—the tragic agent feels a need, somehow, to make amends and we regard this as appropriate. This felt need to make amends is only fitting, however, if the tragic agent is morally responsible for wrongdoing.

1.3.1.3 Taint

An additional first-person response to tragic dilemmas is that tragic agents tend to feel tainted or stained. An analysis of this feeling suggests that it is in response, in part, to the same reasons that she feels moral distress, i.e. she takes herself to have done something wrong. The feeling, the agent does what all things considered she ought to do. In other words, the agent’s promise to her friend retains a pull on her that demands a response from her. Although in the work cited above Williams discusses regret, in another paper he speaks of “drastic cases of tragic choice, where one might say that whatever the agent did was wrong.” (———, "Conflicts of Values," in Moral Luck: Philosophical Papers (Cambridge: Cambridge University Press, 1981), 60.)

31 Gowans, Innocence Lost: An Examination of Inescapable Wrongdoing, 97.
however, is not only a response to what she takes to be wrongdoing, but also to the fact that it is either impossible or extremely difficult for her to make amends for, or clear herself of, the wrong she takes herself to have done. As such, “the act [leaves] moral traces of a sort that are summed up in the imagery of staining. It is a mark against [her], a blot on [her] record of moral action”.\(^{32}\)

In cases of non-grave wrongdoing or in non-tragic moral dilemmas, an agent can make up for what she has done. This seems to be so in the case of the friend who comes upon the scene of a car accident. Our intuition is that she should at least call her friend to explain what happened and that if she does this, she is either fully or partially in the clear. If the agent takes this kind of restorative action, we would find it odd if she felt in any way tainted. On the other hand, if we imagine Sophie’s choice, in which no restorative action is possible, we would find it odd if her action left her without any feeling of taint.\(^{33}\)

Although the first-person responses of agents who have encountered tragic dilemmas—feeling guilty, a need to make amends, and tainted—all seem to be appropriate, they are fitting only if they are morally responsible for wrongdoing.

1.3.2 Second Person

1.3.2.1 Resentment and Forgiveness

Let us now examine what appear to be the appropriate second-person responses to a tragic dilemma. The second person in a tragic dilemma is the agent most directly negatively affected by the tragic agent’s decision other than the tragic agent herself. In the tragic dilemmas that we


\(^{33}\) Even if, pace the example, it were possible to engage in restorative action, if an agent were unaware of this, then it would be appropriate for her to feel tainted.
have canvassed, the second person is killed, e.g. Sophie’s daughter Eva is killed as a result of Sophie’s decision, and Billy Budd is killed as a result of Captain Vere’s decision.\textsuperscript{34} How does the second person react in response to what happens to her? Consider the observations of Iphigenia by the Chorus:

Her saffron robes streaming to the ground,
she shot each of the sacrificers with a pitiful arrow from her eye,
standing out as in a picture,
wanting to speak to them by name –
for often in her father’s halls, at the rich feasts given for men,
she had sung, and, virginal, with pure voice,
at the third libation, had lovingly honored
her loving father’s paean of good fortune.\textsuperscript{35}

The metaphor of shooting each of the sacrificers with an arrow from her eye suggests that Iphigenia has some sort of grievance against Agamemnon’s attendants. It appears that she is giving them a strong version of what we may call a ‘dirty look’. A dirty look is typically a response to regarding oneself as having been culpably wronged by someone. The type of grievance that she has, then, appears to be one of resentment. Resentment is normally regarded as having as its evaluative cognitive content that one has been culpably wronged. It is an emotional protest of the claim that it is acceptable to be treated in the way one has been treated.\textsuperscript{36}

That Iphigenia wants to speak to them by name suggests that there is already some relationship between them, that they are not mere strangers to one another. Iphigenia’s

\textsuperscript{34} It just so happens that the tragic dilemmas we have examined involve the second person being killed, but any grave harm other than death would also qualify in making a dilemma tragic.
\textsuperscript{35} Aeschylus, "Agamemnon." (Nussbaum, \textit{The Fragility of Goodness}, 239-45.)
\textsuperscript{36} A fuller account of resentment is developed in Chapter 4.
resentment appears to be in response to how the sacrificers try to alienate themselves from the value they are destroying and the relationship that they have to her. As seen in the earlier description of how Agamemnon finally reacts to his dilemma, i.e. as though there is nothing wrong in any way in what he is doing, a response of resentment would seem to be appropriate toward him too. She resents them, it seems, for their denial of the reality of the kind of relationship they had and what kinds of demands such a relationship makes on them. Their emotional responses and attitudes, particularly Agamemnon’s, should reflect their bond and its violation in the dilemma. He has acted contrary to the bond of their kinship, and more particularly, contrary to his responsibility to help safeguard her life and flourishing as her parent. He could have abandoned the troops instead. It seems that she wants them to recognize in their responses that they have wronged her, even if she concurs that they did as they ought, all things considered, to have done.

Is this response appropriate? It seems to be at least an initially appropriate second-person response upon consideration of the connection between resentment and forgiveness. The tragic agent would find it quite significant to be forgiven by the second person. And forgiveness as we shall later see is (or entails) the forswearing of resentment-driven agency. This suggests that the tragic agent herself also regards resentment on the part of the second person to be in some way appropriate. Consider Sophie’s reaction post-dilemma as she reflects on the moment that she had to make her horrific decision:

But because she was now almost completely blinded by salty, thick, copious tears she was spared whatever expression Eva wore, and she was always grateful for that. For in the bleakest honesty of her heart she knew she would never have been

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37 Luc Bovens, "Must I Be Forgiven?," Analysis 69, no. 2 (2009): 231. A fuller account of forgiveness is developed in Chapter 4.
able to tolerate it, driven nearly mad as she was by her last glimpse of that
vanishing small form.  

Of course she laments the loss of her daughter, but presumably Sophie also has the view
that Eva’s eyes would accuse her of having forsaken her, i.e. they would show
resentment.

Once again, however, just as in the case of guilt, for instance, it is not clear that these
responses are fitting. Both resentment and forgiveness are fitting only in response to culpable
wrongdoing and given that the tragic agent does what she all things considered ought to do, it is
not clear that she has, in the final analysis, done anything wrong. Furthermore, even if it is
granted that what she has done is wrong, despite doing what she has most moral reason to do, it
is not clear that she is really culpable for carrying through on the choice in her action because the
choice options are forced upon her.

1.3.3 Third Person

1.3.3.1 Lack of Blame

The notions of wrongdoing and culpability in play in the phenomenology we have examined, as
we have already seen, are puzzling, for although there are considerations suggesting that the
tragic agent culpably does wrong, there are also considerations favoring the opposing view. For
instance, typically when an agent is rationally justified in feeling guilty for what she has done, a
fitting third-person response is to blame her, and yet we do not appropriately blame the tragic
agent. Rosalind Hursthouse, in discussing whether guilt and/or remorse are fitting remainders

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38 Styron, Sophie's Choice, 484.
39 One might think that there are many cases in which an agent is rationally justified in feeling guilty and yet that it
is not rationally justified for third persons to blame her. For example, it has been suggested to me that it would be
rationally justified for an agent on a diet to feel guilty about eating a piece of cake, but that third parties would not
be rationally justified in blaming her for doing so. Upon closer inspection, however, the first-person
phenomenology of this case, and likewise of other cases of akrasia, does not seem to be one of guilt, but rather one
for the tragic agent, makes the logical connection between guilt and blame. She questions what wrong the agent committed:

That she did $x$? But she has a cast-iron justification for having done $x$: ex hypothesi, she had to do $x$ because doing $y$ would have been so much worse. She is quite blameless (given that she is faced with the dilemma through no fault of her own), and how could guilt or remorse be appropriate if she is blameless?  

Indeed, we do not blame Captain Vere, Sophie, or Agamemnon, or other tragic agents, rather we pity them for having to face such circumstances and we experience fear at the possibility of facing similar circumstances ourselves.

1.3.3.2 Pity and Fear

Upon reflecting on these examples of tragic dilemmas and in imagining knowing a tragic agent, it certainly seems that we would pity the tragic agent. How horrifying to have to make such decisions: Let one child be killed or the other? Let an innocent man hang or betray the King and risk mutiny? No decent person would want to face such decisions and so we pity the agent who through no fault of her own is made to face them. She has done nothing to deserve being put into such a situation and now must suffer greatly because of it. Envision an agent who does not

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of frustration and/or anger at oneself for failing to live up to some ideal one has set for oneself the satisfaction (or lack thereof) of which primarily affects one’s own well-being. What an agent experiences, then, might be seen as closer to shame than to guilt. June Price Tangney and Ronda L. Dearing distinguish guilt and shame by regarding guilt as “a sense of remorse over a specific behavior” and shame as “a global condemnation of the self” (June Price Tangney and Ronda L. Dearing, *Shame and Guilt* (New York: The Guilford Press, 2002), 44.). According to this distinction, again, the phenomenology resulting from the akratic action does not seem to be one of guilt because it does not seem that it is remorse that the agent experiences, but rather regret. The phenomenology does not necessarily seem to be one of shame either because although akratic action may involve in extreme cases global condemnation of the self, it need not, partial condemnation may be sufficient. Nonetheless, there might be other violations of self-regarding duties in response to which guilt is fitting, but not third-person blame. For example, an agent may strongly desire to become a very good piano player and has therefore promised herself to practise at least four hours, six days a week. About twice a week she fails to put in the promised four hours and feels guilty about it, but it would not be fitting for others to blame her for violating her promise.

40 Hursthouse, *On Virtue Ethics*, 76.

pity Sophie or any other tragic agent. We would think less of such an agent, that she was somehow morally deficient. As such, a response of pity seems to be appropriate.

Not only do we pity the tragic agent, but upon reflecting upon the situation more closely, we fear the possibility of falling into such a position ourselves, one in which we have to violate or destroy some value which we hold dear. We fear not only bad things happening to us, but having to do bad things.\(^{42}\) If a third person did not experience fear, we might find fault in her lack of appreciation of how things are in terms of the kinds of misfortunes an agent is vulnerable to, both natural and agential. Furthermore, we would find her suspect for not fearing being forced to do bad things. As such the fear response also seems to be appropriate.

We have, however, left out of our analysis of pity and fear what the seemingly appropriate first- and second-person responses suggested, namely, that the tragic agent has engaged in wrongdoing. Indeed the pity we experience for an agent like Sophie is not only for the fact that she has to decide that one of her children is to be killed, but rather that in so doing she appears to be doing something that is in some important sense wrong. We are horrified in contemplating the possibility that we ourselves would have to decide upon which of our children is to die, or alternatively which of our parents we would select for death. We tend to think that we ought not to do these things, that it is wrong to do so. Having to engage in what strikes us as wrongdoing seems to form a significant portion of the evaluative cognitive content of our pity and fear responses. We might then refer to such pity and fear as tragic pity and tragic fear. If it is the case that the tragic agent in fact is not morally responsible for wrongdoing, however, then once again these responses are puzzling.

1.3.4 Moral Responsibility

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\(^{42}\) The fear of having to do bad things is why some people avoid getting into politics. They think that dirty hands are in that realm inevitable.
Not only is wrongdoing a necessary condition for the fittingness of the responses canvassed above, but the agent must also be morally responsible for the wrongdoing. It does not, however, seem to be the case that the tragic agent is morally responsible for the putative wrongdoing. In the cases of Sophie and of the parent of the conjoined twins, we do not want to say that the agent is morally responsible for wrongdoing. In Sophie’s case we want to say that it is not Sophie, but rather the Nazi official who is morally responsible for the putative wrongdoing. In the case of the parent of the conjoined twins, we want to say that the parent is not responsible for the putative wrongdoing, but simply that nature has made it the case that unfortunately she is faced with a tragic decision which will result in her abandoning one of her children.\(^{43}\) At base, in denying moral responsibility for wrongdoing, we are denying that the agent culpably got herself into a situation such that her only action alternatives are ones with serious moral reasons against them. Hence, even if it is granted that tragic dilemmas are cases of inescapable wrongdoing (we have seen that there are serious reasons to doubt this given both that tragic agents do not incur third-person blame and the perspective of Rationalist ethical theories according to which the agent acts rightly), it is not at all clear that the agent is morally responsible for such wrongdoing. On the other hand, the intuitive appropriateness of the tragic agent’s feelings of guilt, taint, and the need to make amends, as well as the second-person’s resentment and the tragic agent’s seeking of forgiveness, suggest that the tragic agent must be at least partially culpable for such wrongdoing in some sense. Against this view, however, we have the lack of third-person blame of the tragic agent. The puzzles thus abound.

1.3.5  *Moral Innocence*

\(^{43}\) Likewise, if a parent were caught in raging waters resulting from a hurricane and could only hold onto one of her children and swim to safety, we might say that even though she lets one of her children die, she is not morally responsible for this—she is a victim of nature.
If the phenomenology that we have canvassed is fitting, then tragic dilemmas are situations of inescapable wrongdoing with the consequence that the ideal of moral innocence is threatened. According to Gowans, the ideal of moral innocence is as follows:

It puts forward a standard of perfection that, though difficult to attain, is nonetheless thought to be within the reach of each of us. The standard is moral innocence, or moral purity, the ideal of living one’s life in such a way as to fully, comprehensively, and harmoniously understand and respond to the requirements of morality, and thereby to exclude all forms of wrongdoing.  

This is an ideal that many find both intuitively plausible and attractive, but one that conflicts with there being situations of inescapable wrongdoing in which an agent is morally responsible for wrongdoing.

To sum up, the first-, second-, and third-person responses associated with tragic dilemmas lead to a number of puzzles. The first-person phenomenology of negative feelings in response to what the tragic agent has done is something that we find to be appropriate, meaning that in some sense of ‘ought’, we think that the agent ought to have such feelings. Moreover, the nature of the feeling appears to be one of guilt, meaning that it seems to have as its evaluative cognitive content that the agent has engaged in culpable wrongdoing. In addition, the agent tends to feel tainted and that amends need to be made. We also have intuitions about the appropriateness of second-person resentment and forgiveness—responses that are fitting only if the tragic agent is morally culpable for wrongdoing. This is true also of the responses of tragic pity and tragic fear. On the other hand we lack a third-person response that is fitting in reaction to cases of culpable wrongdoing: blame of the tragic agent. Moreover, we tend to think that the tragic agent is not morally responsible for putative wrongdoing in a tragic dilemma because she

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is not at fault for facing the morally repugnant options that she faces. As such, a key question that arises is whether or not the agent has, in fact, engaged in wrongdoing in a tragic dilemma. Another is whether she is morally responsible for it if she has. If she is morally responsible for wrongdoing, then we have to reconsider some of our responses that suggest that she is not. If she is not, then we need some alternative explanation of the first-, second- and some of the third-person responses described.\(^{45}\)

All of these feelings seem to be appropriate, meaning that we think that decent or virtuous persons would have them. In order to be fitting, however, it must be the case that the tragic agent is morally responsible for wrongdoing (The exception here is the lack of third-person blame because if the tragic agent is not morally culpable for wrongdoing, then it is fitting that she not be blamed by third persons.). Given that the tragic agent does what all things considered she ought to do, however, it is puzzling how these feelings could be fitting because in doing what accords with the correct conclusion of moral deliberation we tend to think that the agent does what is right. If she does what is right, then all of these responses, however admirable, are irrational because they are not responsive to the moral facts of tragic dilemmas.\(^{46}\)

We will turn, then, to the question of whether tragic dilemmas are situations of inescapable wrongdoing as is suggested by most of the associated phenomenology. We will look at the negative answers given to this question by some standard ethical theories: Classical Virtue Ethics, Utilitarianism, and Kantianism.

1.4 THE DENIAL OF INESCAPABLE WRONGDOING

1.4.1 Classical Virtue Ethics

\(^{45}\) We will examine the main alternative explanation in Chapter 4.

\(^{46}\) Once again, the exception here is the lack of third-person blame.
According to Classical Virtue-Ethical theories, inescapable wrongdoing is ruled out due to a commitment to the unity of the virtues. Socrates says in the Protagoras, “Wouldn’t that make wisdom and temperance one thing? And a little while ago it looked like justice and piety were nearly the same thing…So, does someone who acts unjustly seem temperate to you in that he acts unjustly” (333b4-10)? Socrates’ answer to the question is negative. Later on in the same dialogue he says, “Therefore knowledge of what is and is not to be feared is courage” (360d4). This doctrine of the unity of the virtues is interpreted in a number of different ways. Regardless of the correct interpretation, if the doctrine of the unity of the virtues is true, then situations of inescapable wrongdoing are impossible.

An agent engages in wrongdoing only if she acts contrary to virtue. If the doctrine of the unity of virtues is true, then when an agent acts in accordance with one virtue, she is not at the same time acting contrary to others, i.e. she is not at the same time engaged in wrongdoing. Hence when a tragic agent acts in accordance with a virtue in her dilemma, e.g. Sophie acts in accordance with parental virtue in saving one of her children, she does not, according to this doctrine, also act contrary to a virtue in failing to save the other child. Rather she acts as practical wisdom determines she should act in conformity with all the virtues. So long as the action accords with practical wisdom (or knowledge as stated above), regardless of how horrible the action is, it is right since all the virtues really just amount to knowledge of how to act with respect to different areas of life. The standard of rightness, on this view, is what a virtuous agent, using her knowledge of the good, would do in the situation. In Sophie’s situation, for

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48 According to one interpretation, the doctrine maintains that whoever has one virtue has them all. See Gregory Vlastos, "The Unity of the Virtues in the Protagoras," Review of Metaphysics 25(1972). According to another, the essence of each virtue is knowledge. See Terry Penner, "The Unity of Virtue," Philosophical Review 38(1973). There are many other interpretations of the general doctrine. Rosalind Hursthouse notes that Timothy Chappell argued in a lost paper that there were approximately 30 versions of the doctrine of the unity of the virtues. Hursthouse, On Virtue Ethics, 153, n. 9.
example, a virtuous agent would try to save as many of her children as possible. Therefore a
determination of rightness and wrongness on this view is almost completely context-sensitive.\textsuperscript{49}
An action that is right (or wrong) in one set of circumstances, will not necessarily be right (or
wrong) in another. Consequently, the tragic agent does not, according to Classical Virtue Ethics,
in any way engage in wrongdoing.

1.4.2 Utilitarianism

Act-Utilitarians also deny that there are situations of inescapable wrongdoing. According to Act-
Utilitarianism, a particular action is right so long as it maximizes the good of the aggregate of all
persons and it is wrong so long as it does not do that. In other words, an action is morally wrong
if and only if there is another action available to the agent that can be expected to produce a
greater amount of total utility. As such, wrongdoing would be inescapable if and only if it were
possible for there to be a situation such that the agent, no matter what she did, could have done
something with better consequences. This, however, is impossible. Even in a situation in which
each of the incompatible actions available to the agent have equally good (or bad) consequences,
and there are no better alternatives to these actions, wrongdoing is not inescapable because there
is no action that the agent can do that has better consequences.\textsuperscript{50}

Rule-Utilitarianism, however, can countenance situations of inescapable wrongdoing.\textsuperscript{51}
According to Rule-Utilitarianism, an act is wrong if and only if it violates a rule whose

\textsuperscript{49} Wrongness is not completely context-sensitive because there are some actions, according to Aristotle, the names
of which “automatically include baseness”. He says, “…it is true without qualification that to do any of them is to
be in error” (\textit{NE} II.6 1107a10-15). In other words, an agent doing them engages in wrongdoing, whatever the
context.

\textsuperscript{50} Instead of a maximizing view, one may hold a satisficing view such that an action is right so long as it satisfies or
exceeds some specified less than maximal attainment of the good in the circumstances and it is wrong if it does not
do so. Since one can always satisfice, there is no inescapable wrongdoing on this view either.

\textsuperscript{51} This discussion draws heavily from Brad Hooker, "Rule Consequentialism," http://plato.stanford.edu/archives/spr2011/entries/consequentialism-rule. Although the discussion there is about
acceptance has better consequences (in terms of welfare) than the acceptance of any incompatible rule. There may be situations in which the rules conflict and an agent must violate one or the other in order to secure the best outcome. The following two rules, for example, conflict in the situation described earlier involving the hiker Craig: “Don't steal” and “Pay special attention to the needs of your family and friends.” Craig can either steal the car from the girls, temporarily frightening them and abandoning them in the forest, or he can refrain from doing so and possibly lose his friend Alberto in the forest. No matter what he does, he violates a rule and therefore engages in wrongdoing.

One might object, however, that Rule-Utilitarianism collapses into practical equivalence with Act-Utilitarianism in such situations because the agent seems to be instructed to break one of the rules in order to maximize the expected good. In general, whenever compliance with a rule will not yield the greatest expected good, it seems that the theory recommends compliance with some amended rule, e.g., “Don’t steal, except in situations like this.” One response given by Rule-Utilitarians to this objection is that Rule-Utilitarianism ranks systems of rules by countenancing the expected good of accepting them rather than by countenancing the expected good of complying with them. The idea is that “widespread awareness of a ready willingness to incorporate an indefinite number of exceptions to rules…could undermine people’s assurance that others will behave in certain ways” according to simpler rules, e.g. “Don’t steal.” This in turn, they argue, would lead to lower expected value in the long run.

This response, however, leads to the incoherence objection, which states that it is incoherent to hold that an act that maximizes expected good can be morally wrong. The idea behind this objection is that Rule-Utilitarianism has an overarching commitment to maximizing Rule-Consequentialism, many of the same points can be made about Rule-Utilitarianism as a type of Rule-Consequentialism.
the good. It is then regarded as incoherent to have this commitment and to also oppose an act required by it. In response, Rule-Utilitarianism denies this commitment both as part of the Rule-Utilitarian agent’s moral psychology and as part of Rule-Utilitarian theory. A Rule-Utilitarian’s ultimate moral goal is to do what is impartially defensible and they believe that acting on impartially justified rules is impartially defensible. Therefore acting on such rules is not incoherent when doing so will not maximize the expected good.

Regarding Rule-Utilitarian theory, Rule-Utilitarians maintain that it is essentially the conjunction of two claims: “(1) that rules are to be selected solely in terms of their consequences [in terms of welfare] and (2) that these rules determine which kinds of acts are morally wrong.” As such, it is not incoherent to maintain that Rule-Utilitarianism requires certain acts even when they do not maximize the good.

What are we to say, then, about cases in which the rules conflict? If Craig, as seems intuitively clear, should break one of the rules, how is this a consequence of the theory? Rule-Utilitarians note that Rule-Utilitarianism endorses a rule that requires one to prevent disaster, even when doing so requires breaking other rules. This endorsement, however, does not entail the collapse of Rule-Utilitarianism into practical equivalence with Act-Utilitarianism because it is not the case, as the latter theory allows, that one should violate a rule when the expected value to gain is little. Rather, one should only do this when the expected value to gain is much greater. If these Rule-Utilitarian responses to the objections posed are convincing, then Rule-Utilitarianism is a version of Utilitarian ethical theory that can accept situations of inescapable wrongdoing.

1.4.3 Kantianism
According to the Kantian view, an agent acts wrongly if and only if she acts contrary to her perfect duty or obligation. Thus inescapable wrongdoing would be possible on this view if and only if a conflict of perfect duties or obligations were possible; this however is something that Kant himself denies because he conceives of ’duty’ and ‘obligation’ in such a way that makes their conflict inconceivable. As such, any system of moral duties, i.e. perfect duties, will be consistent. He says,

A conflict of duties (collisio officiorum s. obligationum) would be a relation between them in which one of them would cancel the other (wholly or in part). – But since duty and obligation are concepts that express the objective practical necessity of certain actions and two rules opposed to each other cannot be necessary at the same time, if it is a duty to act in accordance with one rule, to act in accordance with the opposite rule is not a duty but even contrary to duty; so a collision of duties is inconceivable (obligationes non colliduntur).52

Since an agent can only ever have one perfect duty in any situation, she can only do wrong by violating this duty. Therefore it is not the case, according to Kantian ethical theory, that there are situations in which no matter what an agent does she will do wrong, i.e. situations of inescapable wrongdoing are not possible. In Sophie’s choice then, for example, Sophie’s perfect duty is to save one of her children. If she does this, she does the right thing, if not, she does wrong. That her saving one of children involves her failing to save the other does not, according to the Kantian view, involve her in wrongdoing because it does not violate her perfect duty in the circumstances.

According to the ethical theories canvassed above, then, ‘wrong’ is an essentially comparative notion. An agent deliberates about what it would be best, all things considered, to

do. It does not matter how repugnant the action alternatives she faces are—she compares them and determines which would be the least awful thing to do as determined by either practical wisdom, the effect on aggregate happiness, or perfect duty, depending on the particular ethical theory under consideration. So long as she acts in accordance with the conclusion of her correct moral deliberation, she does what is right. An agent only does wrong in not acting in accordance with the conclusion of her correct moral deliberation. Thus, according to these ethical theories, as long as an agent deliberates correctly and acts in accordance with this deliberation, she need not ever do wrong. In other words, wrongdoing is always escapable.

Another way to understand the denial of inescapable wrongdoing by the ethical theories above is to recognize that they do not think that, in the types of situations described earlier as putatively being dilemmas, there is any genuine moral consideration, e.g. unfulfilled obligation, that is left on the scene once the agent has determined what she has most moral reason to do. This fact is seen clearly in the views of both R. M. Hare and W. D. Ross, a later utilitarian and a later deontologist respectively. R. M Hare regards moral dilemmas as being conflicts between merely prima facie moral principles. These are principles at what he refers to as the “intuitive” level of moral thinking.\(^{53}\) These principles serve as working approximations for the ultimate moral principle of utility. They are useful for everyday guidance and moral education. In situations in which they give conflicting guidance, moral thinking at the “critical” level can yield a resolution by direct appeal to the principle of utility.\(^{54}\) As such there are in his view no genuine moral dilemmas. Conflict of moral principles at the intuitive level yields what is a mere appearance of them.


\(^{54}\) Ibid., 222-26.
W. D. Ross also denies that there is a genuine moral consideration in terms of an unfulfilled obligation left on the scene once an agent has concluded by way of moral deliberation what she has most moral reason to do. He distinguishes between two senses of ‘duty’ in order to account for the appearance of moral dilemmas. One sense is referred to as a *prima facie* duty which should be distinguished from the sense Hare gives it. This is not the mere appearance of a genuine duty or a genuine duty, but rather “the characteristic…which an act has, in virtue of being of a certain kind (e.g. the keeping of a promise), of being an act which would be a duty proper if it were not at the same time of another kind which is morally significant.”\(^{55}\) It is a “part-resultant attribute, i.e. one which belongs to an act in virtue of some one component in its nature.”\(^{56}\) A genuine duty, which Ross refers to as a “duty proper or actual duty”\(^{57}\) is “a toti-resultant attribute, one which belongs to an act in virtue of its whole nature.”\(^{58}\) Conflicts between *prima facie* duties are resolved on Ross’s view according to a judgment of the comparative stringency of these *prima facie* duties in the circumstances, the decision of which, in his view, rests with perception.\(^{59}\)

Since on both of these views there is no genuine obligation that is violated in doing what an agent determines she should do after all-things-considered deliberation, she does not act wrongly. In other words both views deny that there is any truth to the common intuition that there are genuine moral dilemmas. In so doing, they deny also that the phenomenology canvassed earlier is rationally justified.

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\(^{56}\) Ibid., 94.

\(^{57}\) Ibid., 86.

\(^{58}\) Ibid., 94.

\(^{59}\) Ibid., 99.
1.5 RATIONALISM VERSUS EXPERIENTIALISM

All of the ethical theories canvassed concur that there is only one genuine obligation that remains on the scene, where ‘genuine obligation’ is understood as what correct moral deliberation concludes that an agent ought to do all things considered. Ethical theories holding this view tend to share a common philosophical style and we may label them, as Gowans does, as ‘Rationalist’ ethical theories. The opposing philosophical style he terms ‘Experientialist’.60 The members of these two groups (they may also be thought of as two ends of a continuum), as Gowans describes them, are distinguished by their different moral sensibilities and styles of moral reflection. Differences in styles of moral reflection are apparent in the way in which they try to understand moral practice. Rationalists try to understand moral practice through the lens of human rationality with reason understood as “requiring system and order, as necessitating commensurability and hierarchy, as insisting on the importance of generality and abstraction, and as demanding fully articulate, explicit, and precise formulation of concepts and principles.”61 They view mathematics or the natural sciences as paradigms of rationality and ideal moral practice as embodying the aforementioned characteristics. Experientialists, on the other hand, try to understand moral practice from the viewpoint of the moral experience of persons. They give “priority to observation and reflection on what it is like for a person embedded in a particular social context to live a life constituted by values and commitments, to encounter circumstances of perplexity and choice, to deliberate and determine a course of response, and to carry out this decision and live with its consequences.”62

61 Ibid., 200.
62 Ibid., 201.
These different ways of understanding moral practice lead to different conceptions of moral deliberation. Rationalists are very much inclined to think “that all moral considerations are ultimately based on a single, universal, abstract principle, and that any specific action-guiding moral judgment may be deduced from this principle, along with factual premises specifying the relevant general features of the situation.”63 Experientialists, in contrast, think that moral deliberation “involves reflection on a plurality of diverse and relatively concrete moral considerations, that it looks as much to the distinctive features of a situation as to its generic properties, and that these features do not always lend themselves to precise and full articulation.”64

We can see how the ethical theories discussed above are closer to the Rationalist than the Experientialist end of the spectrum. Both Kantianism and Act-Utilitarianism hold that action-guiding moral judgments can be deduced, along with factual premises about the situation, from a single, universal, abstract principle—respectively, the categorical imperative and the principle of utility. Classical Virtue Ethics maintains that the essence of each virtue is one thing, e.g. knowledge or practical wisdom, and that action-guiding judgments can be deduced from this.

Whereas Rationalists tend to understand and criticize moral practice (including moral deliberation) with respect to how closely it approximates models of rationality drawn from mathematics and the natural sciences, Experientialists do not recognize the authority of these models in connection with moral practice. Reform of moral practice instead comes “from within, from reflection on the difficulties revealed by moral experience”.65 As Gowans notes,

63 Ibid., 200.
64 Ibid., 201. Although Ross seems to agree with the general Experientialist view of moral deliberation as involving reflection on a plurality of diverse and relatively concrete moral considerations, and even agrees with Aristotle’s claim that the decision of which consideration is paramount in the circumstances rests with perception (Ross, "Prima Facie Duties," 99.), he nonetheless falls into the Rationalist camp insofar as he concurs that an agent does not necessarily engage in wrongdoing in a tragic dilemma.
this approach tries to “save the appearances” and abandons some of these only in trying to save others. So here we have advocates of the Neurathian, instead of reductionist, approach to ethics.\(^{66}\)

In advocating the kind of view that the Rationalists are advocating, they are in effect denying the appearances: the appearances that suggest that what the agent does is indeed morally wrong as we saw by way of examining the phenomenology of tragic dilemmas. They maintain, instead, that an agent acting in accordance with sound moral deliberation in no way does wrong. This view seems to be motivated, bringing to bear some of the considerations above, at least in part, by a theoretical ambition to create a moral science that provides an impartial, universal, and complete decision procedure for ethics. In other words, there is an ambition to come up with a code consisting of rules (possibly only one) with, Hursthouse notes, the following important features: “(a) the rule(s) would amount to a decision procedure for determining what the right action was in any particular case; (b) the rule(s) would be stated in such terms that any non-virtuous person could understand and apply it (them) correctly.”\(^{67}\)

If Rationalist ethical theories must contend that in acting in accordance with sound moral deliberation an agent does something that is in some way impermissible, then that is regarded as a failing of the theory in providing appropriate action-guidance. Following the ethical decision

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\(^{66}\) The idea here is that critical scrutiny and improvement of the beliefs comprising our ethical outlook must proceed from within that ethical outlook. Otto Neurath compares science to a boat at sea noting that in order to change it sailors would have to do so plank by plank while continuing to rely on it for support. He says, “Imagine sailors, who, far out at sea, transform the shape of their clumsy vessel from a more circular to a more fishlike one. They make use of some drifting timber, besides the timber of the old structure, to modify the skeleton and the hull of their vessel. But they cannot put the ship in dock in order to start from scratch. During their work they stay on the old structure and deal with heavy gales and thundering waves. In transforming their ship they take care that dangerous leakages do not occur. A new ship grows out of the old one, step by step—and while they are still building, the sailors may already be thinking of a new structure, and they will not always agree with one another. The whole business will go on in a way that we cannot even anticipate today. That is our fate.” Otto Neurath, "Foundations of the Social Sciences," in *International Encyclopedia of Unified Science*, ed. O. Neurath, R. Carnap, and C. Morris (Chicago: University of Chicago Press, 1944), 74. Likewise, our ethical outlook is like the ship, in subjecting it to critical scrutiny, we cannot step outside it, but must consider each part of it piece by piece and must save some of those pieces in abandoning others.

procedure should be like following, for example, the correct method for solving an equation. It should yield a completely right answer, i.e. one without any kind of wrongness attaching to it. Experientialists, on the other hand, in giving priority to observation and reflection on actual moral experience in ethical theorizing conclude that it is unrealistic to think that there can be any such code or decision procedure for ethics and therefore do not have the corresponding ambition to provide one. It is not necessarily a failing of ethical theory, then, if its recommendations for action in certain situations have some kind of wrongness attaching to them.

Once again, the phenomenology of tragic dilemmas suggests that what the agent does is indeed morally wrong. Rationalists deny that these appearances accurately track moral reality. These appearances, then, need to be either explained away or an explanation needs to be given of their fittingness. Giving such an explanation is the goal of this dissertation. As such, the dissertation tries to save the appearances and thus agrees with the Experientialists.

1.6 EXPLAINING AWAY THE PHENOMENOLOGY

Rationalists, concurring that the phenomenology described is appropriate, deny that it is fitting. They tend to explain its appropriateness by appeal to what they take to be the nature of the virtuous disposition.\(^{68}\) The focus here will be on the explanation given for the tragic agent’s guilt feelings, but similar explanations could be given for the other phenomenology. The claim is that an agent should experience guilt upon emergence from a tragic dilemma for such an experience goes hand-in-hand with the possession of a virtuous character. This claim garners support from a commonly held view about what virtues are and how they are acquired. On that

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\(^{68}\) For example, see: Hare, "Moral Conflicts."
view, virtues are habits of action, passion, perception, desire, and so forth, and are acquired predominantly through a process of habituation. 69

A virtuous agent performs virtuous actions when acting in character; they are what she is disposed to do. 70 Howard Curzer notes that a virtuous agent is not habituated to perform the kinds of acts presented in the most horrible moral dilemmas. He says:

One can become habituated to stand fast when the odds of winning are reasonable, and to run when they are miniscule. But one cannot become habituated to torture in those vanishingly rare situations where torture is appropriate. One simply does not get enough practice. So if the act of torturing the innocent person is virtuous as well as right, then virtues are not habits of action, passion, perception, desire, etc. 71

An action that is in normal circumstances severely wrong is not the kind of action that a virtuous agent is habituated to perform. It is not the kind of act that flows from her disposition; on the contrary, it is precisely the kind of act that she is disposed to be repulsed by, and thus if she does perform such an action, she will feel what best accords with it, namely, some sort of painful feeling. This claim about experiencing some painful feeling is a view about how virtuous dispositions function, a view about their nature. Certain feelings or emotions and types of actions are taken to coincide in one who is virtuous. Usually, painful feelings coincide with the performance of actions that are typically wrong and pleasant feelings with the performance of actions that are typically right. These dispositions have a degree of stability to them and do not disappear when an agent confronts a dilemma in which she is in some sense forced to do an

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70 Ibid.: 51.
71 Ibid.
action considered to be wrong in most contexts. Her disposition or sensibility is such that she abhors doing such an action. If she does one, a painful feeling coincides with it.

The specific painful feeling a virtuous agent would feel in response to her action in the context of a horrible moral dilemma is guilt because, even though according to the Rationalists she is not morally responsible for that action, her habituation has taken place in normal contexts, in which she would be morally responsible for such an action. These are the situations in which her dispositions have been formed. She has been habituated to feel guilty if she performs various types of actions that she has been taught are wrong. This disposition does not just disappear in the rare case in which an action of one of those types is the right one to decide to perform. She has internalized, as part of her virtue, as part of her habits of perception, action, and passion, the view that torture, for example, is wrong and responds to inflicting it upon someone accordingly, with a feeling of guilt.

So for instance, if an agent would feel guilty at breaking an important promise to a dear friend in a dilemma-free context, then in a dilemma in which her action is justified, it would be warranted to describe her pained feelings at breaking an important promise to a dear friend as ones of guilt as well. Thus, on this account, we may think of a virtuous agent as one who is sensitive to certain types of actions, for instance actions harming another for which she is causally responsible. The view is that since she will tend to feel guilty in many dilemma-free cases in which she causes others harm, we expect her to feel guilty in dilemma cases in which she causes others harm as well, since this feeling, it is believed, would flow from her admirable character.
Curzer notes that the habits constituting virtue are “blunt instruments”\(^{72}\) that typically lead an agent to perceive, act, and feel correctly, but in anomalous circumstances, they may lead the agent to miss the mark. For instance, guilt is not a fitting feeling to have in a situation in which an agent performs a wrong action for which she is not morally responsible. It is, however, the appropriate feeling to have in such a situation insofar as it indicates a disposition that is attuned to the features of actions that would make them the wrong ones to decide to perform in almost all other circumstances.

Consider, in addition, the following case. A man, Bill, hits a child, Johnny, riding his sled down a seldom used street that intersects a busier, but still not heavily traveled street. The sled skids under the man’s vehicle and the child dies instantly. The man was driving safely, e.g., he was not exceeding the speed limit. Furthermore, given the physical arrangement, it would have been impossible for the man to see the child coming. He nevertheless feels guilty for causing the child’s death.\(^{73}\)

It is claimed that we tend to understand the man’s response as appropriate and may even find it laudable. Terrance McConnell asks us to imagine a different response in which the man says, “I regret Johnny’s death. It is a terrible thing. But it certainly was not my fault. I have nothing to feel guilty about and I don’t owe his parents any apologies.”\(^{74}\)

We tend to think of this response as puzzling, inappropriate, and likely as indicating a lack of virtue as well. McConnell contends that this response may be unnatural in two ways. First of all, it is difficult to imagine that a person could achieve such objectivity about his own behavior. Secondly, “human beings are not so finely tuned emotionally that when they have


\(^{73}\) See McConnell, "Moral Dilemmas."

\(^{74}\) Ibid.
been causally responsible for harm, they can easily turn guilt on or off depending on their degree of moral responsibility.”75 McConnell thinks that this is not a necessarily bad feature for human beings to have “for it likely makes agents more cautious about their actions, more sensitive about their responsibilities, and more empathetic regarding the plight of others.”76 On this view, the disposition, in terms of feelings, does not track the fine-grained weighing of reasons which justify taking a particular action.

The view just described, which we may refer to as the habituation or disposition view, explains the presence of guilt in response to acting in a moral dilemma as an understandable spillover from a disposition acquired in normal, i.e. non-dilemma cases. In response to performing an action of the sort required in a dilemma, the agent’s habituation will naturally lead her to assess herself negatively. What is salient about that action, even in a dilemma context, is its usual wrongness. Our emotional dispositions are, as Curzer puts it, “blunt instruments,” and it is therefore not surprising that an agent will feel guilty for performing an action that is typically wrong. According to the Rationalists, that fact should not, however, lead us to the judgment that the agent has done wrong and thus that her guilt is fitting. It is merely appropriate.

This explanation of the phenomenology that denies its fittingness has a problematic implication—namely, that the virtuous agent, qua virtuous, must in an important sense be irrational. Her feelings, which we regard as morally appropriate, are not justified by the moral facts of her situation and are therefore irrational though understandable and perhaps useful. The idea, then, is that the guilt response is due to the virtuous agent’s lack of moral clarity about her action. It implies a rather odd view of the virtuous disposition such that it is not particularly sensitive to moral reasons, thereby flying in the face of the commonsense view that the more

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75 Ibid. McConnell attributes this point to Michael J. Zimmerman.
76 Ibid.
virtuous an agent is, the more sensitive she is to moral reasons. If this view is correct, then this is rather interesting for it suggests that a certain degree of irrationality is at the core of virtue. One way of avoiding this conclusion is to show that the phenomenology, contrary to the Rationalist view, is fitting.

1.7 CONCLUSION

The Classical Virtue Ethicists, Utilitarians, and Kantians all conclude that if an agent acts in accordance with the conclusion of sound moral deliberation, as defined by their respective ethical theories, then an agent is in no way morally responsible for having done anything wrong. If we adopt these ethical theories, a consequence is that we cannot make sense of much of the phenomenology of tragic dilemmas as fitting. In other words, many of the first-, second-, and third- person responses to tragic dilemmas are not rationally justified if these ethical theories correctly represent moral reality. These ethical theories simply do not have the resources to account for the first person’s guilt, felt need to make amends, and feelings of being tainted as rationally justified. Moreover, they cannot account for the second person’s resentment and forgiveness as accurately tracking the moral facts of her situation. Additionally, the third person’s common experiences of tragic fear and pity in witnessing tragedy have to be chalked off as irrational also.

A consequence of the Rationalists denying the fittingness of this phenomenology is that they must judge what we intuitively regard as appropriate responses as being irrational. We tend to think that the responses canvassed above are appropriate, i.e. they are ones that a decent or virtuous agent would have. If, however, they are not also fitting, then either what we take to be virtuous responses are not accurately tracking reality, which is an odd result, or they are not really virtuous responses. The latter is a possibility the Rationalists could adopt, but they would
do so at the cost of denying our common and strong intuitions regarding the appropriateness of the first-, second-, and third-person responses.

In order to accommodate the phenomenology described as rationally justified, then, we have to identify a sense of wrongdoing and moral responsibility according to which it is fitting. I will argue that neo-Aristotelian ethical theory grounded appropriately in personal flourishing does just this.
CHAPTER 2: NEO-ARISTOTELIAN FLOURISHING AND FORTUNE

2.1 INTRODUCTION

In Chapter 1 we saw that a number of puzzles arise for ethical theorizing from consideration of tragic dilemmas. These puzzles have their genesis in the phenomenological responses of first, second, and third persons to tragic dilemmas. It was noted that we find the tragic agent’s negative feelings in response to what she has done to be appropriate. This feeling was analyzed to be one of guilt, in that it has as its evaluative cognitive content that the agent has engaged in culpable wrongdoing. In addition, it was noted that the tragic agent tends to feel tainted and obligated to make amends, both of which also have, as a necessary part of their evaluative cognitive content that the agent has engaged in culpable wrongdoing. Second-person responses of resentment and forgiveness, as well as third-person responses of tragic fear and pity, have similar evaluative cognitive content. A puzzle arises because, although we tend to find these feelings to be appropriate, many find it odd to attribute moral responsibility for wrongdoing to an agent who has done the best thing possible in the circumstances. As we saw, Rationalist ethical theories adamantly deny that the tragic agent has done anything wrong. If it is true that the tragic agent has not engaged in wrongdoing, then the phenomenology is not fitting and demands a different explanation. On the other hand, even if we grant the agent has engaged in wrongdoing, it seems to be the case that she violates another necessary condition for the fittingness of the phenomenology, namely, that the agent be morally responsible for the putative wrongdoing. This, however, does not seem to be the case because she is not at fault for having to do something wrong (if indeed what she does is wrong) and moreover third persons do not blame the tragic agent for what she does in her dilemma. Therefore we face the conundrum about how
to reconcile what we believe is the appropriateness of the phenomenology with what appear to be the moral facts.

If, however, the moral facts turn out to be that the tragic agent, despite some appearances to the contrary, *is* morally responsible for wrongdoing, then another puzzle arises because that would mean that there are situations of inescapable wrongdoing, which means that moral innocence is almost impossible to achieve.

I argue in this dissertation that a neo-Aristotelian ethical theory properly grounded in personal flourishing has the resources to accommodate the phenomenology as rationally justified. Moreover I explain how this grounding in personal flourishing enables neo-Aristotelian ethical theory to maintain that tragic dilemmas exist, whereas Rationalist ethical theories are barred from doing so.

In this chapter, I outline the main components forming a neo-Aristotelian account of personal flourishing, which provide the resources with which to address the problems posed by tragic dilemmas. In section 2.2 I provide a general account of neo-Aristotelian flourishing. In 2.3 I describe the neo-Aristotelian conception of virtuous activity and in 2.4 I discuss the external goods that are most affected by tragic dilemmas.

### 2.2 THE CHARACTERISTICS OF NEO-ARISTOTELIAN FLOURISHING

Flourishing (*eudaimonia*), on the ancient conception, refers to an agent’s life as a whole. In other words, it is an agent’s life as a whole that is said to be flourishing or not.\(^\text{77}\) Considerations of one’s life as a whole form the starting point of ethical thought in ancient philosophy, and ancient philosophers concur that the final end (*telos*) or supreme good (*summum bonum*) of a

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person is a flourishing or happy life. Neo-Aristotelian ethical theorizing likewise starts from considerations of a flourishing life as a whole.

Neo-Aristotelian flourishing, as described by Douglas B. Rasmussen and Douglas J. Den Uyl has, six key characteristics, it is: 1) objective; 2) inclusive; 3) individualized; 4) agent-relative; 5) achieved with, and among, others; and 6) self-directed. I will describe these in turn, drawing heavily from the work of Rasmussen and Den Uyl, and incorporating some standard Aristotelian views into the discussion as well.

2.2.1 Objective

To say that flourishing is objective is to say that it is something that is an object of desire or choice because it is desirable or choiceworthy, and not simply because it is desired or chosen. This desirable or choiceworthy object, i.e. flourishing, is comprised of a number of generic goods and virtues that are determined by a consideration of human nature. Rasmussen notes, “Ontologically considered, human flourishing is an activity, an actuality, and an end (or function).” Indeed Aristotle says that “the human good is activity of the soul in accordance with virtue, and if there are multiple virtues, in accordance with the best and most complete virtue” (NE I.7 1098a16-18). Aristotle’s account of the good for a member of any natural kind is that it consists in that member performing the characteristic activity or function of that natural kind well. Regarding human flourishing, the activities comprising it are those activities “that

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78 Fred D. Miller, Jr. uses ‘neo-Aristotelian’ for “modern theorizing which incorporates some central doctrines of Aristotle, e.g. teleology....Such theorizing should critically assess his claims in the light of modern philosophical theory, scientific research, and practical experience, revise or reject them where necessary, and consider their application to social and political contexts not envisioned by him.” Fred D. Miller, Jr., Nature, Justice, and Rights in Aristotle’s Politics (New York: Oxford University Press Inc., 1995), 336, ft.1.
81 Ibid.
both express and produce in a human being an actualization of potentialities that are specific to its natural kind.”83 As regards humans, Aristotle argues that the function or characteristic activity essential to humans as distinct from other living organisms is “some sort of life of action of the [part of the soul] that has reason” (NE I.7 1098a3-4).84 It is, moreover, these activities that “constitute the achievement of a human being’s natural end or telos.”85

2.2.2 Inclusive

Flourishing is an inclusive as opposed to dominant end, meaning that it is not an end in the light of which everything else is valuable only as an instrumental means, rather it is an end constituted by a number of intrinsically valuable goods and virtues. In other words, one good or virtue does not dominate all others, reducing them to mere instrumental values.86 Sometimes it is thought that flourishing is comprised of the dominant end of contemplative activity and hence that the virtues and other goods are only instrumentally valuable for this end; the life of practical reason, in other words, is seen as instrumental or subservient to that of theoretical reason.87 On the inclusive neo-Aristotelian view, on the other hand, flourishing is regarded as comprised of a number of final ends.88 These final ends are the various basic goods and virtues. Rasmussen cites some examples of these goods: knowledge, health, friendship, creative achievement, beauty, and pleasure, and of these virtues: integrity, temperance, courage, and justice. These

84 We will come back to the importance of this essential activity in the section on the self-directed nature of flourishing. All references to Nicomachean Ethics, unless otherwise specified, are to Terence Irwin, Nicomachean Ethics, 2nd ed. (Indianapolis: Hackett Publishing Company, Inc., 1999).
86 Ibid.: 14.
88 Rasmussen cites Ackrill: “A is more final than B if though B is sought for its own sake (and hence is indeed a final and not merely intermediate goal) it is also sought for the sake of A.” in J.L. Ackrill, "Aristotle on Eudaimonia," in Essays on Aristotle's Ethics, ed. Amelie O. Rorty (Berkeley: University of California Press, 1980), 23. Rasmussen and Den Uyl, Norms of Liberty, 130, n. 48.
goods and virtues are sought both for their own sakes and for the sake of flourishing. In other words, these goods and virtues are valuable not merely as means to flourishing but as “partial realizations or expressions of it.” Rasmussen and Den Uyl explain this idea by way of an analogy to golf playing. In contrasting activities that are only instruments to an end and those which are constituents of an end they consider the differing relationships of obtaining golf clubs and of putting to the end of playing golf. They say:

While both activities are “for the sake of” playing golf, the former is only a necessary preliminary, while putting is one of the activities that makes golfing what it is. Furthermore, the actions taken to obtain golf clubs produce an outcome separate from that activity—namely, the possession of golf clubs that can be used—but putting has no end or result apart from itself. Its value is not that of a mere means. Its value lies in its being an expression or realization of the activity of which it is a constituent. As Ackrill states, “One does not putt in order to play golf….Putting is playing golf (though not all that playing golf is).”

On this picture, then, flourishing is not the result of the efforts of a lifetime; it is not something that one looks forward to enjoying in the future. Rather, it is a continuous process of living well. Thus, the constituents of such living are more than merely means for bringing about what is to follow; they are also worthwhile in themselves.

2.2.2.1 External Goods

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89 Flourishing, however, is not sought for the sake of anything else and is thus our most final or ultimate end.
91 Rasmussen and Den Uyl, Norms of Liberty, 130.
92 Ibid.
93 Ibid., 13.
The account of flourishing that has been given thus far identifies it with virtuous activity, \(^9^4\) but then how do the aforementioned goods such as, for example, health and friendship, relate to this activity? These goods are referred to by Aristotle as ‘external goods’. That having external goods is necessary to a life of flourishing is apparent in the question Aristotle poses as a summation of his account of happiness: “Then why not say that the happy person is the one whose activities accord with complete virtue, with an adequate supply of external goods, not just for any time but for a complete life” (\(NE I.10 1101a15-17\))? We can get a sense of what external goods are, in general, by the examples that he mentions:

…happiness evidently also needs external goods to be added, as we said, since we cannot, or cannot easily, do fine actions if we lack the resources. For, first of all, in many actions we use friends, wealth, and political power just as we use instruments. Further, deprivation of certain [externals]—for instance, good birth, good children, beauty—mars our blessedness. For we do not altogether have the

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\(^9^4\) An issue that arises for the identification of flourishing with virtuous activity as understood above is that Aristotle, up until \(NE X\), is referring to the moral virtues, which, as Richard Parry notes “belong to the appetites and desires of the sensory soul…when its activities are brought under the guidance and control of excellent practical judgment.” In \(NE X\), however, Aristotle refers back to the consideration we saw in the earlier definition of the human good as “activity of the soul in accordance with virtue, and if there are multiple virtues, in accordance with the best and most complete virtue”. The best virtue, Parry notes, “belongs to the best part of the soul, i.e. the intellect (nous) or the part that governs in the soul and contemplates the fine and godly, being itself the divine part of the soul or that which is closest to the divine (1177a10-20).” As such, it seems that Aristotle regards the life of contemplation as the flourishing one, contrary to what he has said before. Moreover, this type of life seems to be recommended further as less susceptible to changes in fortune with respect to the external goods because a life of contemplation needs a lot less of the external goods. There are, nevertheless, ways to understand the two accounts as being compatible. One plausible way is to see the life of practical reason as instrumental or subservient to that of theoretical reason. Parry suggests that for Aristotle, strictly speaking, flourishing is the exercise of the best virtues or excellences, those of theoretical reason, nonetheless, human life is an “indissoluble composite of intellect, reason, sensation, desires, and appetites”. As such, those who have theoretical activity as a central component in their lives still “need to remain connected to daily life, and even to political affairs in the community in which they live. Hence, they will possess and exercise the moral virtues and those of practical thought, as well as those other, higher, virtues, throughout their lives.” Richard Parry, "Ancient Ethical Theory," http://plato.stanford.edu/archives/fall2009/entries/ethics-ancient/
See Richard Kraut for a similar argument: Richard Kraut, "Aristotle's Ethics," http://plato.stanford.edu/archives/spr2010/entries/aristotle-ethics/ This view, however, is perhaps a bit too simplistic. It seems as though theoretical reason may play a role in the good life even on the inclusive end interpretation of \(eudaimonia\). Inasmuch as an agent engages in contemplative thinking regarding the ends to pursue as part of \(eudaimonia\), she is exercising her theoretical reason. Her practical reason, on the other hand, engages in planning such that she may achieve her inclusive end.
character of happiness if we look utterly repulsive or are ill-born, solitary, or childless; and we have it even less, presumably, if our children or friends are totally bad, or were good but have died (NE I.8 1099a28-1099b6).

The external goods are, as John Cooper puts it, “all the good things a person can acquire or enjoy that lie outside his own mind and character (his soul)”.

95 He notes that virtues of intellect, character, and innate endowments of mind and personality are the only goods that are not external.

In general, being sufficiently equipped with the external goods provides an agent with the normal or preferred context for the exercise of the virtues. Without being so equipped, an agent’s virtuous activity becomes impeded. Aristotle says, “That is why the happy person needs to have goods of the body and external goods added [to good activities], and needs fortune also, so that he will not be impeded in these ways” (NE VII.13 1153b17-19).

96 As Cooper summarizes it, a happy life is “a life of unimpeded activity of natural capacities, including prominently the capacity to know and choose various objects of pursuit in accordance with their true value.”

Cooper argues that Aristotle views all of the external goods as making generically the same kind of contribution to the flourishing life: they all keep virtuous activity from being

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96 We may think that the point Aristotle is making with respect to the external goods is simply that a certain minimal level of them is needed for a human being to be living a human life at all. So on a short list, an agent would need food, shelter, and other humans in order to be living a human life. Analogously, we might think that a wolf removed from the pack isn’t really living a wolf life at all. As such, what would otherwise be an excellence, say biting down hard on prey, wouldn’t really count as one in the lone wolf for it would not contribute to the wolf’s flourishing without fellow wolves as hunting mates on the assumption that he could not successfully kill the prey on his own. These external goods, then, would be regarded as necessary materials for virtuous activity; i.e. they constitute the necessary conditions in which a human can be said to have a chance of flourishing. Consider Joseph Raz’s example of the man who falls into a pit. (Joseph Raz, *The Morality of Freedom* (Oxford: Clarendon Press, 1986), 373.) He has enough food to stay alive, without suffering, once he gets used to it. He has limited choices in life. He basically just has to decide when to eat, sleep, scratch his ear, etc. Certainly, we do not think that these conditions enable him to flourish. The Stoics, by contrast, hold the view that virtuous activity constituting flourishing is whatever a virtuous person would do in the circumstances, whatever the circumstances.

97 Cooper, "Aristotle on the Goods of Fortune," 181. This view stands in contrast to the Stoic view that flourishing is simply a matter of possessing a virtuous soul, a view which does not admit a gap between being good and living well. See Nussbaum, *The Fragility of Goodness*, Ch. 11.
impeded. With respect to good children, for example, Cooper argues that this is an external condition that while not used by an agent as an instrument to achieve his purposes such as money might be, puts him in “the position where the options for action that are presented to him by his circumstances allow him to exercise his virtues fully and in ways that one might describe as normal for the virtues.”

So, for example, an agent who is in ill health and thereby finds the tastes of most foods to be repulsive and his appetite greatly diminished, has little scope for the virtue of temperance with respect to food, given his abnormal condition. Alternatively, an agent who is quite ugly, Cooper notes, has limited opportunities for sex and hence his exercise of the virtue of temperance with respect to this arena is less grand than someone who has “a normally full range of options”. With respect to losing or not having children, once again, an agent’s flourishing is negatively affected because his virtues are not given their normal scope, with one of the normal contexts for virtuous activity regarded as being the rearing of children. As such, we can see that the external goods play a key and important role in neo-Aristotelian flourishing and also that therefore such flourishing is not immune to fortune since possession of the external goods is vulnerable to it. As such, activity in accordance with virtue does not guarantee virtue, but it may be regarded, on the neo-Aristotelian view, as the “only reliable bet”.

Let us contrast this view with that of Socrates, for example, who denies the significance of the external goods to a flourishing life. The Socratic view is that virtue (and perhaps its exercise) is necessary and sufficient for happiness, while vice brings unhappiness. Subscribing to a form of intellectualism, Socrates regards the ethical virtues as qualities of the rational part of

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99 Ibid. An utterly repulsive looking human may further have his virtuous activity limited insofar as other humans find it difficult to look at him and therefore try to avoid him because some of the virtues concerned with social life are thereby denied him. Note that Aristotle maintains that lack of external goods makes it the case that an agent “cannot or cannot easily” do fine actions. So being utterly repulsive looking does not necessarily make it impossible to engage in virtuous activity.
100 Hursthouse, On Virtue Ethics, 172.
the soul. In his view, virtues are reasons, and as such, forms of knowledge. Specifically, it is knowledge of good and evil, i.e. wisdom, that is necessary and sufficient for possession of the virtues. An additional part of his intellectualism is the view that although a virtuous agent may have nonrational desires contrary to what he thinks he should do, he will not be overcome by these desires because nothing is stronger than wisdom. Instead he will act in the right way. Socrates says, “knowledge is a fine thing capable of ruling a person, and if someone were to know what is good and bad, then he would not be forced by anything to act otherwise than knowledge dictates” (Protagoras 352c4-7). This knowledge enables an agent to choose wisely and therefore be happy.

In the Euthydemus, Socrates discusses the relation of virtue or wisdom to happiness. He uses an analogy with craft (technê). Just as a carpenter, in order to be successful, needs to know how to use his tools and materials, so an agent, in order to be happy, needs wisdom in order to know how to use the external goods so that they are beneficial. Without wisdom, these goods are useless and harmful (281a-282a). As Richard Parry notes, it is not clear whether wisdom and its exercise is identical with happiness or whether it is simply the dominant and essential component of happiness.

102 Devereux argues that Socrates explains the phenomenon of akrasia by positing not that knowledge is overcome by some nonrational desire, but rather that correct or true belief (which unlike knowledge is unstable) is temporarily displaced by false belief due to the proximity of some nonrational desire such as pleasure, pain, or fear and the agent then acts in accordance with that false belief. Ibid.: 393-4.
104 Parry, "Ancient Ethical Theory."
105 Martha Nussbaum thinks that in Socrates’ view “inner virtue suffices for human flourishing,” and the external goods are not regarded as having any genuine worth. For instance, although family life may typically provide a major context for virtuous activity, family is not regarded as something having genuine worth. If it is lost, one may still act virtuously in other contexts and retain virtue and thus secure one’s flourishing. In short, according to this interpretation, flourishing does not admit a gap between being good and living well. In the Apology, for instance, Socrates tells us that “a good man cannot be harmed either in life or in death” (41d1) and that those who have condemned him to death have thus done him no harm. In other words, his flourishing in both this life and in the
Plato rejects Socrates’ form of intellectualism by regarding the ethical virtues as qualities of the nonrational (appetitive) part of the soul aligned with right reason. He maintains that virtue is “a kind of health, fine condition, and well-being of the soul” (Republic IV 444d-e) meaning that it involves the emotions and appetitive desires being in harmony with right reason.106 Flourishing, on this account, is a matter of the rational part of the soul knowing the good and the nonrational part obeying. Plato thinks that each part of the soul has an associated desire and pleasure.107 Reason, for example, desires to learn and satisfaction of that desire engenders a specific pleasure. True pleasure is associated with the rational part of the soul knowing the forms. Pleasures associated with fulfilling appetitive desires are less true because they are susceptible to giving rise to illusions of pleasure. In the condition of happiness, then, more weight is given to the pleasures of learning. As Nussbaum describes it, “The best life will be a life maximally devoted to contemplative, scientific, and aesthetic pursuits, in which all other activities have a merely instrumental value at best.”108 She notes, these activities of the rational soul are self-sufficient and therefore invulnerable.109 On Plato’s conception of value, then, the external goods are merely instrumentally valuable to this type of activity.

Virtue or virtuous activity, in all of these views, is a condition necessary for flourishing. It is close to being sufficient for both Socrates and Plato, but it is clearly not so for Aristotle because he accords great importance to the external goods for flourishing. For Aristotle, their

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106 Plato, Republic, ed. John M. Cooper, trans. G. M. A. Grube, rev. C. D. C. Reeve (Indianapolis: Hackett Publishing Company, Inc., 1997). Note that Socrates’ views, as contained in Plato’s early dialogues are contrasted (e.g. by Nussbaum) with Plato’s own views developed in his middle and later dialogues.
107 This discussion of the specific pleasure draws heavily from Parry, "Ancient Ethical Theory."
108 Nussbaum, The Fragility of Goodness, 158.
109 See Republic 1354a, VI 496c-e, IX 571d-572b.
presence is an essential condition for flourishing because they provide the normal context for the exercise of the virtues and it is in this context that such activity constitutes flourishing. For Socrates and Plato, on the other hand, flourishing is more closely identified with the activities of the rational soul that are most self-sufficient and the external goods are accorded, at best, only instrumental value in terms of according to this end.

As such, we see that Aristotle admits a gap between being good and living well, whereas Socrates does not. For Aristotle an agent could be virtuous, but not be able to exercise this virtue in a normal context due to a lack of external goods and therefore not flourish, but for Socrates this is not a possibility. According to the Platonic conception, so long as a lack of external goods does not prevent the ability to exercise the maximally self-sufficient activities of the rational soul, there is no gap between being good and living well. Thus, on these different conceptions, flourishing is subject to varying degrees of vulnerability according to the degree to which they rely on the presence of external goods.

2.2.3 Individualized

Rasmussen contends that human flourishing is individualized; “There are many summa bona.”\textsuperscript{110} Since there are “individuative as well as generic potentialities” to be actualized, human flourishing is always something unique.\textsuperscript{111} Ada’s flourishing thus differs from Bowie’s. Thus it is not something abstract and universal that humans simply locate in space, but rather it “is only when the individual’s particular talents, potentialities, and circumstances are jointly engaged that these goods and virtues become real or achieve determinacy…[it] is not merely something achieved and enjoyed by individuals; it is itself individualized.”\textsuperscript{112}

\textsuperscript{111} Ibid.
\textsuperscript{112} Ibid.: 6.
As noted earlier flourishing is an inclusive end. As such, it is constituted by a number of intrinsically valuable goods and virtues. The point about individuality is that it is the individual’s unique talents, potentialities and circumstances that are jointly employed to determine the proper weighting of the generic goods and virtues that comprise human flourishing in general for that particular individual. As Den Uyl and Rasmussen note, “There is no single, agent-neutral model to which each person’s pattern or weighting of these goods must conform.”\textsuperscript{113} Rather, the proper weight depends on her “nexus, community, and culture.”\textsuperscript{114} A person’s nexus is “the set of circumstances, talents, endowments, interests, beliefs and histories that descriptively characterizes him and which he brings to any new situation”.\textsuperscript{115} Thus one agent might weigh the pursuit of theoretical knowledge very highly while another might weigh artistic pursuits very highly. Moreover, depending on the cultural context, agents may need to develop particular virtues more than others. For example, one agent may need to develop the virtue of courage to a high degree while living in a war zone, whereas another may need to develop to a high degree the virtue of temperance while living in Las Vegas. Den Uyl and Rasmussen note that this is not to say that it is not the case that some virtues, e.g. justice, and the pursuit of goods, e.g. health, must be developed and pursued to a great extent by all as part of flourishing.\textsuperscript{116} There is, nonetheless, room for variation in the relative weightings given to other virtues and goods by different individuals.

\textbf{2.2.4 Agent-Relative}

\textsuperscript{113} Rasmussen and Den Uyl, \textit{Liberalism Defended: The Challenge of Post-Modernity}, 49. The term ‘agent-neutral’ is explained in section 2.2.4.
\textsuperscript{114} Ibid.
\textsuperscript{115} Ibid.
\textsuperscript{116} Such virtues are those that are necessary for human flourishing given human nature as a rational and political animal.
According to the neo-Aristotelian view of flourishing, it is something that is agent-relative. As Rasmussen states it:

…human flourishing, G, for a person, P, is agent-relative if and only if its distinctive presence in world W1 is a basis for P ranking W1 over W2, even though G may not be a basis for any other person’s ranking W1 over W2. There is no human flourishing period. Human flourishing is always and necessarily the good for some person or other.117

Rasmussen notes that flourishing makes essential reference to the person whose good it is as part of its description because its value is exhausted by the activities of that person.118

Agent-relativity is perhaps best understood in contrast to agent-neutrality, according to which basic values and reasons “do not involve as part of their description essential reference to the person for whom the value or reason exists or the ranking is correct.”119 An ethical theory in which agent-neutrality figures is an impersonal ethical theory. As such, “One person can be substituted for any other. The individual is merely a placeholder around which rules and abstract principles revolve.”120 In such a theory “the fact that course of action C results in assistance to one’s own personal projects, family, friends, or country, where non-C does not, provides no ethical reason for preferring C over non-C.”121 The impersonalist perspective, Rasmussen notes, is one of a rational agent “considered apart from all individuating conditions—be they natural, social, or cultural”.122 As such, an agent adopting this perspective

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118 Ibid.: 6-7.
119 Ibid.: 8.
120 Ibid.
121 Ibid.: 7. Rasmussen quotes, on p. 8, Rasmussen and Den Uyl, Liberalism Defended: The Challenge of Post-Modernity, 27.: “For any value, reason or ranking V, if a person P1 is justified in holding V, then so are P2-Pn under appropriately similar conditions…On an agent-neutral conception it is impossible to weight more heavily or at all, V, simply because it is one’s own value.”
…could never legitimately use some crucial value to *who* he or she is as a reason to give extra weight or importance to that value when determining the proper course of action. The individual *qua individual* is not important in an impersonal moral theory. The individual only represents a locus at which good is achieved or right conduct performed.\(^{123}\)

On a neo-Aristotelian ethical theory, on the other hand, a value crucial to who an agent is may legitimately be given extra weight in the determination of what to do. In other words, an agent’s particular attitudes, ends, and projects, i.e. the contingent aspects of her practical identity, may justifiably be given extra weight in practical reasoning.

Neo-Aristotelian ethical theory, then, is *personal*, for the fundamental notion of such an ethical theory is flourishing, and that, as we have seen, involves essential reference to the individual person.

### 2.2.5 Social

Neo-Aristotelian flourishing is social, meaning, in part, that our maturation depends on others. It is with the support of a social context that we develop into mature human beings. Moreover, it means that a number of our potentialities that need to be actualized as a part of flourishing are other-directed. We seek the flourishing of others as part of our flourishing. As Aristotle says, “Only a beast or a god would live outside the *polis*”.\(^{124}\) It is obvious that Aristotle regards friendship (*philia*) as valuable. He says, “It would be absurd, however, to award the happy person all the goods, without giving him friends; for having friends seems to be the greatest external good” (*NE* IX.9 1169b9-11). Let us examine the notion of *philia* more closely. Although it is typically rendered ‘friendship’, its meaning encompasses more than our

\(^{123}\) Ibid.

\(^{124}\) *Politics* I.1 1253a27-29.
contemporary notion of friendship. Gerard Hughes points out the many types of relationships Aristotle encompasses under *philia* in *NE* VIII.3-14 and *NE* IX.1:

- young lovers (1156b2), lifelong friends (1156b12), cities with one another (1157a26), political or business contacts (1158a28), parents and children (1158b20), fellow-voyagers and fellow-soldiers (1159b28), members of the same religious society, or of the same dining club (1160a19), or of the same tribe (1161b14), a cobbler and the person who buys from him (1163b35).¹²⁵

Thus, *philia* describes a very broad range of relationships. It includes not only the love of family members for one another, but the favorable attitudes of business associates and slight acquaintances toward each other.

According to Aristotle, humans are by nature social animals. We are bound to form relationships with others. He says, “a human being is a political [animal], tending by nature to live together with others” (*NE* IX.9 1169b19). This living together, insofar as it is conducive to the exchange of goods and services, is obviously part of the flourishing life. The less intimate forms of *philia* are instrumentally beneficial in this way; for example, the myriad relationships one has in the marketplace may be such friendships of utility and/or pleasure. Indeed, Aristotle refers to the *polis* as the community that fulfills human nature (*Pol*. I.2 1252b27-1253a). This seems to mean that we have some potentialities, by nature, that can only come to fruition and be actualized vis-à-vis the involvement of other people. Just as an acorn needs water to actualize its potential to become an oak tree, humans need other humans to actualize their potentialities to be a certain way and to do various things that are essential to flourishing. Moreover, as mentioned above, some of those potentialities are other-directed.

2.2.6 Self-Directed

Human flourishing is self-directed, meaning that it is not something attained merely by chance, but by one’s own efforts. It is a result of an agent’s efforts to develop and maintain the virtues. As Rasmussen says, “Only by initiating and maintaining the effort to gain the requisite knowledge, to cultivate the proper habits of character, to exercise correct choices, and to perform the right actions can someone achieve moral excellence. Virtuous living is anything but passive.” These activities are all a function of the exercise of one’s intelligence or reason. As Rasmussen notes, however, this exercise does not occur automatically, rather it requires the agent’s effort to initiate and maintain it. This exercise of reason is thus an act of self-direction and further, then, one’s resultant actions are also self-directed.

Neo-Aristotelian ethical theory, then, is grounded in a notion of flourishing that is 1) objective; 2) inclusive; 3) individualized; 4) agent-relative; 5) social; and 6) self-directed.

2.3 VIRTUOUS ACTIVITY

Since at the heart of the account of neo-Aristotelian flourishing just sketched is the claim that it is in large part comprised of virtuous activity, we will now examine this notion more closely. First of all we need to understand what virtue is. Aristotle sums up his view of virtue as follows: “Virtue, then, is a state that decides, consisting in a mean, the mean relative to us, which is defined by reference to reason, that is to say, to the reason by reference to which the prudent person would define it” (NE II.6 1107a1-3). He delineates a number of specific virtues, which all involve, with respect to different realms of human living, being reliably disposed to react with the fitting feeling—neither excessive nor deficient—and to act in the fitting way—neither

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excessively nor deficiently. In other words, virtue is a disposition to respond, in feeling and action, in a way fitting to the different realms of human living. Christine Swanton gives us an idea of the many realms with respect to which specific virtues may be delineated. They may be:

...within the agent, for example the bodily pleasures which are the focus of temperance, or outside the agent, for example, human beings, property, money, or honours. They may be situations, for example, the dangerous situations which are the concern of courage; abstract items such as knowledge or beauty; physical objects such as one’s children, friends, sentient beings in general, art works or cultural icons, or the natural objects which are the concern of the environmental virtues.  

Responding fittingly in terms of feelings means “having these feelings at the right times, about the right things, toward the right people, for the right end, and in the right way” (NE II.6 1106b23-24). It is having feelings that are at the mean between extremes of excess and deficiency, i.e. they are fitting or rationally justified in the circumstances a particular agent faces. Virtue, however, is not just a matter of having fitting feelings, but also of doing fitting actions. Fitting actions are also those at the mean between extremes of excess and deficiency. The basic idea is that in each case virtue is a mean between two extremes, which are each vices (NE II. 8 1108b11). The fitting action is one that accords with virtue in the circumstances. An example should make clear what it means to respond with virtue, i.e. fittingly in terms of feelings and actions in particular circumstances. Richard Kraut explains that the person with courage “judges that some dangers are worth facing and others not, and experiences fear to a degree that is appropriate to his circumstances. He lies between the coward, who flees every danger and

127 Kraut, "Aristotle's Ethics."
experiences excessive fear, and the rash person, who judges every danger worth facing and experiences little or no fear.”

The mean is agent-relative. This means that what is fitting for one agent to do or feel in a particular situation may differ from what is fitting for another to do or feel in the same situation. For instance, while it might be fitting for a wealthy person to donate 20 percent of her income to a charity at a particular event, it might not be so for a poor person for she might not then be able to meet her basic needs of survival.

When an agent hits the agent-relative mean with respect to a realm of human living, she performs a virtuous act. As Swanton says, “An act is virtuous (in respect V) if and only if it hits the target of V.” We may say that such an action is a right action with respect to that realm. Activity in accordance with complete virtue is one that hits the agent-relative mean with regard to all the virtues, which is right action overall.

It is important to note that a virtuous act, i.e. one in accord with virtue, may be done by one who is not virtuous. An agent may hit the target of virtue by chance or simply by following someone else’s instructions. Moreover, in training to become virtuous, we may do virtuous acts although not yet be virtuous. Aristotle says that “we become just by doing just actions and become temperate by doing temperate actions” (NE II.4 1105a18). For example, an agent intemperate with respect to food who is trying to become temperate may eat the amount of food at his next meal that would be most conducive to his health on his way to becoming temperate. As such, one does not already need to possess virtue in order to do a virtuous act.

Virtuous activity, insofar as that is identified with flourishing, however, is not simply a matter of doing virtuous acts, in other words, it is not merely a matter of acting in accordance

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129 Kraut, "Aristotle's Ethics."
130 Swanton, Virtue Ethics: A Pluralistic View, 233.
131 See NE II.4 1105a24.
with virtue, but also of acting from virtue. In order for this to be the case, Aristotle says regarding the agent, “First, he must know [that he is doing virtuous actions]; second, he must decide on them, and decide on them for themselves; and, third, he must also do them from a firm and unchanging state” (NE II.4 1105a32-35).

In order for us to understand this second condition of virtuous activity—that it be from virtue—we need to delve further into the nature of virtue, and in order to do that we need to understand the nature of the soul. The soul, on the Aristotelian picture, is understood as comprised of two parts: rational and non-rational. The rational part is able to engage in reasoning and the non-rational part is able to obey reason. There are three different forms of desire associated with the different parts of the soul, the first two, appetite (epithumia) and spirit (thumos) are associated with the non-rational part, and wish (boulesis) is associated with the rational part.132 Appetite is non-rational desire for an object believed to be pleasant. Spirit is non-rational desire for an object that appears good because of the agent’s feelings.133 Wish is rational desire for an object believed to be good.134

It is only prohairetic activity that proceeds from correct wish that is the virtuous activity comprising flourishing. Prohairesis is a decision (a desire to do something here and now) that results from deliberation about how to satisfy a wish.135 As G.E.M. Anscombe puts it, decision is determined “by deliberation on how to obtain an object of one’s will (boulesis) rather than merely one’s desire (epithumia)”136. An object of an agent’s will is to be understood as a general object end (or policy) such as “being honoured, health, the life of virtue, or material prosperity,

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132 ‘Wish’ is also sometimes translated as ‘rational desire’ or ‘will’.
133 ‘Spirit’ is also translated as ‘emotion’ or ‘passion’.
135 This is, as discussed in 2.2.6 self-directed activity.
or enjoyment of knowledge, or sensual pleasure.”

This conception of decision is made clearer by consideration of the akratic and the licentious agents respectively. On this conception, the akratic agent, qua akratic, does not decide to do what he does. As Anscombe notes “enjoying a life of sensual pleasure” is not his general object. As such, the akratic agent is not deliberating about how to obtain an object of his will, for instance, in deliberating about how to pursue his neighbor’s wife; rather, he is deliberating about how to obtain an object of his (non-rational) desire. The decision he arrives at is not a decision in the sense just described, although it does count as decision in our ordinary sense. This kind of decision is hairesis. John McDowell notes that Aristotle’s discussion of the akratic agent shows that “there can be choosings of pleasure otherwise than for the sake of eudaimonia…” As a matter of fact, the akratic agent chooses contrary to his conception of the good. The licentious agent, on the other hand, in deliberating about how to pursue his neighbor’s wife, is deciding to do what he does since he is deliberating about how to obtain an object of his will. This is because “his will is to satisfy his desires, his sensual appetites”. What indicates this difference between the akratic and the licentious agent is that the former, but not the latter, has a bad conscience about what he is doing.

As Anscombe puts it, in deciding, the agent has the view that “‘This is my idea of good work (eupraxia), this is the kind of life I want.’” She says, “…a life spent doing such things is

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137 Ibid.
139 Ibid.
140 Anscombe, "Thought and Action in Aristotle," 64.
141 Ibid.
his idea of a well-spent life...a good way to carry on." This conception of the good is comprised of the agent’s rational desires.\textsuperscript{143} Note that on this view, the vicious agent also decides to do what he does—he deliberates about how to obtain an object of his will. His will or his conception of the good, however, happens to be evil. There are many conditions of the soul, then, that might lead an agent to act for a bad end. We only need to consider a few. If he is a vicious agent, he will have an evil conception of the good, and his appetites and spirit are in accord with his conception. He faces no conflict of desires and acts in accordance with his conception. An akratic agent has the correct conception of the good, but his appetitive desires lead him to act against this conception. An otherwise good agent, under the influence of a spirited desire, might act contrary to his conception of the good also. For example, under the influence of anger, he might say something to a superior that works against his long-term interests. Virtue, on the other hand, represents a condition of the soul in which all of an agent’s desires—appetite, spirit, and wish—are in accord with the correct conception of the good. An agent with such a soul, then, acts from virtue and this is the activity comprising flourishing.

2.4 EXTERNAL GOODS

Regarding the correct conception of the good, it has already been noted that the neo-Aristotelian conception of flourishing is an inclusive one. In other words, it is an end constituted by a number of intrinsically valuable goods and virtues—final ends. Now we will look at one of these ends—friendship—more closely, for this end is one of the most threatened in a tragic

\textsuperscript{142} Ibid.
\textsuperscript{143} These desires are not referred to as ‘rational’ because they in fact, if satisfied, accord with the agent’s true good (it is not in this normative sense that they are rational); rather, they are referred to as rational because they are held, so to speak, in the rational part of the soul (the part of the soul that forms opinions, conceptions, and generalizations about the good).
dilemma. Not only is friendship of great intrinsic value in the flourishing life, but a number of our most important responsibilities are tied to it. Both of these points will be examined in turn.

2.4.1 Friendship

We have already noted that Aristotle regards friends as the greatest external goods. This section examines the importance of philia to flourishing. Why are friends regarded as the greatest external good, i.e. as a necessary constituent of a good life? In other words, why is it good for human beings as such? Aristotle’s method of determining whether an external object is good for any type of being is to consider whether it is good for a perfect being of that type. Cooper notes that with respect to friendship, then, Aristotle considers whether or not the perfect human being has any need of friends.\footnote{John M. Cooper, "Friendship and the Good in Aristotle," The Philosophical Review 86, no. No. 3 (Jul., 1977) (1977): 291; Anscombe, "Thought and Action in Aristotle," 291.}

We will, in short order, tackle that question, but first let us examine the notion of philia more closely. In order to qualify as philia, relationships must be ones of mutually recognized goodwill, where one has goodwill toward another if one wishes goods for him for the sake of pleasure or the good\footnote{Aristotle notes that what is liked is the good, the pleasant, or the useful, but the useful is that through which some good or pleasure is produced and so that what is likeable as an end is the good or the pleasurable (\textit{NE} II.2 1155b16-22). Nevertheless, as we will see, he distinguishes the different types of friendship in terms of the good, the pleasant, and the useful.} (\textit{NE} VIII.2 1155b20-34). Aristotle distinguishes three types of friendship, depending on the main reason for which they are formed: utility, pleasure, or character. In friendships based on utility, each wishes goods to the other only insofar as he is expedient. Two professors, for example, who normally do not have much regard or who even have active dislike for one another, care about one another’s good for the duration of an alliance they have formed to try to hinder their department from hiring a specific candidate for a professorship. Once the end is achieved, their instrumental friendship dissolves. The same goes
for friendships based on pleasure. When the once witty and charming colleague becomes sour due to the continual rejection of his papers by academic journals and he ceases to be pleasant to be around, his friend ceases to care about him, and the friendship dissolves. In friendships based on character, on the other hand, one wishes goods for the friend not coincidentally, i.e. not based on the utility or pleasure he provides, but for what he is, and in such friendships, both people are good (NE VIII.3 1156b10-11). Two professors care for another’s good because they have a fast friendship based on mutual respect, respect grounded in the fact that the other lives in accordance with shared good principles, i.e. the other is good or virtuous. These friendships are rare because good people are few (NE VIII.3 1156b25). This type of friendship—character friendship—is regarded by Aristotle as the ideal. Other types are properly regarded as friendships only in a qualified sense insofar as they are similar to this ideal (NE VIII.4 1157a33).

Let us get back now to our question as to why friendship is so important to flourishing, indeed why it is a necessary constituent of such a life. As previously noted, it is Aristotle’s view that by nature we tend to live together with others and that this living together is part of the flourishing life insofar as it allows the exchange of goods and services. Utility and pleasure friendships may be instrumentally beneficial in this way. What, however, about character friendships?

Before getting to character friendship specifically, it will be useful to look at another kind of important friendship which shares with character friendship the feature of wishing the good of another for his own sake—the friendship we tend to have with family members. In general, Aristotle appears to consider friendship in which one wishes the good of another for his own sake as an extension of self-love. The basic idea seems to be that an agent who loves himself, loves others insofar as they can be seen as other selves. Regarding the friendship that exists
between family members, Aristotle sees it as something natural. He says, “…a parent would seem to have a natural friendship for a child, and a child for a parent, not only among human beings but also among birds and most kinds of animals” (NE VIII.1 1155a17-19). Children are regarded as other selves. Since a child comes from a parent, Aristotle notes that he is “a sort of other himself” (NE VIII.12 1161b28). Children love their parent as “they regard themselves as coming from him” (NE VIII.12 1161b18). In general, among other relatives, “the features of friendship are proportional [to the relation]” (NE VIII.12 1162a16). There seems, then, to be a natural and basic regard that family members have for one another, i.e. natural friendship. Such friendship, Aristotle notes, includes both utility and pleasure, and furthermore may be friendship for virtue if both parties are decent (NE VIII.12 1162a24-25).

Aristotle describes in further detail what an ideal friendship is like. It is not simply a matter of wishing, but doing goods for a friend, and having certain feelings toward him, and so forth. He says:

For a friend is taken to be someone who wishes and does goods or apparent goods to his friend for the friend’s own sake; or one who wishes the friend to be and to live for the friend’s own sake….Others take a friend to be one who spends his time with his friend, and makes the same choices; or one who shares his friend’s distress and enjoyment…” (NE IX.4 1166a4-8)

As stated earlier, friendship appears to be an extension of, or to derive from, self-love. Aristotle argues that the virtuous agent is a self-lover, since he lives the life most controlled by reason and thereby helps both himself and benefits others by his fine actions (NE IX.8 1168b30, NE IX.8 1169a11). The defining features of friendship, then, are also found in the virtuous agent in relation to himself (NE IX.4 1166a30). Therefore he wishes goods for himself, he wishes to
spend time with himself because it is pleasant due to his goodness, and so on (*NE IX.4 1166a15, NE IX.4 1166a25*).

We can see, then, that the virtuous agent values his own existence and that is why he values the existence of others who can be understood to be ‘other selves’, and that this valuation leads them to be important to his flourishing. This explanation appears to suffice in the case of kin friendships. It cannot, however, suffice as an explanation for why the virtuous agent needs character friendships as part of flourishing. For if the explanation sufficed, and there were no other virtuous agents for him to meet, then the virtuous agent would not strongly value people other than his kin, and hence they would not be needed for his flourishing. This, however, is not only counterintuitive, since we do not think that the person without any other virtuous agents around to interact with flourishes, but it is also not Aristotle’s view. This is clear because Aristotle thinks that it would be absurd to award the happy person all goods, but deprive him of friends, for they are the greatest external good. The explanation above does not tell us why, if there are other virtuous agents around, the virtuous agent should want to seek some of them out and form friendships. It implies only that if he encounters people who can be regarded as extensions of himself, but not necessarily in terms of similar levels of virtue, then he will value them. We tend to think, however, that in order for the virtuous person to live truly well, he needs virtuous friends. Aristotle says, “…it is also absurd to make the blessed person solitary. For no one would choose to have all [other] goods and yet be alone…This will also be true…of the happy person…[c]learly it is better to spend his days with decent friends than with strangers of just any character. Hence the happy person needs friends” (*NE IX.9 1169b16-23*).
The question of why character friends are necessary for flourishing asks “why one should suppose a flourishing person would make any friends in the first place.”146 We are interested in determining why an agent, in creating a flourishing life for himself, would try to form these intimate friendships, why he would do the characteristic activities associated with such a relationship.147

Commentators have noted a number of different responses that Aristotle offers to this question. We already know that such relationships are important for flourishing in that we know they are the context for much virtuous activity. Here we will examine a couple of the additional ways in which it is important. One way in which friendship is valuable is that it provides a way for an agent to be able to affirm the objectively good nature of his conception of the good and further to know that his own preferred activities are morally good (in short, it gives him self-knowledge).148 Another way in which friendship is valuable is that it enables an agent to be more continuously active—and a flourishing agent’s activity, recall, is pleasant in itself. So his life is more continuously pleasurable.

Regarding the first response, self-knowledge refers to knowledge of one’s character, qualities, motives, and abilities.149 According to Cooper, it is Aristotle’s view that in order for a person’s life properly to be called a flourishing one, he must not only lead a type of life that is best, but also know what type of life he is leading (i.e. he must have self-knowledge) and have chosen it, in part, for that reason (i.e. he must have consciously affirmed it).150 Therefore, self-knowledge is a necessary constituent of a flourishing life.

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146 Cooper, "Friendship and the Good in Aristotle," 292.
147 Ibid.: 291.
148 Ibid.: 314.
149 Ibid.: 296.
150 Ibid.: 296-7.
Having good character, a requirement of flourishing, is a matter of living in accordance with a correct conception of the good, meaning that one’s actions and reactions (in terms of one’s emotions) accord with it. So, for instance, if it is part of the correct conception of the good that one should relate to another human according to the kind of character that he has, then acting in a way that is motivated solely by consideration of another’s race will not accord with having good character. The point that Cooper makes with respect to self-knowledge, and the need for friends as a means to acquiring it, is that although one may perhaps be able to know, in isolation, and without too much difficulty, what one’s conception of the good is, it is much more difficult to know what conception is embodied in the desires that in fact motivate one’s actions.\textsuperscript{151} For instance, it might be fairly easy for a college level professor to know that instrumental to living according to his conception of the good, part of which is comprised of being a good teacher, is soliciting feedback from his graduate student teaching assistants as to how to improve his course and teaching. It is more difficult, however, for him to know that he does not really desire this feedback, for when he gets it, he gives it a cursory glance, confident that his years of experience have already made him a good teacher. Although it is difficult to see one’s self clearly, it is simpler to see others, in terms of their merits and demerits, clearly. The blindness agents tend to have with respect to themselves, threatens their objectivity with respect to judgments of themselves.\textsuperscript{152} This is where a friend might help an agent to see himself, in terms of his character, more clearly.\textsuperscript{153}

\textsuperscript{151} Ibid.: 297, ft.11.

\textsuperscript{152} Note that the general problem of gaining knowledge of one’s self is not just an issue for the less than virtuous. Nobody, including the virtuous, can be sure, from his own vantage point, of the nature of his character. (See Ibid.: 298.).

\textsuperscript{153} Swanton, in a discussion of right action defined in terms of what the virtuous agent would do, notes that “[a]ctual human agents, no matter how virtuous and wise, are not omniscient.” This, along with a comment she cites from Janna Thomson—“The belief that the right answer to an ethical problem is what the virtuous person judges is right is not compatible with the recognition that ethical judgments of individuals are limited and personal. It would be irrational for us to place our trust in what a single individual, however virtuous, thinks is right”—suggest the
Turning now to the second way mentioned earlier in which friendship is valuable: it enables an agent to be more continuously active than does a life in isolation. 154 A life with friends is a shared life, in which the friends live together and share in conversation and thought (NE IX.9 1170b10-13). Cooper notes that Aristotle does not say why shared activity 155 has this benefit. Cooper suggests that it is through such activities that a human finds his life “continuously interesting and pleasurable.” 156 He proposes that without such activities, we might “lose the capacity to be actively interested in things”. Cooper thinks that it is a fact about us that without the stimulation and support of esteemed others who share our goals and interests, we tend to become apathetic and inactive. 157 On the other hand, Cooper argues, when others share our goals and interests, our perception of the value of the activities that accord with these goals and interests tends to get strengthened, thereby making us more interested in the activities and enabling us to engage in them with pleasure. The shared activity makes this commitment of another person immediate and concrete to one. 158

Cooper says:

…it is clear enough that the satisfactions that derive from shared activity are especially needed in connection with those activities…that are most central to a person’s life and which contribute most decisively to his flourishing as he himself conceives it. For here the flagging of one’s commitments and interests will be

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154 Cooper, "Friendship and the Good in Aristotle," 302.
155 Note that Cooper takes ‘shared activity’ to have the following features: “(1) there is shared, and mutually known, commitment to some goal (whether something to be produced or something constitutive of the activity itself), (2) there is a mutual understanding of the particular role to be played by different persons in the pursuit of this common goal, and (3) within the framework of mutual knowledge and commitment, each agrees to do, and in general does do, his share in the common effort.” Ibid.: 305.
156 Ibid.: 304.
157 Ibid.: 303.
158 Ibid.: 305.
particularly debilitating; here more than anywhere else one needs the confirmatory sense that others too share one’s convictions about which activities are worthwhile…Now on Aristotle’s theory of *eudaimonia* the flourishing human life consists essentially of morally and intellectually excellent activities. So the flourishing person will have a special need to share these activities, if his own interests in life are to be securely and deeply anchored.\(^{159}\)

Now we can fill out our example of character friendship further. Cooper argues, in shared activity, one’s enjoyment and interest are not limited simply to what one directly does oneself. He experiences, as a member of the group, what others do as his activity as well, where the group is regarded as the agent of the shared activity. As such, one’s involvement in such an activity is broader than in a completely solitary one for “there are, so to speak, many more places and types of contact with a shared activity than there can be for a private one.”\(^{160}\) These ideas about the sustained interest and pleasure in shared activity find support in experience. Consider political campaigners who share a common purpose and proselytize together, door-to-door, the message of their messianic political leaders. This example might suggest that there is a problem with the account sketched so far in that friends with similar characters might just serve to spur each other onward in following their misguided conceptions of the good. Recall, however, that the question is why friendship is valuable to humans as such, i.e. why it is valuable for an excellent human. Regarding friendship as being good for humans as such, i.e. for excellent humans, with, as we have seen, those with whom they have an affinity, namely other excellent humans, does not imply that it is good for humans of lesser moral stature to have friendships with others of the same level of moral stature.

\(^{159}\) Ibid.: 309.

\(^{160}\) Ibid.: 307.
The fact that friendship enables self-knowledge and more continuous activity helps to explain why even virtuous people benefit from and need friendships. Once the virtuous agent has these friendships, then he will value them in the ways described earlier in the discussion of kin friendships—they will be regarded as ‘other selves’ and he will value them as he values himself. Hence their flourishing will be essential to his. Although there is therefore significant value to be gained from friendships, they also involve risks and responsibilities. If one’s good friends are harmed, so is one’s own flourishing, which also explains in part one’s responsibilities to them. In the next section, we will examine the responsibilities involved.

2.4.1.1 Responsibilities

_Philia_ involves responsibilities. It involves at least one of the parties to it regarding herself as having particular responsibilities to the other party to the friendship. For example, a mother regards herself as having particular responsibilities to her child. And as children grow older, they typically regard themselves as having particular responsibilities to their parents.

Christopher Gowans claims that our responsibilities to intimates are rooted in the fact that we perceive the intrinsic and unique value of persons as well as the fact that some connection obtains between us and them.\(^{161}\) Let us consider these in turn. First, Gowans notes that a deep-seated aspect of our moral experience is that we regard individuals as valuable in themselves, i.e. we perceive them to be intrinsically valuable.\(^{162}\) In order to understand Gowans’ conception of the individual as intrinsically valuable, it is worthwhile to note how he thinks that his conception differs from Kant’s of respecting persons as ends in themselves. It differs from Kant’s idea in two respects: 1) Kant regards only the noumenal person—the person as a rational and free

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\(^{161}\) Gowans, "Moral Theory, Moral Dilemmas, and Moral Responsibilities," 22-3. The following discussion borrows heavily from Gowans’ account developed in this work as well as in ———, _Innocence Lost: An Examination of Inescapable Wrongdoing_, 117-49.

\(^{162}\) Gowans, _Innocence Lost: An Examination of Inescapable Wrongdoing_, 123.
agent—as an end in itself, but Gowans regards the whole person as such. The whole person includes not only rationality and autonomy, but also “empirical” aspects of the person such as a person’s “capacity for emotional response…physical comportment, and…particular history.”  163 2) Respect for persons, in Kant’s view, is a manifestation of respect for the moral law, but on Gowans’ conception, “we do not regard an intimate as intrinsically valuable by application of an a priori moral law, but through the experience of concrete interaction.”  164 It is via our interactions with the “empirically bodied and conditioned person” that we start to see her this way.  165 Gowans notes that we come to the idea of all human beings as intrinsically valuable via induction from particular cases as opposed to “an a priori apprehension of rational nature.”  166

Second, Gowans also thinks that a deep-seated aspect of our moral experience is that we regard individuals as having unique value. Once again, his view is best understood in terms of the contrast he draws with Kant’s view. In Kant’s view, the only property that is deeply morally relevant is rationality/autonomy; properties distinguishing individuals from one another are not so. In fact, in both Kantian and Utilitarian views, what is unique about individuals is not accorded fundamental moral significance.  167 In our moral experience, however, it is accorded fundamental moral significance—as we will see after we are finished with the description of the grounding of moral responsibilities.

Gowans notes that the view that individuals have unique value finds support in our attitudes toward the death of a loved one: we regard the loss of the person as an irreplaceable one

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163 Ibid.
164 Ibid.
165 Ibid.
166 Ibid.
167 Ibid., 124.
because we regard her to be uniquely valuable.\textsuperscript{168} This is why it is typically not comforting for a parent who has lost a child to be told that she can have other children. People, unlike CDs, are not fungible.\textsuperscript{169} Gowans notes that we can only understand the distress at the death of a loved one by assuming that each person has unique value.\textsuperscript{170}

Since we regard persons as being intrinsically and uniquely valuable, Gowans says, “we suppose that they are in various respects deserving, in and of themselves and irrespective of circumstances.”\textsuperscript{171} He gives the example of a child being deserving of food, independent of whatever factors give rise to the lack of it. Nonetheless, he notes that being deserving in this way does not immediately establish that anyone has moral responsibilities to this person.\textsuperscript{172}

According to Gowans, being intrinsically and uniquely valuable establishes the potentiality for responsibility, but in order for a responsibility to arise, some connection must be established between persons. The connections he notes are various: some of these are through family relation, friendship, love, nationality, agreement, knowledge, etc. He says that on the basis of at least one of these forms of connection and typical mutual recognition of the intrinsic and unique value of one another, a relationship may be formed.\textsuperscript{173} Constitutive of such relationships, he says, is an understanding that there is some form of responsibility on the part of each for the well-being of the other. He notes that, depending on the nature of the relationship, “the nature and scope of these responsibilities, as well as the extent of their symmetry and the degree to which they are well-defined” varies.\textsuperscript{174}

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\textsuperscript{168} Ibid.  \\
\textsuperscript{169} Ibid.  \\
\textsuperscript{170} Ibid., 125.  \\
\textsuperscript{171} Ibid., 127.  \\
\textsuperscript{172} Ibid.  \\
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\textsuperscript{174} Ibid.
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Moreover, Gowans notes that we can have moral responsibilities not only to near and
dear, which he regards as the paradigm of moral responsibilities, but also to strangers as long as
there is some, even momentary, connection to them and to social entities such as one’s
community, nation, family, religious institution, profession, company, etc. He notes that a
point of significant departure from the paradigm here is that “There is nothing that constitutes a
person as persons constitute social entities.” Social institutions have a life of their own
transcending both the persons who make them up and the needs of any specific persons. Since
such institutions do not depend on the membership of any specific persons, our responsibilities to
them, Gowans observes, are not reducible to a specific list of persons although typically they do
benefit a generally specifiable group of persons. Their importance is, Gowans says, “parasitic
upon the value of individual persons.” He remarks that social relationships and their
associated responsibilities are necessary for a flourishing life: “Human flourishing requires more
than individual relationships. It requires participation in collective forms of human activity.”
Importantly, he thinks that we regard “particular persons as direct objects of moral concern.”

We may differentiate some of our moral responsibilities to other agents in terms of a
distinction Avishai Margalit makes between what he refers to as “thick” and “thin” human
relations. Thick relations, he notes, “are grounded in attributes such as parent, friend, lover,
fellow-countryman” and so “are in general our relations to the near and dear”, whereas “thin”
relations “are backed by the attribute of being human” and so “are in general our relations to the

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175 Gowans gives the example of a sense of responsibility being generated to give directions by a momentary
encounter with a person looking for a road. He remarks, however, that this sense of responsibility is limited and
fleeting. Ibid., 129.
176 Ibid.
177 Ibid., 130.
178 Ibid.
179 Ibid.
180 Ibid.
181 Ibid., 130.
stranger and the remote.”

According to Margalit, it is the domain of ethics and morality to tell us how we should regulate, respectively, our thick and thin relations—the former being greatly concerned with loyalty and betrayal, and the latter with respect and humiliation. Behind these concerns are regulative ideals of such relationships. Tamar Schapiro explains:

Relationships like friendship and marriage are structured by constitutive rules. These rules are expressive of the ideals in light of which we see friendship and marriage as valuable, and it is by complying with these rules, more and less perfectly, that we make our friendships and our marriages more and less perfect realizations of their kind.

She notes further that compliance to these rules is often imperfect, e.g. friends not listening as attentively as they should, but draws a distinction between different types of noncompliance: ‘offenses’ and ‘betrayals’. According to Shapiro,

An offense issues from the standpoint of one whose basic commitment to the relationship is not in question. As such it has a bearing on the degree of perfection of the relationship, but it does not undermine the relationship’s basic integrity. A betrayal, by contrast, issues from the perspective of one who is legitimately subject to the demands of the relationship, but whose fundamental commitment to the relationship is in question.

As such, a putative betrayal calls into question whether the parties really are engaged in the type of relationship it seemed they were engaged in before the putative betrayal.

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183 Ibid.
184 Ibid., 85. He claims that ethical reasons for action are “grounded in the thick relations themselves, and not in the properties of those who are involved in the relations.” He gives the example, “I help her because she is my daughter” as fully justifying, ethically, helping her.
186 Ibid.: 54.
In both our moral experience and in Gowans’ normative view, what is unique about individuals is accorded fundamental moral significance. This is so because as we have seen, the unique and intrinsic value of persons and the fact that some connection or relation obtains between them and us, gives rise to our moral responsibilities, and “Statements of our responsibilities to persons are principal among the premises we appeal to in determining what, in the final analysis, we morally ought to do.” 187 We have already noted the fact that the relationships constituting these responsibilities form a fundamental part of flourishing. As such, given the role that uniqueness of individuals plays in constructing our moral responsibilities, it is accorded fundamental moral significance in our moral experience.

The neo-Aristotelian ethical view, as described earlier, like Gowans’ view, also sees our moral responsibilities as ultimately being responsibilities to particular persons or entities. As noted, a characteristic of the neo-Aristotelian view of flourishing is that it is agent-relative. Accordingly, in describing basic values and reasons, essential reference is made to the person for whom the value or reason exists. An implication of this is that the fact that a course of action conduces to an agent’s own projects and relationships provides an ethical reason for preferring it to another course of action. The individual qua individual, who she is in terms of her contingent practical identity, is on this view of ethical importance. An important part of who we are is determined by the roles that we play, and moreover, these roles determine many of our key responsibilities (and these are regarded as owed to specific persons). So for example, being a parent is an important role involving responsibilities to one’s children.

Gowans notes that on other ethical accounts, however, our ultimate moral responsibilities are not regarded as being to concrete specific persons or entities, but rather to some sort of abstraction. In Utilitarianism, for example, our ultimate moral responsibility is to maximize the

187 Gowans, Innocence Lost: An Examination of Inescapable Wrongdoing.
sum of goodness in all sentient creation. Responsibilities to particular persons, Gowans notes, are then regarded as secondary phenomena arising from this ultimate responsibility. He says, “these responsibilities are not so much to specific persons as they are responsibilities with respect to these persons.”

Kant also regards our ultimate moral responsibility as being to an abstraction and thus our responsibilities to specific persons as being secondary phenomena. In his ethical theory, our ultimate moral responsibility is to the moral law. Kant says, “the only object of respect is the law….All respect for a person is only respect for the law (of righteousness, etc.) of which the person provides an example.”

As such, these theories, in the terms of Den Uyl and Rasmussen, are impersonal ethical theories. As noted previously, then, persons are interchangeable and serve merely as placeholders “around which rules and abstract principles revolve.”

Classical Virtue-Ethical theory, insofar as it merely sees persons as opportunities for the exercise of virtue, also regards specific persons as secondary phenomena. Gowans contends that by replacing particular persons as direct objects of moral concern with an abstraction, these ethical theories misrepresent the true nature of our moral experience, distorting

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188 Ibid., 20.
189 Quoted in Ibid., 21.
190 Rasmussen, "Human Flourishing and the Appeal to Human Nature," 8. Margalit notes that there is a correlation between thin and thick descriptions and thin and thick relations and hypothesizes that “thin descriptions in reference to thin relations are more amenable to being couched in general principles than thick descriptions of thick relations” leading to the expectation that morality as he defines it would be more amenable to being couched in principles and ethics would depend on comparisons to paradigmatic cases. (Thick descriptions are more context-dependent in terms of cultural and historical factors, whereas thin descriptions are more context-independent.) Margalit, The Ethics of Memory, 38.
191 Although Aristotle might be understood by some to be a Classical Virtue Ethicist if one takes a Stoicizing interpretation of Aristotle such that a philos is only instrumentally valuable in that he provides the virtuous agent with opportunities for the exercise of virtue, I think that Aristotle is better understood as regarding philoi as providing the normal and preferred context for the exercise of the virtues as previously explained. Flourishing is comprised of virtuous activity. Consider the case of one’s child. One might regard the child as intrinsically valuable insofar as one would want him to exist, independent of any possibility of activity with respect to him. Alternatively, insofar as philoi are other selves, they are intrinsically valuable insofar as one’s self is intrinsically valuable. If we take this view, then we are not counting an attitude of love toward the child as being an activity. On the other hand, if an attitude of loving is an activity, then such an activity weakly approximates the kind of activity that comprises the flourishing life.
our relationships with other people. By contrast, Gowans regards our moral responsibilities as ultimately being responsibilities to specific persons or entities.

Since a virtuous agent’s ultimate moral responsibility according to the neo-Aristotelian ethical outlook is not to some moral abstraction, but to particular individuals or entities, a significant part of her moral project is to try to be adequately responsive to the particular needs of each. We may understand these responsibilities in terms of acting virtuously with respect to particular individuals or entities. In regard to thick relations, agents should act in accordance with the virtues characteristic of a paradigmatic agent in that role—or in Shapiro’s terms, according to the constitutive rules structuring the type of relationship. For example, a parent should act in accordance with patience and good temper. With respect to thin relations, agents should act in accordance with, for example, friendliness and justice. Acting virtuously in these contexts is a necessary condition of flourishing. According to this normative outlook, then, there is a possibility of not being able to fulfill one’s moral responsibility since responsibilities to individuals could come into conflict.

2.4.1.1.1 Parental Responsibility

One significant feature of the responsibility relationship between a parent and child is that the good parent’s responsibility for or commitment to the child’s welfare does not have any of the riders or escape clauses, implicitly or explicitly acknowledged, that attach to other types of important commitments. For instance, it is not like an ordinary promise, which it is at least implicitly understood might be broken under such-and-such conditions. Both parties to an ordinary promise rightly regard it as conditional. Consider our earlier case of an agent who promises to attend a co-worker’s party. On her way there, she encounters a car accident and stops to help the injured victims. By the time she is done, it is too late to attend the party.

192 Gowans, Innocence Lost: An Examination of Inescapable Wrongdoing, 21.
Helping injured accident victims encountered along the way to the party is understood to be covered by the implicit escape clauses attached to the promise, meaning that she need not keep the promise if she encounters such an accident on the way to the party. In this scenario, the reasons to help the accident victims override the reasons to keep the promise to the co-worker and the agent’s feelings accord with her reasons to act. In these conditions, we would find it ridiculous for the agent to feel guilty about not being able to keep her promise to attend the party, although we may view regret for her co-worker’s disappointment as justified. The norms and expectations governing the institution of promising make it the case that the agent should call her co-worker to explain what happened. By so doing, her co-worker understands that she was acting in accordance with an implicit escape clause and the agent does not count as having violated the relationship and she need not feel guilty.

Let us now consider the case of ordinary friendship. The commitment to a friendship seems to have certain kinds of riders attached to it that do not attach to the commitment a good parent has to her child. Consider the friend who has been a struggling stage actor for years. You have been there for her few ups in the acting world and consoled and encouraged her through the many downs. Finally, she gets the big potentially breakthrough role she has dreamed of for years. Your commitment to the friendship provides a *prima facie* obligation to attend the play. Not to attend might, in some cases, amount to a violation of this commitment. For instance, your attending the concert of your favorite band instead of going to your friend’s opening may be seen as a violation of this commitment. In the exceptional circumstance of your having landed a job interview after graduation in your extremely competitive field, however, your decision to attend the interview instead of the opening, does not count as a violation of the friendship, even though it will probably, to some extent, diminish the welfare of your friend. The commitment of friends
to one another’s welfare is a conditional one. To be a good friend, in part, is to promote your friend’s welfare, provided that certain conditions do not arise. Thus if one does not promote a friend’s welfare due to one of these conditions arising, one does not count as having violated or betrayed the friendship, nor does one view oneself as having done so.

The constitutive rules of the parent-child responsibility relationship, however, do not appear to include the kinds of riders and escape clauses that I have suggested attach to ordinary promises or friendship relationships. We think that parents, in general, are responsible for the welfare of their children, that they have an obligation to its maintenance, and not merely one that is *prima facie*. Additionally, we think that the good parent recognizes this and has an extremely strong commitment to the welfare of her children. Conditions that may provide an agent with reasons to view her other commitments as lessened or nullified, such as that she is stricken with a severe physically debilitating disease, do not seem to do the same for her commitment to her children, for the responsibility she views herself as having for their welfare. Moreover, we tend to think that this is the kind of perspective on her commitment that a paradigmatically good parent should have and we fully expect that her feelings will express the strength of this commitment in, for example, feelings of frustration and anger at being unable to act in the way that she thinks she should.

It is not being suggested that a parent’s responsibility for her child’s welfare is such that she will never have reason to act other than to promote it, but rather that such an act constitutes a betrayal of her responsibility relationship to the child. For a parent to fail to prevent harm to her child above a certain threshold is to violate that relationship, because the relationship includes no escape clauses for such harms.
It is not only an agent’s intimate relationships that are important to a flourishing life, but also her projects. The good of these serve as the objects of much of the activity of an agent who is regarded as flourishing. It is readily apparent that such an agent cares very much for her projects and relationships. Not only is she heavily invested in them in terms of time and effort, but what happens with respect to them tends to have a big impact on her psychologically. Since so much of an agent’s life is tied up in such projects, it is not surprising that her flourishing is dependent upon them in important ways. Projects serve as realms which determine the content of a significant portion of an agent’s virtuous activity. For instance, a large portion of the virtuous activity of an athlete training for the Olympics would presumably come in the context of that project. In pursuit of her goal she would, for example, have to exhibit great perseverance, temperance, and the like. The agent shows a high degree of commitment to specific ends and takes time to develop the requisite skills to be successful in that project.

Given an individual’s nexus, certain projects will be more suitable to her than others. She will exhibit excellence in creative achievement with respect to the particular projects that she pursues. Loss of this project will then represent a loss in being able to exercise a developed set of excellences.

2.5 CONCLUSION

In this chapter the key characteristics of neo-Aristotelian flourishing in general have been described. It is: 1) objective; 2) inclusive; 3) individualized; 4) agent-relative; 5) social; and 6) self-directed. More specifically, neo-Aristotelian flourishing is virtuous activity with a sufficient supply of external goods for a lifetime. We have seen that virtuous activity is acting both from and in accordance with virtue. Of the external goods, we have examined an agent’s close personal relationships and projects as forming essential parts and conditions of an agent’s
flourishing. With these ideas in hand, we will in later chapters be able to account for the phenomenology of tragic dilemmas as rationally justified.
CHAPTER 3: TRAGIC DILEMMAS AS SITUATIONS OF INESCAPABLE CULPABLE WRONGDOING

3.1 INTRODUCTION

In Chapter 1 we saw that tragic dilemmas are situations in which the feeling of guilt is inescapable: tragic agents feel guilty no matter what they do. Moreover, we have strong intuitions that it is appropriate for them to feel this way. The philosophical debate, however, centers on the question of whether the phenomenology discussed in Chapter 1—the first person’s feelings of guilt, taint, and the need to make amends, the second person’s resentment and forgiveness, and the third person’s tragic fear and pity—is rational or fitting, i.e. whether it is justified by the moral facts of tragic dilemmas. It is justified only if the agent is morally responsible for wrongdoing in a tragic dilemma. As we saw in Chapter 1, the Rationalist ethical theories of Classical Virtue Ethics, Utilitarianism, and Kantianism all deny that tragic dilemmas are situations of inescapable wrongdoing. This denial leads to the conclusion that the phenomenology just described is not fitting. In this chapter, I argue that the tragic agent is morally responsible for wrongdoing in a tragic dilemma; this enables us to say that the phenomenology is fitting. In Chapter 4, then, I will explain in detail the resultant fittingness of the phenomenology surrounding tragic dilemmas.

In 3.2 I present Aristotle’s account of moral responsibility. In 3.3 I describe some of the prominent neo-Aristotelian views that deny that tragic dilemmas are situations of inescapable wrongdoing. In 3.4 I canvas some of the Aristotelian views that accept that tragic dilemmas are situations of inescapable wrongdoing and in 3.5 I present an account of neo-Aristotelian wrong action that gives prime importance to what is of ultimate ethical importance in neo-Aristotelian ethical theory: flourishing.
3.2 ARISTOTLE’S GENERAL ACCOUNT OF MORAL RESPONSIBILITY

To be morally responsible for Ø, where Ø may be an action, character trait, and so forth, is to be worthy of a particular kind of reactive attitude—something in the family of praise or blame—for it. Since we are dealing with tragic dilemmas, our discussion of moral responsibility will focus on moral responsibility for actions. Aristotle, in the *Nicomachean Ethics*, provides a basic account of moral responsibility for actions. His account, in particular, sets out the conditions in which praising or blaming agents for their actions is appropriate. According to Aristotle, a moral agent is properly praised or blamed for actions which are voluntary, where voluntariness is spelled out in terms of a control condition and an epistemic condition. The control condition requires that the action have its origin or principle in the agent (*NE* III.1 1110a16). What this means is that the agent’s beliefs and desires (rational or non-rational) are together the efficient cause of her action. In other words, they are, as Aristotle notes, the principle of moving the limbs which are the instruments of action (*NE* III.1 1110a16). This excludes, then, actions done by force: “What is forced has an external principle, the sort of principle in which the agent, or [rather] the victim, contributes nothing” (*NE* III.1 1110a2-4). Here, Aristotle gives the example of being under the control of wind or people who carry one off—in such cases, the control condition is violated because the agent’s beliefs and desires do not serve as the origin of her movement. Thus, as long as it is up to the agent to do or not to do a particular action the control condition of voluntariness is satisfied.

The epistemic condition for ascribing voluntariness requires that the agent be aware of what she is doing or bringing about. She must be aware of “the particulars that constitute the

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194 Ibid.
Aristotle defines these particulars as “who is doing it; what he is doing; about what or to what he is doing it; sometimes also what he is doing it with—with what instrument, for example; for what result, for example, safety; in what way, for example, gently or hard” (NE III.1 1111a4-7). Of these, Aristotle thinks the most important in terms of playing a role in making the action involuntary is ignorance of what an agent is doing and for what result (NE III.1 1111a19). For instance, Aristotle notes that by giving someone a drink to save his life, we might kill him. We might not regard this action as voluntary if the agent through nonculpable ignorance thought she was giving someone a drink of water to quench his thirst, but unbeknownst to her, the jug she thought contained only water actually contained water laced with arsenic. In such a case, she would not know what she in fact was doing. Therefore the epistemic condition for ascribing moral responsibility for an action depends, in part, on how the action is described. The relevant description is the description under which an agent’s action is intentional, where ‘intentional’ applies both to the end the agent is trying to achieve and to the means employed. As noted earlier in the discussion of the control condition, an action is voluntary only if it proceeds from the agent’s beliefs and desires. What the epistemic condition accounts for is the fact that in assessing voluntariness we want to know whether the agent has true beliefs about the circumstances of her action so that what she intentionally sets out to do is in fact what she does. If she does not have true beliefs regarding the circumstances of action and if the resultant action is one that she would not have done if she had had true beliefs about her circumstances, then the action is not a voluntary one.

196 Aristotle refers here to “the particulars which the action consists in and is concerned with” (NE III.1 1111a3).
197 The question arises whether an agent is morally responsible not only for her intentional actions, but also for the unintended but foreseeable consequences of her actions. For example, an agent may intend to bomb a munitions factory in order to further the war effort against an enemy, but foresees that this bombing will result in the deaths of innocent civilians living around the factory. Is she morally responsible for these deaths? It seems that in response we must say that the agent is morally responsible for the foreseeable consequences of her action, since as Anscombe
We must, however, in the category of actions done in ignorance of the significant particulars, distinguish as Aristotle does between actions that are nonvoluntary and those that are involuntary. The basic idea here is that if an agent does something in ignorance, but does not object afterward to the action, then the action is done “neither willingly, since he did not know what it was, nor unwillingly, since he now feels no pain”\(^{198}\) \((NE\ III.1\ 1110b22)\). The action is categorized by Aristotle as nonvoluntary.\(^{199}\) This supports the aforementioned view that voluntary actions accord with an agent’s desires. If, on the other hand, the agent regrets the action, then the action is involuntary since it is contrary to the agent’s desires at the time of action. To sum up, as long as the agent has the power to do or not to do a particular action and so long as she has sufficient knowledge regarding what she is doing, she satisfies both the control and epistemic conditions for voluntariness as laid out by Aristotle.

In addition to satisfying the control and epistemic conditions for voluntariness, an agent must also be a moral agent in order to be a proper candidate for praise and blame. For according to Aristotle, there is a broad sense of voluntary action such that any being that acts on desires, e.g. children, madmen, and non-human animals, counts as acting voluntarily, but is not an apt candidate for praise and blame \((NE\ III.2\ 1111b7-9,\ 1149b35)\). It is only beings who are capable of acting for the sake of a conception of the good, i.e. those who are capable of prohairesis or

\(^{198}\) Irwin translates “willingly” and “unwillingly” instead of “voluntarily” and “involuntarily”.

\(^{199}\) Although Aristotle does not discuss this explicitly, it seems that agents must be held to be open for ascriptions of blame or praise based on their pain (or lack of pain) responses to actions that are bad or good. So for instance, if the action done in ignorance is a bad action and the agent feels no pain, then she is blameworthy for her unfitting lack of pain. This lack indicates that she does not adequately appreciate the badness of the action and she is blameworthy for that lack of appreciation. If, on the other hand, she does feel pain, then she may be praised for her appreciation. Likewise, if the action done in ignorance is good, then if the agent feels pain she is blameworthy and if she does not, then she may be praised. In all of these cases, the agent is not blameworthy or praiseworthy for the action per se, but rather for the kind of character that she has as revealed by her pain (or lack thereof) in response to her action done in ignorance.
acting on rational desire (*boulesis*), that are, on Aristotle’s view, moral agents and hence apt candidates for praise and blame. The moral evaluations of agents implicit in judgments of praise and blame are only fitting for those capable of acting otherwise with respect to moral ‘oughts’ and it is agents who are capable of being guided in their actions by conceptions of the good that have this capacity. Those agents who do not have this capacity, i.e. those who can act voluntarily only in the sense of being able to act on appetitive or spiritive desires (*NE* III.1 1111a25), are not moral agents and hence they are not apt candidates for praise and blame.

As such, moral agents are fitting candidates for praise and blame on the basis of their actions satisfying the control and epistemic conditions. In other words, these are the actions for which an agent is morally responsible.

### 3.2.1 Moral Responsibility for Mixed Actions

There is a category of actions the voluntariness or involuntariness of which is not initially entirely clear—this is the category of what Aristotle refers to as “mixed” actions. In discussing mixed actions, Aristotle is interested in actions of a vicious type, instead of actions that are of a morally neutral or virtuous type. The latter are not relevant to our discussion of moral responsibility because we are interested in tragic dilemmas, which as we saw in Chapter 1 involve actions that have grave moral considerations against them. In other words, they are actions of a vicious type. Mixed actions are the kinds of actions “done because of fear of greater evils” as in “a tyrant tells you to do something shameful, when he has control over your parents and children, and if you do it, they will live, but if not, they will die” (*NE* III.1 1110a5-8).

Another example is throwing cargo overboard in a storm in order to save oneself or others (*NE* III.1 1110a12). These actions seem to have an involuntary aspect insofar as they are done under duress. The threat of violence against one’s family, for instance, seems to make it the case that
the action undertaken in the circumstances is, in some sense, against the agent’s will, i.e. contrary to the agent’s rational desires, thus violating the control condition of voluntariness. The virtuous agent does not, for example, have a rational desire to do something shameful as in the tyrant case. The fact that she does, then, seems to suggest that the action should be considered to be involuntary. Consider the case of throwing the cargo overboard. Aristotle notes that the action has an involuntary aspect insofar as it is not the kind of action that is done willingly without qualification (NE III.1 1110a19)—meaning that an agent would not choose to do such an action for itself as a constituent part of eudaimonia. On the other hand, the mixed action does not seem to be forced in the same way that an action is forced if one is pushed by a wind or grabbed by others. It does not, then, obviously violate the control condition of voluntariness and in fact, insofar as it is an action undertaken in order to save oneself or others, the action seems to have a voluntary aspect. As such, the action seems to be a mixture of involuntary and voluntary elements and hence is labeled “mixed” (NE III.1 1110a11).

The problem with such a description of mixed acts, however, is that it does not exclude akratic actions from being mixed (for these also are not chosen as constituent parts of eudaimonia). How are the two categories of action to be distinguished? They are to be distinguished by consideration of whether or not the agent is morally responsible for the contrary-to-eudaimonia action alternative before her being a live option. In the case of mixed actions, the agent is not responsible for this—she is a victim of circumstances. In the akratic actions case, however, the agent is responsible for the fact that akratic actions are live options for her—they are live options for her due to defects in her character and according to the Aristotelian view, an agent is responsible for her character. Moreover, the agent in doing a mixed action is acting on an approximation of a rational desire, but the incontinent agent does not act on a
rational desire at all, but rather acts on appetite and so this provides an additional way of differentiating the akratic from the mixed action (NE III.2 1111b14). In other words, the mixed action accords in some sense with decision, but the incontinent action is clearly against one’s decision (NE VII.8 1151a7).

In spelling out the control condition of voluntariness it was noted that an act satisfies it if it has its origin or principle in the agent’s beliefs and desires. If the mixed act is to satisfy the control condition, then we need an account of how it comes from the agent’s beliefs and desires. This is puzzling in such cases because in a way the mixed act seems contrary to an agent’s desires insofar as it is, as noted above, shameful, but in another way it seems to accord with an agent’s desires insofar as it is taken in order to save oneself or others. Michael Stocker says,

There is...a simple eudaemonist reason for seeking and getting those [eudaimonic] goals even where that will not conduce to eudaimonia: to the extent one does not have them, one’s life is less human and less good...The absence of eudaimonia can be treated concretely, as having determinate and evaluable content. Being further away from eudaimonia is, in itself, worse than being closer to it. Michael Stocker, "Dirty Hands and Conflicts of Values and of Desires in Aristotle's Ethics," in Plural and Conflicting Values (Oxford: Clarendon Press, 1990), 70-1.

Considering the tyrant case, the point here is that it is better to pursue the goal of safeguarding one’s family, given that philia is part of eudaimonia, at the cost of doing something shameful (which is not part of eudaimonia), than to allow one’s family to die, because in so doing one is closer to eudaimonia, which is objectively a better place to be. Another way, then, of

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200 Clearly, the epistemic condition of voluntariness is satisfied in the mixed action cases: the agent is aware of “the particulars that constitute the action”, e.g. what she is doing and for what result, and so forth.
distinguishing mixed acts from instrumental ones is to note that mixed acts are of types that detract from a *eudaimon* life. Instrumental actions, on the other hand, are of types that are indifferent with respect to a *eudaimon* life. Another way of putting the point is that we would expect not to find mixed actions in a *eudaimon* life, whereas we would expect to find ordinary instrumental actions in a *eudaimon* life. To consider Aristotle’s example of throwing cargo overboard as an example of a mixed action, for example, it is part of the type *destroying one’s property*, which is a type that is not part of a *eudaimon* life. The nature of the act is such that it detracts from a *eudaimon* life. Nonetheless, the token is one that in the circumstances an agent is in an important sense forced to do. Brushing one’s teeth, on the other hand, although not sought for itself as part of *eudaimonia*, is of the type *preventing tooth decay*, which is part of the broader type *health*, which is itself sought as part of *eudaimonia*. The nature of this act is not such that it (obviously) detracts from *eudaimonia*.

Getting back to the case of the tyrant, the desire to safeguard one’s family by doing the shameful action is a desire to best approximate *eudaimonia* in the mixed action scenario and a desire to best approximate *eudaimonia* is a rational desire. As such, we can make sense of the origin of the agent’s mixed action as being in her beliefs and desires and therefore as satisfying the control condition. As Aristotle notes, such actions are more like voluntary actions for “at the time they are done they are choiceworthy, and the goal of an action accords with the specific occasion; hence we should also call the action voluntary or involuntary on the occasion when he does it.” Moreover, since “the principle of the actions is in him, it is also up to him to do them or not to do them” and hence in the final analysis mixed actions are voluntary\(^{202}\) (*NE III.1 1110a12-17*).

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\(^{202}\) Aristotle adds, “though presumably the actions without [the appropriate] qualification are involuntary, since no one would choose any such action in its own right” (*NE III.1 1110a19*).
We do, however, need to be more specific about what we mean in saying that the agent facing mixed action is morally responsible for a bad or shameful action. First of all, we should note that the agent is not morally responsible for the fact that something bad is going to happen in her situation. In other words, she is not morally responsible for the fact that she faces only alternatives that are contrary to *eudaimonia*—these situational constraints have their origins either in another agent, as in the tyrant case, or in nature, as in the cargo case. Rather, what the agent who does a mixed action is morally responsible for is which *particular* bad or shameful action occurs because the origin of that action occurring instead of another is in her. For example, in the tyrant case, the agent is morally responsible for either doing the shameful action Aristotle mentions (the nature of which Aristotle leaves unspecified) or not doing it (omission) and thereby shamefully letting his family die. In the cargo case, the agent is morally responsible for either the bad action of throwing the cargo overboard or the bad omission of failing to save himself and others by not throwing the cargo overboard.

### 3.2.2 Moral Responsibility for Tragic Actions

Let us now see how the above analysis applies to Sophie’s tragic action as a representative case and thereby assess the tragic agent’s moral responsibility or lack thereof for it. First of all note that her tragic action has both an involuntary and a voluntary aspect. It has an involuntary aspect in that she has to do something contrary to *eudaimonia*: she has to violate her obligation to one of her children in calling out her name to be taken away to die. The action also has a voluntary aspect in that she does it in order to prevent a worse outcome, namely, violating her obligations to both of her children and thereby having both of them taken away to die. Protecting one of her children from death best approximates *eudaimonia* in her circumstances. In sum, the tragic agent faces a situation, through no fault of her own, in which she must do something repugnant to
eudaimonia for the sake of best approximating eudaimonia in the circumstances—i.e. she faces a situation in which she must do a mixed action.

With respect to the control and epistemic conditions for voluntariness, Sophie’s action is a voluntary one. She emits the words announcing her decision of which child to send to its death, the principle of that action is in her; nothing external to her causes the words expressing her decision to be emitted. As such, she satisfies the control condition. Also, Sophie’s action satisfies the epistemic condition under the description according to which it is intentional. Her intent is to prevent both of her children from being killed by picking one to die. In calling out Eva’s name, she intends to let her be killed so that both of her children are not killed. As such, Sophie’s action is not one done through ignorance—she knows what she is doing and for what result, etcetera and so satisfies the epistemic condition. Moreover, it is also clear that she is a moral agent, one capable of prohairesis. We have already described how her action accords with rational desire. Hence having satisfied the conditions of voluntariness specified in Aristotle’s account, Sophie is morally responsible for her tragic action. Since Sophie’s tragic dilemma is representative of other tragic dilemmas in the relevant particulars, tragic agents are morally responsible for their tragic actions. Having thus established one of the conditions for the fittingness of the phenomenology surrounding tragic dilemmas, we will next determine whether tragic dilemmas may be properly construed by neo-Aristotelian virtue ethics as situations of inescapable wrongdoing.

3.3 THE NEO-ARISTOTELIAN DENIAL OF INESCAPABLE WRONGDOING

One contemporary neo-Aristotelian ethicist who denies that tragic dilemmas are situations of inescapable wrongdoing is Philippa Foot. This is due to her adoption of a particular conception
of wrongness according to which actions are wrong only if they count against an agent’s goodness. She says:

…”wrong" as understood in moral contexts applies to actions that count against a person's goodness: the goodness spoken of in the serious, non-ironical, designation of an individual as one of the great and the good. So if we want to accept 'wrong if you do, wrong if you don't' as an intelligible possibility, and still keep this negative relation between doing what is wrong and personal goodness, we have to revamp the latter notion to make that goodness vulnerable to the "taint" of involvement in a horrifying, humiliating, or tragic situation, or to the hatred of the gods; and then say that a choice that involves such badness is "wrong". 203

Foot’s position that the tragic action need not be wrong is lent support if we think that an agent’s action that accords with the correct conclusion of moral deliberation, i.e. it accords with what all things considered she ought to do, even though that action involves ‘badness’ in some sense, does not count against an assessment of an agent’s goodness. In contrast, we may think that the strength needed to do the bad action in a tragic dilemma, something that needs to be done in the circumstances, only serves to confirm our evaluation of the person as “one of the great and the good”. Foot’s view, however, is not only that the tragic action is not wrong, but that it is right. She says, in response to those who contend that in a tragic dilemma the agent does what is wrong, that 'wrong' cannot mean what it usually means, for then the lesser evil "is still wrong, with a wrongness that is not incompatible with rightness". 204 She echoes a position commonly

204 Ibid., 187.
held by the Rationalists: an agent who acts in accordance with the correct conclusion of moral
deliberation does right.\textsuperscript{205}

Christine Swanton offers another neo-Aristotelian view according to which the action
taken in a tragic dilemma need not be wrong, and may well be right. Swanton argues that virtue- based evaluations of acts

allow us to think of ‘actions’ as embracing demeanour, motivation, processes of
deliberation and thought, reactions, and attitudes. We can describe them as
strong, or decisive, or courageous; or as cowardly, feeble, pathetic, vacillating.

We can describe them as dignified or weak. In short, the choice of a repugnant
option can be understood as right (virtuous overall) when we take account of the
full nature of the action, including the way it was done.\textsuperscript{206}

On Swanton’s view, then, the notion of ‘action’ is modified to encompass more than it is
standard for it to encompass. According to her view, it is possible that Sophie could have done a
right action if she had “acted as a good mother in that situation” or perhaps “she had to rise
above the normal traits of goodness in mothers, and virtuous action required a certain coolness
and deliberateness”, it had to display “calmness and strength in the process of choice”.\textsuperscript{207} The
idea seems to be that a more encompassing notion of action, including things such as motives,
manner, et cetera may serve to inoculate the bad thing done in a tragic dilemma from an
ascription of wrongness, and moreover, make it right.

\textsuperscript{205} Ibid.

\textsuperscript{206} Swanton, \textit{Virtue Ethics: A Pluralistic View}, 247. An exception here must be made with respect to those types of
actions that Aristotle regards as absolute wrongs. Aristotle says that not every action admits of the mean, that the
names of some “automatically include baseness”. Among these he cites adultery, theft, and murder. He notes that
these are base themselves, not their excesses or deficiencies. He says, “in doing these things we can never be
correct, but must invariably be in error. We cannot do them well or not well…it is true without qualification that to
do any of them is to be in error” (\textit{NE} II.6 1107a10-18).

\textsuperscript{207} Ibid., 248.
Thus, according to the neo-Aristotelian ethical theories of Foot and Swanton\textsuperscript{208}, tragic dilemmas are not situations of inescapable wrongdoing. On the contrary, the tragic action may very well be a right one. Foot’s position amounts to the Rationalists’: the tragic action is a right one so long as it accords with the correct conclusion of moral deliberation. Swanton thinks that the tragic action is right if the agent acts virtuously overall, which is something that can be determined by noting things such as the agent’s demeanor, attitude, and so forth.

Rosalind Hursthouse also denies that tragic dilemmas are situations of inescapable wrongdoing, but her reasons for doing so are a bit more complicated. She thinks that although a tragic agent may make the morally right decision of what to do in a tragic dilemma, i.e. the one that accords with the correct conclusion of moral deliberation, nonetheless the action taken will not be a right one. Recall that tragic dilemmas are situations in which the thing to do is to “kill someone, or let them die, to betray a trust, to break a terribly serious promise”,\textsuperscript{209} and so forth. Thinking that the tragic action is too horrible to be called right, she distinguishes between decision and action assessment and says that although the decision to do the horrible thing in a tragic dilemma may be right, the action itself is not.

A moral decision is right if and only if it has the weight of moral reasons behind it. As noted in Chapter 1, tragic dilemmas can be either resolvable or irresolvable. A resolvable tragic dilemma is one in which one of the action alternatives has the net weight of moral reasons in its favor.\textsuperscript{210} An irresolvable tragic dilemma is one in which neither of the action alternatives has the

\textsuperscript{208}Swanton perhaps should not be classified as a neo-Aristotelian because she does not ground virtue solely in a theory of human nature and flourishing. As she notes, neo-Aristotelian virtue ethics is “characterized by an attempt to combine eudaemonism and naturalism through the unifying idea of the perfection of our (rational) nature—its substantive understanding of excellence qua human being.” Ibid., 94. Instead, her theory of virtue is pluralistic: different virtues may be grounded in “flourishing, admirability, success (worthwhile achievement), or meaningfulness.” ———, \textit{Virtue Ethics: A Pluralistic View}, 93. Nonetheless, in many respects her views are similar to those of neo-Aristotelians.

\textsuperscript{209}Hursthouse, \textit{On Virtue Ethics}, 78.

\textsuperscript{210}Recall that on this account the fact that one action is the lesser evil counts as a moral consideration in its favor.
net weight of moral reasons in its favor as compared to the other action alternative, although the weight of moral reasons does support doing either one of the actions as opposed to doing nothing. According to Foot’s account, if the decision to Ø is right, i.e. it has the weight of moral reasons behind it, then Ø is a right action. Likewise, if the decision to Ø is wrong, i.e. it does not have the weight of moral reasons behind it, then Ø is a wrong action. In other words, the deontic status of actions is determined by whether or not they accord with the correct conclusion of moral deliberation.

Hursthouse, however, denies this direct correspondence, at least with respect to a morally right decision in a tragic dilemma. In her account, the deontic status of the action does not necessarily accord with the deontic status of the decision, at least not for right action. In order to understand this view, we first need to note that she thinks that it is standard for accounts of right action to provide both action guidance and action assessment. According to Hursthouse, the action one is guided to do by an account of right action, i.e. the action that all things considered one ought to do in the light of that account, is one that is also positively evaluated. It is an act, as Hursthouse puts it, that “merits praise rather than blame, an act that an agent can take pride in doing rather than feeling unhappy about, the sort of act that decent, virtuous agents do and seek out occasions for doing (given the truism that ‘the virtuous agent does what is right’).” It is “one that leaves her with those ‘circumstances [so] requisite to happiness’, namely, ‘inward peace of mind, consciousness of integrity, [and] a satisfactory review of [her] own conduct’ as Hume so nicely puts it.” It is action that upon assessment gets “a tick of approval, as a good deed.”

212 Hursthouse, On Virtue Ethics, 46.
213 Ibid., 78.
example, consider a seasoned professor at a conference who is mulling over whether he should approach an anxious young professor to provide encouragement. The young professor has not made any comments over the course of many sessions, but the veteran professor knows that he has interesting things to say about a number of topics that are being discussed based on his reading of a couple of the young professor’s papers. All things considered, let us grant, the professor is guided to do it. Moreover the action is presumably positively evaluated as being generous and contrary to no virtue. Thus action guidance and action assessment do not here come apart. Hursthouse argues, however, that there are cases in which they do come apart. Consider the following example that she gives. After promising marriage to two women, $A$ and $B$, a man impregnates both. He can only marry one and we suppose that abandoning $A$ is worse than abandoning $B$. He makes the morally right decision, then, in marrying $A$ and does what he ought to do in the circumstances, all things considered. Although he does what he is morally guided to do in this poor situation that he has created, his action is not positively evaluated. He should not experience inward peace of mind or the like because he has abandoned $B$. Moreover, Hursthouse notes, even in resolvable moral dilemmas in which the agent is not at fault for creating the dilemma, “the lesser of the two evils that she ($ex \ hypothesi$ rightly) decides to opt for will still not be a morally right or good act”\textsuperscript{214} Although the agent is guided to do it, it is not positively evaluated and so action guidance and action assessment come apart. Rather than leaving her with “‘inward peace of mind, consciousness of integrity, [and] a satisfactory review of [her] own conduct’”, such an act leaves the agent with some kind of negative remainder such as guilt.

This separation of action guidance and action assessment is, according to Hursthouse, true of tragic dilemmas. The answer to “Which is the morally right action (with no qualification

\textsuperscript{214} Ibid., 47.
about remainder, the good action about which the agent need feel no regret), \( x \) or \( y \)?” in such dilemmas is neither.\(^{215}\) Therefore, although the morally right decision in resolvable tragic dilemmas is to do the action with the weight of moral reasons behind it and in irresolvable dilemmas it is to opt for either of the actions, the action done in neither dilemma is a morally right or good action in terms of action assessment. We can, however, say in a resolvable dilemma that the action with the weight of moral reasons behind it is right in terms of action guidance and less wrong than the alternative action in terms of action assessment. Consider again the presumably resolvable tragic dilemma of Captain Vere. Neither hanging Billy Budd nor betraying the King are good actions. The same is true of an irresolvable tragic dilemma such as Sophie’s. Although the morally right decision is for her to opt for one or the other of her children to be killed, neither action that accords with this decision can be positively evaluated. We would expect her to experience a dissatisfactory review of her conduct and to feel guilty. Consider further that although Agamemnon makes the morally right decision in saving the troops, how odd it sounds to say to Agamemnon “You were right to kill your daughter in order to save the troops”. One might say, “It was what you had to do”, but saying that what he did was right seems to give it an objectionable tick of approval as a good deed.

Hursthouse, then, can be seen as adopting the following position: an action is right full-stop (i.e. without qualification) if and only if it both accords with the right moral decision and it is also assessed positively in terms of the sort of act it is (i.e. it is of an action-type such that it can be correctly referred to as a good act or a right action-type). In other words, there are two necessary and jointly sufficient conditions for an action to fulfill in order for it to be right full-stop: it must be right in both the action guidance sense (i.e. it accords with the right moral

\(^{215}\) Ibid.
decision)\textsuperscript{216} and in the action-assessment sense (i.e. it is a token of a right action-type, thereby getting a tick of approval). As such, tragic actions, although according with the correct conclusion of moral deliberation, are not assessed positively due to their horribleness, and therefore they are not right actions full-stop.

So opposed is Hursthouse to giving the tragic action her “tick of approval” as right, that she modifies her account of right action to the following:

An action is right iff it is what a virtuous agent, would, characteristically, do in the circumstances, except for tragic dilemmas, in which a decision is right iff it is what such an agent would decide, but the action decided upon may be too terrible to be called ‘right’ or ‘good’. (And a tragic dilemma is one from which a virtuous agent cannot emerge with her life unmarred.)\textsuperscript{217}

Right ‘action’ in the first instance should be understood to imply both guidance and assessment, which Hursthouse notes is standard in an account of right action. (In other words, the moral reasons favor doing it in the circumstances, and it is an act of the right action-type.) In the second instance, however, given that the action taken in a tragic dilemma is not of the right action-type, it is no longer to be referred to as right action (in the terms developed above) full-stop. The tragic agent is guided to take an action in a tragic dilemma (i.e. to perform a specific action-token), but since this action is not of the right action-type, Hursthouse does not wish to refer to the action taken as right full-stop. Instead, she prefers just to refer to the rightness of the decision.

In summary, Hursthouse’s view regarding action assessment is that in tragic dilemmas, neither of the action alternatives can be called right ones. She does not, however, go so far as to

\textsuperscript{216} Alternatively we could describe it as according with the correct conclusion of moral deliberation, i.e. it is what all things considered an agent ought to do.

\textsuperscript{217} Hursthouse, \textit{On Virtue Ethics}, 79.
say that all the action alternatives in a tragic dilemma are wrong. Let us examine some of her reasons for this denial. Consider her following claims. First, she says that there are some dilemmas from which even a virtuous agent cannot emerge with her life unmarred:

…not in virtue of wrongdoing (for *ex hypothesi*, in making a forced choice, the agent’s blameless), and not in virtue of having done what is right or justifiable or permissible (which would sound very odd), but simply in virtue of the fact that her life presented her with *this* choice, and was thereby marred, or perhaps even ruined.\(^\text{218}\)

Second, in discussing whether guilt and/or remorse are fitting remainders for the tragic agent she questions what wrong the agent committed:

That she did \(x\)? But she has a cast-iron justification for having done \(x\): *ex hypothesi*, she had to do \(x\) because doing \(y\) would have been so much worse. She is quite blameless (given that she is faced with the dilemma through no fault of her own), and how could guilt or remorse be appropriate if she is blameless?\(^\text{219}\)

The typical logical connection between wrongdoing and blameworthiness is noted. If an agent engages in wrongdoing then she is blameworthy, but since the tragic agent is blameless, she has not engaged in wrongdoing. Consequently, although the tragic agent takes a terrible course of action, because she is forced into having to take a terrible course of action, she is not blameworthy for it as she would be if she freely chose to do a bad thing such as, for instance, holding her child’s head under water until he drowns. We have established, then, that according to Hursthouse an action is right full-stop if and only if it both accords with right moral decision.

\(^{218}\) Ibid., 74-5.

\(^{219}\) Ibid., 76.
and is good. If an action accords with right moral decision but is not good, then it is neither right nor wrong full-stop.

In summary, none of the neo-Aristotelians canvassed regard tragic dilemmas as situations of inescapable wrongdoing. Foot, wanting to keep a negative relation between doing what is wrong and personal goodness, thinks that because what the tragic agent does in the tragic dilemma does not count against her personal goodness, the agent does not do wrong. Swanton, adopting a broad notion of action that incorporates an agent’s attitudes, reactions, and so forth, thinks that if these are virtuous, they can serve to inoculate a repugnant action from being one of wrongdoing. Hursthouse, keeping the standard connection between wrongdoing and blameworthiness notes that tragic agents are blameless for doing what they do and hence thinks that it is incorrect to suppose that the tragic action is a wrong one.

There appears to be one standard of wrong action underlying all of these denials of tragic dilemmas being situations of inescapable wrongdoing: An action is wrong if and only if, done in the circumstances in which it is done, it counts against an assessment of the agent’s goodness. We have seen that in the accounts of Foot and Hursthouse, this means that the agent acts contrary to what, all things considered, she ought to do, i.e. she acts contrary to the correct conclusion of moral deliberation. Swanton inoculates what a horrible action might ordinarily suggest about an agent’s character who does it by developing a broader sense of action incorporating an agent’s manner, attitudes, and so forth. If these latter are virtuous, then the action does not count against an agent’s goodness and is not wrong. \(^{220}\)

3.4 A NEO-ARISTOTELIAN ACCOUNT OF INESCAPABLE WRONGDOING

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\(^{220}\) At this point it should be noted that ‘action’ henceforth will be used in its typical consequentialist sense as opposed to the broader sense Swanton gives it. In other words, it will exclude considerations of an agent’s attitudes, reactions, and so forth.
In this section, I will develop an account of wrong action, according to which the action options in a tragic dilemma are both wrong, making it a situation of inescapable wrongdoing. This view has its grounding in *action* as opposed to *agent* assessment—that is, we may evaluate an action as being of a certain type independent of considerations of an agent’s intention in doing such an action and the way she does such an action. Considering the agent’s intention and way of acting are pertinent to an evaluation of her character, but not necessarily to an evaluation of her action as being of a certain type. The account I develop takes as its starting point Hursthouse's discussion of action assessment in tragic dilemmas and extends it in a direction she does not take; a direction that I will argue nonetheless should be explored. Whereas she only argues that the tragic action ought to be assessed as not right, I argue that it ought to be assessed as wrong.

Let us first examine her view. In terms of action assessment, Hursthouse denies that the action alternatives in tragic dilemmas are right. This is so, recall, because the action taken in a tragic dilemma does not merit praise, and the agent cannot take pride in doing it, but rather must (insofar as she is virtuous) feel unhappy about it. It is not of an action-type that decent and virtuous agents seek out occasions for doing. Moreover, acts of such type do not leave the agent with those ‘circumstances [so] requisite to happiness’, namely, ‘inward peace of mind, consciousness of integrity, [and] a satisfactory review of [her] own conduct’ as Hume so nicely puts it.”

Rather, it leaves her with some sort of negative remainder. In this sense, then, ‘right action’ is not simply a stand-in for ‘moral deliberation concludes this act is the one to do in the circumstances’. Rather, it is action that upon assessment gets “a tick of approval, as a good deed”, and on Hursthouse’s view, in some cases, this tick is not warranted, even if it is morally right to decide to do it in the circumstances. The action-token taken in a tragic dilemma

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221 Hursthouse, *On Virtue Ethics*, 47.
222 Ibid., 78.
223 Ibid., 50.
“is too terrible to be called ‘right’ or ‘good’.” In other words, the action-token cannot be described as right because it is of a type that cannot be described as right. In short, we might say that right action in the action-assessment sense is action that is accurately described as good, i.e. it is of the type that may be partially constitutive of eudaimonia. As just seen, at times Hursthouse does indeed suggest this equivalence. Further support for this view is given by her question: “Which is the morally right action (with no qualification about remainder, the good action about which the agent need feel no regret), x or y?”

Consider some of the other things that Hursthouse says about the action alternatives in a tragic dilemma. She says that each action is “a terrible thing, the very sort of thing that the callous, dishonest, unjust, or in general vicious agent would characteristically do—killed someone, or let them die, betrayed a trust, violated someone’s serious rights.” “It involves, say, causing a terrible amount of suffering, breaking a promise, or doing what is shabby.” Usually doing such things will count against an agent’s virtue and the agent is regarded as having engaged in wrongdoing, but in tragic dilemmas we do not count such actions against an agent’s virtue and think she has done what she ought, all things considered, to have done. Despite this judgment, however, we still have the intuition that the tragic action should leave a remainder that is typically one of guilt or remorse, which according to standard views, are only fitting responses to wrongdoing. What is more, the tragic action does not count as right, in terms of action assessment, despite the fact that a virtuous agent would characteristically do it in the

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224 Ibid., 79.
225 Ibid., 47. See also p. 46: “Now suppose we have a morally right act—a good deed.”
226 Ibid., 74.
227 Ibid., 50.
circumstances. \textsuperscript{228} Given this, I suggest that the action one takes in a tragic dilemma should be assessed not merely as ‘not right’, but as wrong.

3.4.1 The Aristotelian Acceptance of Inescapable Wrongdoing

Aristotelians such as Michael Stocker and Martha Nussbaum also suggest that there are dilemmas in which certain actions, although it is morally right to decide to do them, are nonetheless wrong. Nussbaum says, “Agamemnon seems to have assumed…that if he decided right, the action chosen must be right”. \textsuperscript{229} This she regards as a mistake, but we need to determine in exactly what other sense the action can be made sense of as wrong. Stocker discusses acts of ‘dirty hands’. An act is one of dirty hands if “(1) it is right, even obligatory, (2) but is nonetheless somehow wrong, shameful, and the like.” \textsuperscript{230} Consider the classic dirty hands case given by Michael Walzer in which one either tortures a terrorist to get him to give up information about where bombs are planted in a city or one does not torture him and as a result the bombs kill many innocent civilians. \textsuperscript{231} In this case, Stocker thinks that it is right in the sense of an overall, action-guiding evaluation that one torture the terrorist, but that it is nonetheless wrong somehow to do so. The evaluation that it is wrong is not an overall, action-guiding one, but he says that it is not a merely \textit{prima facie} consideration either or one that usually applies but does not in this case. These evaluations “hold even though avoiding them would be morally worse and indeed would involve failing to do one’s overall obligation.” \textsuperscript{232} He thinks that such cases give support to what he calls impossible oughts—oughts violating the doctrine that ‘ought’ implies ‘can’. He says that the impossible oughts (i.e. dirty features) are double-counted:

\textsuperscript{228} Hursthouse’s account of right action (prior to revision): “An action is right iff it is what a virtuous agent, would, characteristically, do in the circumstances.” Ibid., 78.
\textsuperscript{229} Nussbaum, \textit{The Fragility of Goodness}, 36.
\textsuperscript{230} Stocker, “Dirty Hands and Conflicts of Values and of Desires in Aristotle's Ethics,” 52.
\textsuperscript{232} Ibid.
In determining that the act is to be done, they are taken into account. They tell against that act, but not with enough force to make it overall wrong.\(^\text{[233]}\)

However, by focusing on these features as dirty, they are given moral weight all over again, now on their own, and are taken as reasons against doing that act and reasons for regretting doing it. They remain dirty even though justified. For good reason, then, Bernard Williams in ‘Ethical Consistency’ calls them remainders (179).\(^\text{234}\)

In other words, Stocker assumes that if an action-token is of a certain type and deliberation concludes that the token ought to be performed, it still carries the badness that is part of being part of a certain action-type.

Martha Nussbaum says that the tragic agent after committing the tragic action …will remember, regret, and, where possible, make reparations. His emotion, moreover, will not be simply regret, which could be felt and expressed by an uninvolved spectator and does not imply that he himself has acted badly. It will be an emotion more like remorse, closely bound up with acknowledgement of the wrong that he has as an agent, however reluctantly, done.\(^\text{235}\)

Here we can see that Nussbaum regards the tragic agent as having done something wrong. The following comment also supports this view: “Aristotle is no sympathizer with those who, in politics or in private affairs, would so shrink from blame and from unacceptable action that they would be unable to take a necessary decision for the best.”\(^\text{236}\) Given the earlier connection between blameworthiness and wrongdoing, this comment suggests that Nussbaum thinks that the

\(^{233}\) In other words, the agent is not guided not to do the act in the circumstances.

\(^{234}\) Stocker, "Dirty Hands and Conflicts of Values and of Desires in Aristotle's Ethics," 52-3.

\(^{235}\) Nussbaum, The Fragility of Goodness, 43.

\(^{236}\) Ibid., 335.
tragic agent does wrong. Moreover, in arguing that Aristotle supports the existence of tragic conflicts, she appears to concur with Hursthouse that the wrongness just noted above is tied to the badness of the thing done. She says:

Aristotle acknowledges that in certain cases of circumstantial constraint the good person may act in a deficient or even a ‘shameful’ way, doing things that he or she would never have done but for the conflict situation. He will act as well as he can; and yet he will be doing something bad, something that he would not have chosen. The so-called ‘mixed actions’ are such cases.237

In short, both Stocker and Nussbaum concur that the tragic action is somehow wrong, despite being, all things considered, what the agent ought to do. We need an account of how this kind of wrongdoing fits into a neo-Aristotelian virtue-ethical theory.

3.4.2 ‘Wrong’ in the Action-Assessment Sense

I will argue for an additional account of wrong action according to which actions are assessed as wrong because they necessarily significantly undermine flourishing,238 despite being what the virtuous agent would decide to do in the circumstances and despite the fact that doing them in those circumstances does not count against an agent in an assessment of her virtue. These are the sorts of actions encountered in tragic dilemmas and as such, tragic dilemmas, on this account, are construed as situations of inescapable wrongdoing.

237 Ibid. Note, however, that it appears that Aristotle would not approve of a major vicious action since he says that “presumably there are some things we cannot be compelled to do. Rather than do them we should suffer the most terrible consequences, and accept death” (NE III.1 1110a25-30).

238 As such, I am taking a hint from Julia Annas, cited in Hursthouse (Hursthouse, On Virtue Ethics, 83, ft. 19.) and using the notion of the agent’s final end—eudaimonia—to come up with an additional account of wrong action. Annas says with respect to ancient virtue theories: “In them, the notions of the agent’s final end, of happiness and of the virtues are what may be called primary, as opposed to basic. These are the notions that we start from; they set up the framework of the theory, and we introduce and understand the other notions in terms of them. They are thus primary for understanding…However they are not basic in the modern sense: other concepts are not derived from them, still less reduced to them.” Julia Annas, The Morality of Happiness (New York: Oxford University Press, 1993), 9.
That action assessment is closely linked to eudaimonia certainly seems to be the view that Hursthouse holds. Consider the following:

‘Good action’ is so called advisedly, and although it is conceptually linked to morally correct (right) decision and to ‘action of the virtuous agent’, it is also conceptually linked to ‘good life’ and eudaimonia.

The actions a virtuous agent is forced to in tragic dilemmas fail to be good actions because the doing of them, no matter how unwillingly or involuntarily, mars or ruins a good life. So to say that there are some dilemmas from which even a virtuous agent cannot emerge having acted well is just to say that there are some from which even a virtuous agent cannot emerge with her life unmarred…

Given the earlier claim about the equivalence Hursthouse seems to make of ‘right action’, in the action-assessment sense, with ‘good action’, this passage suggests that ‘right action’, in that sense, is that which is consistent with eudaimonia and that in parallel we may then regard ‘wrong action’ as that which is not consistent with eudaimonia, although Hursthouse herself does not draw this parallel.

My contention is that tragic actions should be assessed as wrong ones. Since tragic action-tokens fall under severely wrong action-types, they should be assessed as wrong despite the fact that the agent’s intentional action accords with the conclusion of correct moral deliberation and may be done in a way that demonstrates exemplary character, and moreover despite the fact that we do not blame the agent for so acting. In other words, I contend that such actions should be assessed as wrong despite the fact that they do not count against an agent’s

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virtue. As Hursthouse suggests, however tentatively, a sense of right action independent of action guidance, i.e. action assessment, so the same should be done for wrong action. In determining the deontic status of an action in terms of action guidance, we are establishing whether or not it accords with the conclusion of correct moral deliberation. If it does, then it is right in terms of action guidance, and if it does not, then it is wrong in these same terms. In speaking of agent assessment, we encompass such a determination such that if the agent does what is right in terms of action guidance it does not count against her virtue and if she does what is wrong in terms of action guidance it does count against her virtue. Hursthouse thinks that if an action-token falls under a wrong action-type, then that token cannot be right without qualification, but she does not go so far as to call it wrong. I am suggesting that we do take this further step. A tragic action, then, is one that an agent would be guided to do by moral deliberation, but it falls under the wrong action-type. The tragic action is not wrong full-stop since the agent is guided to do it in the circumstances, but it is nonetheless of the wrong action-type.

As suggested, the additional account of wrong action is one according to which actions are assessed as wrong because they necessarily significantly undermine flourishing. As Hursthouse notes, in tragic dilemmas, a virtuous agent cannot emerge with her life unmarred. In other words, the actions taken in a tragic dilemma seriously undermine flourishing. Recall from Chapter 2 that flourishing (eudaimonia) refers to an agent’s life as a whole. A eudaimon life is a good life as a whole. Moreover, as Stocker notes,

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240 In 3.3 saw that both Philippa Foot and Christine Swanton take the position that an action is not correctly regarded as wrong if it does not count against an agent in an assessment of her virtue.

241 Aristotle also appears to recognize a sense of wrong action independent of agent assessment. He says, “In some cases there is no praise, but pardon, whenever someone does a wrong action because of conditions of a sort that overstrain human nature, and that no one would endure” (NE III.1 1110a24-25).
Aristotle's ethics is importantly one of achievement. On his view, to be a
eudaimon person, and in this sense a good person, one must have honour, pride,
and self-esteem, which, in turn, require doing well at good and important
activities (e.g. 4. 2–4, and Rhetoric 2. 2). Thus, again on his view, one cannot
have eudaimonia, if one does what is base—even if one does it for the best. 242
Thus, one way of understanding that a virtuous agent cannot emerge from a tragic dilemma with
her life unmarred is that she does not do well at some good and important activity or activities.
For example, she does not do well with respect to protecting a loved one from harm, she violates
her responsibility to that person. Another way of putting the point is that the virtuous agent’s
flourishing is undermined because her integrity is undermined insofar as she is unable to act in
accordance with one of the ends to which she is committed, whether that end be justice, for
example, or the welfare of a particular other person. Instead, she has to act directly to undermine
an end to which she is committed. In other words, she does the sort of thing that, apart from the
circumstances, one could infer would not be part of a eudaimon life, but rather would be
excluded from it, e.g. killing one’s child. Therefore, a wrong action, in the action-assessment
sense, is one that significantly negatively affects what is of utmost ethical importance in neo-
Aristotelian virtue ethics: eudaimonia.

In order to flesh out and make more specific this account of wrongdoing, let us first recall
the conclusion we came to in Chapter 2 about flourishing. According to the view there
developed, the flourishing agent “is one whose activities accord with complete virtue, with an

242 Stocker, “Dirty Hands and Conflicts of Values and of Desires in Aristotle's Ethics,” 65. (The first
reference Stocker makes is to Nicomachean Ethics.) Stocker’s statement seems to be an overstatement of
Aristotle’s view since Aristotle notes that one can actually be praised for enduring something shameful
(NE III.1 1110a20). Moreover, in his discussion of Priam, Aristotle notes that happiness is quite resilient.
Even though one may face serious misfortune, one will not be shaken from eudaimonia unless there are
many such misfortunes and a return to it will take a long time and many great successes (NE III.1 1101a7-15).
adequate supply of external goods, not just for any time but for a complete life” (NE I.10 1101a15-17). In view of that, if the assessment of actions as wrong is in terms of necessarily significantly undermining flourishing, as proposed, then this assessment will apply to any actions that necessarily significantly undermine a complete life of activity in accord with complete virtue, with an adequate supply of external goods. This would certainly seem to be true of actions taken in a tragic dilemma. The action taken in a tragic dilemma is itself not activity in accord with complete virtue for as the case will soon be made, it is activity that, while being in accord with some virtues, is also contrary to at least one significant virtue.243

Let us review some of the points made about activity in accordance with virtue in Chapter 2. Recall that an action is in accordance with a specific virtue if it hits the agent-relative mean with respect to the realm with regard to which that specific virtue is delineated. As Swanton explains, such an act is a virtuous act with respect to that realm, and “An act is virtuous (in respect V) if and only if it hits the target of V.”244 We may say that such an action is a right action with respect to that realm. Activity in accordance with complete virtue is that which hits the agent-relative mean with regard to all the virtues.245 If the agent is sufficiently equipped with the external goods, then she has the normal or preferred context for the exercise of the virtues. In such a context, her activity in accordance with complete virtue will be the kind of activity that is good and plays a constitutive role in eudaimonia. It gets a tick of approval. She will do “the sort of act that decent, virtuous agents do and seek out occasions for doing”.246 It is of an action-type a virtuous agent would characteristically do in the normal or preferred context for the exercise of

243 A significant or major virtue is typically more centrally important to eudaimonia, e.g. temperance, and a minor one less so, e.g. liberality. A significant or major vice is typically more destructive of eudaimonia, e.g. licentiousness, and a minor one less so, e.g. pettiness.
244 Swanton, Virtue Ethics: A Pluralistic View, 233.
245 An act may be done so that it accords with virtue although it is not done from virtue. An agent might, for example, hit the target of virtue by chance. Also, in order for the act to be done virtuously, recall, an agent must be in a virtuous state in doing it.
246 Hursthouse, On Virtue Ethics, 46.
the virtues. In other words, it is the kind of act she does when she has *prohairesis*, meaning that she can make a decision consistent with maintaining the fundamental values comprising her own correct conception of the good and thereby maintain her integrity. It is the type of action that a virtuous agent would do for its own sake and for the sake of flourishing.

An action-token assessed as wrong, then, is going to be one that does not accord with complete virtue because it is the type of action, as Hursthouse suggests, that a vicious agent would characteristically do.\(^{247}\) She says further,

Terrible acts will in general indeed be…the very sort of thing that the most callous, dishonest, unjust…i.e. *wicked* characteristically do, and the very sort of thing that ‘for the most part’ would never even cross a virtuous agent’s mind as a possible course of action….the reason why it would normally never cross her mind is that through it a very great evil would be brought about (or perhaps a very great good lost?).\(^{248}\)

It is the kind of act that is contrary to maintaining the fundamental values comprising an agent’s correct conception of the good. It is the type of action that a vicious agent would do for its own sake, contrary to flourishing.\(^{249}\) Action assessed as wrong is therefore action that is in accord with significant vice.\(^{250}\) In other words, it is a vicious act, meaning that it is quite off the mark

\(^{247}\) Ibid., 74.

\(^{248}\) Ibid., 81.

\(^{249}\) A major class of such actions would be those that clearly lead to the violation of another’s physical security. As such, they “transgress fundamental moral prohibitions that protect minimum conditions of human well-being.” John Kekes, *The Roots of Evil* (New York: Cornell University Press, 2005), 2. Such an action may be justified only to prevent an even greater evil.

\(^{250}\) Hursthouse notes that vice adjectives applied to actions have a certain amount of independence from the notion of the virtuous person. Although typically the notion of the virtuous person is needed to “fine tune” the application of virtue and vice adjectives, e.g. “‘Face danger and endure pain when and only when a courageous person would.’”, or “…we fine tune ‘cowardly’...applied to actions as we come to understand that, on occasions, discretion may be the better part of valour and even the courageous flee for their lives, in which cases their fleeing is not cowardly”. The possibility of tragic dilemmas, however, “shows us that the fine tuning does not work across every case. In a tragic dilemma, a virtuous agent does something terrible or horrible and although the fact that she does it may suffice to
with respect to hitting the agent-relative mean with respect to at least one of the realms with regard to which a corresponding virtue is delineated.\textsuperscript{251}

### 3.4.3 Approximism

The fact that the actions in a tragic dilemma seriously undermine \textit{eudaimonia}, raises the question of the basis upon which a neo-Aristotelian ethical theory recommends one or either of the actions to the tragic agent in her dilemma\textsuperscript{252} as opposed to, say, killing herself. In our earlier discussion of why the tragic action satisfies the control condition it was noted that it accords with a desire to best approximate \textit{eudaimonia} in the circumstances, which is a rational desire. This provides an answer to our question. As Stocker remarked, being further away from \textit{eudaimonia} is worse than being closer to it. Aristotle notes that the goodness of lives comes in degrees and adopts a principle of approximism.

Aristotle states that hitting the mean is difficult and that not everyone can do it (\textit{NE} II.9 1109a25-30). He gives advice regarding how to reach the mean:

That is why anyone who aims at the intermediate condition must first of all steer clear of the more contrary extreme, following the advice that Calypso also gives:

‘Hold the ship outside the spray and surge.’ For one extreme is more in error, the

\textsuperscript{251} We may then assess actions that are sufficiently close to being on target as okay or all right actions. These actions do not either severely undermine or destroy \textit{eudaimonia}, but neither are they the best type of actions that are clearly constitutive of the \textit{eudaimon} life. Consider, for example, the virtue of temperance with respect to food. The on-target, i.e. temperate (virtuous or right), amount and type of food to eat, say, is that which adequately supports one’s level of activity while increasing one’s chances for a long and disease-free life. On the other hand, we have off-target eating, i.e. undereating or gluttonous (vicious or wrong) activity. Then there are, of course, multitudes of actions with respect to eating that although not quite fully in accord with temperance, are not yet quite in accord with vice either, for example, eating the occasional slice of cake when healthier alternatives are available may be such an action. As Aristotle notes, there are many ways that an agent can be off target, but only one way in which the agent is on target. He says: “Moreover, there are many ways to be in error—for badness is proper to the indeterminate, as the Pythagoreans pictured it, and good to the determinate. But there is only one way to be correct. That is why error is easy and correctness is difficult, since it is easy to miss the target and difficult to hit it. And so for this reason also excess and deficiency are proper to vice, the mean to virtue; ‘for we are noble in only one way, but bad in all sorts of ways’” (\textit{NE} II.6 1106b30-36).

\textsuperscript{252} This depends, recall, on whether the dilemma is resolvable or irresolvable.
other less. Since, therefore, it is hard to hit the intermediate extremely accurately, the second-best tack, as they say, is to take the lesser of the evils. We shall succeed best in this by the method we describe (NE II.9 1109a30-35).

The thought here appears to be that because the mean is difficult to achieve, we do better to avoid the more contrary extreme, which is a greater evil, e.g. cowardice, and rather be closer to the lesser evil, e.g. rashness. In other words, we should choose the best possible, and if it is not possible, we should do the least bad. My contention is that in a tragic dilemma there is not a mean to hit in the ordinary sense of an available action-token being of an action-type that forms part of or clearly advances eudaimonia as the ideal that a virtuous agent sets for herself. Nonetheless, I argue that there is reason to do the lesser evil action-token in the dilemma. Note also that Aristotle thinks that some actions are always wrong. These are action-types that do not admit of a mean. He mentions some examples: adultery, theft, murder. He says, “in doing these things we can never be correct, but must invariably be in error” (NE II.6 1107a15).

He says, “While it is clearly best for any being to attain the real end, yet, if that cannot be, the nearer it is to the best the better will be its state.” Our real end here is the eudaimon life. It serves as a regulative ideal in action. The idea is that we are in our practical reasoning guided to try to approximate it as closely as possible. This means acting for the best in whatever situations we face, including tragic dilemmas. Although the eudaimon life might be tragically taken away from us, life may still be worth living.

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254 Note that in some cases ‘acting for the best’ might involve suicide—those cases in which an agent is faced with actions which she always ought to refrain from doing. Patricia Greenspan provides what many may regard as just such an example by modifying Sophie’s dilemma. If in order to save one child, instead of failing to save the other child she has to do something morally worse, e.g. torture him or her, then this might seem to be just as morally bad as violating the disjunctive obligation to save one in the dilemma as originally described. Greenspan, Practical Guilt: Moral Dilemmas, Emotions, and Social Norms, 49-50. In such a case, suicide might be the lesser evil.
If we regard deontic notions such as ‘right’ and ‘wrong’ in terms of action guidance as only making sense with reference to abiding by or not abiding by some sort of law, principle, or procedure, then the relevant law, so to speak, in a neo-Aristotelian ethical theory, is something like ‘Do that which best accords with eudaimonia.’ This is the ultimate law. We may then give more specific content to that law by speaking of virtues, activity in accordance with which, and given an adequate supply of external goods, constitutes flourishing. After all, a virtue is simply “a character trait a human being needs for eudaimonia, to flourish or live well.” It is important to note, however, that possession of virtues and activity in accordance with them does not guarantee flourishing, but rather, as Hursthouse puts it, it is the only reliable bet. As such, the account of right action, in terms of providing action guidance, is to do what there is most moral reason, all things considered, to do in the situation, and practical wisdom makes this determination by figuring out what will best approximate activity in accordance with complete virtue in the circumstances. In some situations, however, nothing will count as approximating eudaimonia and life will not be worth living. Hursthouse notes that there are “some things a virtuous agent must die rather than do…This is recognized in common morality, which condemns at least some cases of saving one’s own life by betraying or killing others…but we know what virtuous agents would do, and actually have done, all right—they allow themselves to die or be killed; perhaps even commit suicide.”

3.4.4 Tragic Action as Wrong Action

How then do we assess the action taken in a tragic dilemma? Let us consider as a representative case, Sophie’s tragic dilemma. It is most obviously her parental virtue that is challenged in her

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255 Hursthouse, On Virtue Ethics, 167.
256 Ibid., 172.
257 Ibid., 72.
dilemma. The target of this virtue is the well-being of one’s child. Actions in accordance with this virtue aim at one’s child’s welfare. Although Sophie’s action of calling out the name of her son is aimed at securing his welfare, it also involves neglecting the welfare of her daughter such that her daughter dies, thereby completely missing the target of parental virtue with respect to that child. With respect to that child, she acts in accord with vice. As such, in terms of parental virtue, with respect to her daughter, she does a wrong action, and with respect to her son she does a right action. Sophie’s correct conception of the good includes the welfare of all of her children. We tend to think that the good parent’s commitment to and responsibility for her child’s welfare is not mitigated by the fact that she has other children. In other words, the demands of other children do not provide, for a virtuous parent, an escape clause from the commitment we regard her as having and that she regards herself as having to the welfare of each of her children. The mere existence, then, of a dilemma in which a parent cannot act in accordance with each child’s welfare, does nothing to change this fact. Regarding Sophie’s case Patricia Greenspan says, "Presumably, each child has an independent claim on its mother to be saved—not just a claim for fair consideration in the choice of one to save…" and this seems to be the correct view. As such, her dilemma is a situation in which there is nothing she can do that accords with her correct conception of the good; rather, no matter what she does she acts contrary to her conception of the good thereby seriously undermining her flourishing, although what she does best approximates *eudaimonia* in her circumstances.

She is forced to decide between the destruction of two different essential components of her flourishing: her two children. Alternatively, she could refuse to decide and lose both. None of these alternatives is consistent with her conception of the good. In essence, then, each action involves suicide of a sort. Recall, Aristotle refers to children as “other selves”. If we take that

line of thought seriously, then each of her action alternatives would involve self-sacrifice insofar as it involves the destruction of her flourishing. Therefore, while Sophie is capable of *hairesis* in her situation—she can decide on one or the other of her alternatives—she is not capable of *prohairesis* in the ideal sense, meaning she cannot make a decision consistent with maintaining some of the fundamental values comprising her own conception of the good; instead, she can only make a decision that directly undermines what she correctly takes to be good thereby undermining her flourishing. This just is what makes her situation tragic. As such, all her action alternatives, in terms of action assessment, on the account here proposed, are wrong ones. As such, her irresolvable dilemma is one of inescapable wrongdoing. Note that the same holds true of Agamemnon’s dilemma, even though it is a resolvable one. A resolvable moral dilemma, recall, is one in which one of the action alternatives has the net weight of moral considerations in its favor. Although the agent is guided by moral deliberation to take the course of action which is the lesser evil, it is still evil, and therefore assessed as a wrong action. Thus, all tragic dilemmas are ones of inescapable wrongdoing. The agent does wrong in the sense of action assessment, although she does right in terms of action guidance.

3.4.5 *The Separation of Action Guidance and Action Assessment*

Tragic dilemmas, then, are situations in which, according to the account of wrong action developed (an action is wrong if and only if it either counts against an agent’s virtue or negatively affects an agent’s flourishing in a serious way), action guidance and action assessment come apart. The tragic agent acts in accordance with the correct conclusion of moral

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259 Given, however, that the agent approximates *eudaimonia* using a rational principle having to do with selecting the lesser evil, she still does have a kind of non-ideal *prohairesis* in the situation.

260 Recall the definition of an irresolvable dilemma given in Chapter 1: An irresolvable moral dilemma is one in which neither of the alternatives has the net weight of moral considerations in its favor when compared to the other alternative.
deliberation, i.e. she does what she is guided by morality to do. This action, because it is recommended by morality in the circumstances, does not count against an agent in an assessment of her virtue despite its terrible nature. Its terrible nature, however, makes it the case that the action is assessed as a wrong one because it is contrary to what is of utmost ethical importance (and hence the end of ethical action) according to neo-Aristotelian virtue-ethical theory: *eudaimonia*.

Rationalist ethical theories, on the other hand, are such that action guidance and action assessment never come apart. In abiding by a particular Rationalist ethical theory’s account of right action, the agent also achieves the ultimate end of ethical action and her action is therefore assessed as right full-stop. For standard Utilitarians, the account of right action is to maximize utility and in so doing what is of utmost ethical importance—the greatest happiness for the greatest number—is achieved. For standard Kantians, an agent ought, all things considered, to act in accordance with the categorical imperative and in so doing she achieves what is of utmost ethical importance: the improvement of the good will. For Classical Virtue Ethicists, the account of right action is to act in accordance with practical wisdom and in so doing she achieves what is of utmost ethical importance: the maintenance of an agent’s virtue (i.e. an agent’s moral purity). In each case the agent’s action is assessed as right full-stop.

For neo-Aristotelians, on the other hand, what is of utmost ethical importance is *eudaimonia*. If a tragic agent abides by the neo-Aristotelian account of right action, i.e. she acts in accordance with practical wisdom, then she does what she is guided to do but her action is not given a tick of approval since it is not in accord with the ultimate end of ethical action—*eudaimonia*—and therefore is not assessed as right full-stop. Rather, it is right in the action guidance sense, but not in the action-assessment sense; in that sense, as we have seen, it is
assessed as wrong. As such, the tragic agent is morally responsible for wrongdoing in a tragic dilemma and since the tragic agent does wrong in both irresolvable and resolvable tragic dilemmas, tragic dilemmas are situations of inescapable culpable wrongdoing.

An objection to this approach can be found in the work of Karen M. Nielsen. Contra Stocker and Nussbaum she takes Aristotle to be denying that there are acts which are voluntary under the circumstances, right or morally required, but nonetheless somehow wrong. This is due to her interpretation of Aristotle as being committed to a meta-ethical position she calls ‘mitigated circumstantial relativism’. She says,

Aristotle is a mitigated circumstantial relativist because he thinks that, with a few exceptions, no list specifying types of actions without applying terms of virtue and vice can determine in advance what kinds of actions are ‘shameful’, ‘disgraceful’, ‘courageous’, ‘temperate’, ‘just’ and the like. Nor can we specify in abstracto which actions are advantageous. We cannot, for instance, say that ‘returning what one owes’ is always just, that ‘eating one piece of chicken’ is always temperate or that ‘throwing one’s cargo overboard’ is always disadvantageous. Although such acts are for the most part just, temperate, disadvantageous and the like, there are exceptions.

Instead, she regards Aristotle’s moral rules, with a few exceptions, as moral rules of thumb, requiring judgment about particular cases. Determinations as to whether a particular act is disgraceful, cowardly, wrong, and so forth are made on a case-by-case basis. The objection to the account of wrongdoing developed here, then, is to the second disjunct (i.e. an action-type is

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262 Ibid.: 271, 73.
264 We have already noted these exceptions—adultery, theft, murder—in Chapter 3.
wrong if it negatively affects an agent’s flourishing in a serious way) because, according to Nielsen’s view, it falsely assumes that a pre-determination can be made about wrong-action types.

In response, we should note that Nielsen’s account is correct insofar as she is talking about wrongness in terms of the first disjunct of the account of wrongdoing developed (i.e. an action-token is wrong if it counts against an agent’s virtue). Wrongness of an action-token in this sense is completely dependent on the circumstances of action. With regard to the second disjunct, however, it is possible, pace Nielsen, to specify in abstracto the kinds of action-types, for example, that are disadvantageous. Recall that the virtues and vices are specified according to what conditions are needed for, or harmful to, a flourishing life. The kinds of action-types regarded as wrong in the action-assessment sense are those that are so off the mark in terms of according with an end of virtue, that they instead accord with significant vice and mar an agent’s flourishing. In tragic dilemmas, these are betrayals of relationships. Such betrayals, although they are allowable in the circumstances as the best way to approximate eudaimonia, and thus are right in terms of action guidance, are nonetheless wrong in terms of action assessment qua betrayals. In abstracto we can specify that thick relationships are part of a eudaimonic life and we know that betrayals are violations of the constitutive rules structuring such relationships and as such are violations of various role-virtues. In other words, such betrayals accord with vice and hence, contrary to Nielsen’s view, can be pre-determined to be disadvantageous and of a wrong action-type.²⁶⁵

²⁶⁵ There might be tragic dilemmas in which one or both actions fall under a right or permissible action-type, but for which the token action in the case significantly undermines flourishing. Note that the definition of tragic dilemmas in Chapter 1 did not specify that both action-types must be wrong ones. For example, ‘returning what one owes’ is a right action-type, but a token, as in Plato’s Republic (I 331c), might significantly undermine flourishing.
CHAPTER 4: ON GUILT, RESENTMENT, AND BLAME

4.1 INTRODUCTION

In Chapter 1 we saw that tragic dilemmas are situations of inescapable moral distress: tragic agents feel guilty and tainted no matter what they do. Moreover, we have strong intuitions that it is appropriate for them to feel such moral distress. The philosophical debate, however, centers on the question of whether this moral distress is fitting, i.e. whether it is rationally justified by the moral facts of tragic dilemmas. It is rationally justified if and only if the agent is morally responsible for wrongdoing in a tragic dilemma.

In Chapter 3 it was argued that tragic dilemmas are best construed by neo-Aristotelian ethical theory as situations of inescapable culpable wrongdoing. In this chapter I give fuller explanations of how this result makes the phenomenology of tragic dilemmas rationally justified. Since the tragic agent is morally responsible for wrongdoing in a tragic dilemma the first-person phenomenology of guilt and taint is rationally justified. A question then arises concerning what the rationally justified reactive attitude of the second person in a tragic dilemma is toward the tragic agent.\(^{266}\) In Chapter 3 it was argued that the second person is culpably wronged in a tragic dilemma. Resentment is a fitting attitudinal response to being culpably wronged. Nonetheless, I argue that it might ultimately be more fitting for the second person to forgive the tragic agent if the latter has virtuous emotional and attitudinal responses toward her tragic action. Moreover, I argue that it is these same responses along with the fact of circumstantial constraint and the tragic agent’s reasons for action that account for the fact that third-person blame of the tragic agent is an unfitting response.

\(^{266}\) The second person in a tragic dilemma is the object of the tragic agent’s decision most directly harmed by that decision other than the tragic agent herself.
4.2 PRAISE AND BLAME

Recall that to be morally responsible for an action is to be worthy of something in the family of praise or blame for it. Which then, of praise and blame, by third persons, is fitting for the tragic action? It has already been argued that the tragic action is a wrong action and bearing in mind a commonly held view expressed by Foot,267 namely, that ‘wrong’ is understood in moral contexts to apply to those actions that count against an agent’s goodness, it seems that we should blame the tragic agent. Normally when an agent is morally responsible for a wrong, bad, or shameful action, blame is fitting. The agent performing the mixed action, however, is not generally blamed and thus we have a puzzle. Aristotle says that “for such [mixed] actions people are sometimes actually praised, whenever they endure something shameful or painful as the price of great and fine results” (*NE* III.1 1110a20), and in some cases he notes that the agent is not praised, but pardoned (*NE* III.1 1110a24). How are we to explain this result? First of all, we should note that the agent is not morally responsible for the fact that something bad is going to happen in her situation. In other words, she is not morally responsible for the fact that she faces only alternatives that are contrary to *eudaimonia*268—these situational constraints have their origins either in another agent, as in the tyrant case, or in nature, as in the cargo case.269 It is this fact that explains why she is not blamed for the bad that she does—she is not morally responsible for the fact that something bad, i.e. something contrary to *eudaimonia*, is going to happen. In

267 See Chapter 3 for the relevant passage from Foot.
268 *Eudaimonia* on Aristotle’s account, recall, involves doing well, i.e. virtuous action, and not mere subjective happiness or pleasure.
269 For contrast, recall the case in Chapter 3 of the man who promises marriage to two women and subsequently gets each pregnant. Unlike the tragic agent, he is morally responsible for the fact that he only faces alternatives that are contrary to *eudaimonia* and he is therefore blameworthy for the bad thing that he does in abandoning one of the women.
other words, the agent is not at fault for the fact that there is a bad outcome and so is not blamed for that.

Even if the agent is not blamed for there being a bad outcome, she may still be blamed if she exercises her agency in the situation poorly. If, for instance, the action which has its origins in her beliefs and desires is the worse alternative in her circumstances, then she may be blamed for the greater badness that results from the exercise of her agency, for it is up to her which particular alternative is enacted. If, on the other hand, she selects the better alternative, then she may be praised, as the agent throwing the cargo overboard may be praised. If he had allowed his shipmates to die instead, then he would be blameworthy for that, but note, yet again, that he would not be blamed for the fact that the only alternatives before him were losing his cargo or losing his shipmates. As Susan Sauvé Meyer explains,

The agent’s contribution to the situation, although it produced a bad outcome, made the outcome less bad than it otherwise would have been; therefore there is no level of badness causally attributable to the agent rather than to the externals.\(^{270}\) So it is inappropriate to blame the agent. And to the extent that the agent made the outcome better than it would otherwise have been it may even be appropriate to praise her, since…praise is for being productive of good things.\(^{271}\)

Thus we need to be more specific about what we mean in saying that the tragic agent is morally responsible for a bad or shameful action. What she is morally responsible for is which particular bad or shameful action occurs and she is blameworthy for it occurring only if she is also morally responsible for having such a bad alternative before her or if she does not select the best of the bad alternatives before her.

\(^{270}\) It seems appropriate here to read “externals” as referring to what does not have its origins in the agent and is causally responsible for the state of affairs. As proposed earlier, either another agent or nature.

Now let us see how the above analysis applies to one of the tragic dilemmas we have already examined: Sophie’s choice. Let us first examine Sophie’s tragic action as an example of a mixed action. As in all tragic dilemmas, the required action is not something the agent would choose for itself as part of eudaimonia, e.g. in this case, picking one’s child to send to its death is not a constituent of eudaimonia. Allowing one’s child to die is a violation of parental virtue, i.e. a violation of obligation to that child. As such her action has an involuntary aspect. Nonetheless, she has good reason to protect from death at least one of her children as doing so best approximates eudaimonia in her circumstances and as such, her action is choiceworthy in the context of the dilemma and so has a voluntary aspect. In sum, the tragic agent faces a situation, through no fault of her own, in which she must do something repugnant to eudaimonia for the sake of best approximating eudaimonia in the circumstances—she faces a situation in which she must do a mixed action.

Let us now see how Aristotle’s analysis of voluntariness in mixed action cases applies to Sophie’s tragic action as a representative case and thereby assess her moral responsibility for wrongdoing. With respect to the control and epistemic conditions for voluntariness, Sophie’s action is a voluntary one. She emits the words announcing her decision of which child to send to its death, the principle of that action is in her; nothing external to her causes the words expressing her decision to be emitted. As such, she satisfies the control condition. Also, Sophie’s action is not one done through ignorance. She knows what she is doing and for what result et cetera and so satisfies the epistemic condition. Recall from the Chapter 2 discussion that the epistemic condition for ascribing moral responsibility (and hence praise or blame) for an action depends, in part, on how the action is described. The relevant description is the description under which an agent’s action is intentional, where ‘intentional’ applies both to the
end the agent is trying to achieve and to the means employed. In Chapter 2 an agent was described who thought she was giving another person a glass of plain water to help quench his thirst, but unbeknownst to her, the water was laced with arsenic. Her intent was to help quench the other agent’s thirst by providing plain water. Since that is the description under which her action was intentional, that is the description under which she is morally responsible for the action. In Sophie’s case, her intent is to prevent both of her children from being killed by picking one to die. In calling out Eva’s name, she intends to let her be killed so that both of her children are not killed. It is also clear that she is a moral agent, one capable of *prohairesis*. Moreover, we have described how there is an action alternative before her that is in accord with rational desire. Hence having satisfied the conditions of voluntariness specified in Aristotle’s account, Sophie is morally responsible for her tragic action under the relevant description: picking one child to be killed in order to prevent both from being killed.

Is Sophie blameworthy or praiseworthy for this action? With respect to blame, the first thing to note is that she is not morally responsible for the fact that there is going to be a bad outcome in her situation, rather it is another agent, the Nazi guard. She has not brought it about that she has to do something in accord with vice. Moreover, she does not select other than an optimal outcome in her situation and so she does not exercise her agency poorly and therefore is not blameworthy in that sense either. In other words, she does not act contrary to the correct conclusion of moral deliberation, which here says that all things considered she ought to try to save one of her children. In fact, in Sauvé Meyer’s terms, she makes the outcome better than it could be expected that it would otherwise have been. After all, the choice she is offered is between selecting one of her children to be killed and letting both of them die. Therefore it is praise that is the fitting third-person response; after all, “praise is for being productive of good
things.” Sophie has acted so as to save one of her children and her child’s survival is a good thing. To the extent and in the form that there is prohairesis in Sophie’s situation, it is acting on the rational desire to approximate eudaimonia and for doing so is something for which she should be praised rather than blamed.272

4.3 GUILT

Although the tragic agent is not a fitting candidate for third-person blame so long as the conditions above are met, she is at fitting candidate for first-person blame, i.e. guilt. In Chapter 1 it was established that tragic agents tend to feel guilty as a result of their action in a tragic dilemma and moreover that such a response is what we would expect from a virtuous agent. We saw that philosophical debate centers on the question of whether this moral distress is fitting, i.e. whether it is rationally justified by the moral facts of tragic dilemmas. Moreover, it was established that it is rationally justified if and only if the tragic agent is morally responsible for wrongdoing in a tragic dilemma. We saw there that Rationalist ethical theories deny that tragic dilemmas are situations of inescapable wrongdoing. They maintain that so long as an agent does what all things considered she ought to do in the situation, she acts rightly. If she does not do so, she acts wrongly. Thus, the power to do right or wrong is always in her hands. In Chapter 3 it was argued that this is not how neo-Aristotelian ethical theory should construe moral reality. Rather, it should maintain that tragic dilemmas are in an important sense situations of inescapable wrongdoing, because although it is always open to the agent to do what she ought to do in terms of acting in accordance with the correct conclusion of moral deliberation and in that

272 As we will see later in this chapter, there may be a basis for third-person blame of the tragic agent if her attitudes toward or emotional responses to her tragic action are vicious. It should also be noted that in some cases pardoning instead of praising the tragic agent will be fitting. Aristotle says, “In some cases there is no praise, but pardon, whenever someone does a wrong action because of conditions of a sort that overstrain human nature, and that no one would endure” (NE III.1 1110a24-25). We might understand circumstances that “overstrain human nature” as being those that are beyond ordinary human beings to endure, meaning that only a godlike human being might be able to bear the costs of doing what is best in the circumstances.
way it is open to her to act rightly, it is not open for her to avoid doing an action that accords with vice and since her action accords with vice, it should be assessed as wrong. In other words, it was argued that in a tragic dilemma, it is right in terms of action guidance for an agent to do wrong in terms of action assessment. Tragic dilemmas are situations in which the typical confluence of action guidance and action assessment as well as agent assessment and action assessment breaks down. Moreover, in 4.2 it was established that the tragic agent is morally responsible for the action determining which particular wrong will be done. Since the tragic agent is morally responsible for wrongdoing in a tragic dilemma the first-person phenomenology of guilt is fitting.

In the case of Sophie, all things considered what she ought to do is to select one of her children to be killed and this she does. In this way she does the right thing. The very oddity, however, of saying that Sophie does right in selecting her daughter to be killed suggested in Chapter 3 that something is awry in an ethical analysis of the tragic dilemma that does not involve the deontic status of her action. Since she does something that is contrary to parental virtue, her action is evaluated as a wrong one, i.e. it does not get a tick of approval as a good deed, but is rather recognized for the horrific deed that it is. Sophie recognizes that she has violated her obligation to Eva in deciding that she is the one to be killed and it is in response to this recognition that she feels guilty.

As such, there is an asymmetry between first-person and third-person blame of the tragic agent. We as third persons think that so long as the tragic agent is not morally responsible for the dilemma’s existence and does the best she can with respect to honoring her parental responsibilities in the tragic dilemma, she is not blameworthy. As we saw earlier, however, this is not the way virtuous parents think of the situation. They also think that they ought to do the
best that they can with respect to honoring their parental responsibilities and moreover hope that they never have to face a situation in which their best in terms of honoring these responsibilities is not good enough in terms of securing at least a minimal level of welfare for their children. The tragic dilemma, however, is a possibility that is worse than most would ever imagine, for it forces the parent, in trying to secure the best for her children, to act directly contrary to the welfare of a subset of her children and moreover it implicates her in the decision of which subset this is to be. In other words, a voluntary act on her part determines which of her children is to be seriously harmed, which is a violation of her integrity because it has her betraying one of her deepest values. Since the act is voluntary, the tragic agent is morally responsible for violating her parental virtue with respect to a specific child and this rationally justifies her guilt.273

So far we have considered dilemmas which are especially tragic, e.g. those involving parent-child responsibility relationships, and seen how responsibility for the decision to violate a particular parent-child responsibility relationship can justify feelings of guilt upon emergence from such dilemmas. Now we will consider how the analysis of what grounds guilt feelings in these especially tragic dilemmas might be usefully extended to justify guilt feelings in other types of tragic dilemmas as well.

Consider Bernard Williams’ case of Jim and the Indians.274 Jim, on a botanical expedition in South America, by accident comes upon a scene in which twenty Indians are tied up against a wall for protesting against the government. They are to be executed by Captain Pedro, and a number of soldiers stand nearby. Pedro says that if he, Jim, kills one of the Indians, then the rest will be spared in honor of him as a visitor. If not, all twenty will be killed.

273 An explanation for why first-person blame focuses on action assessment, whereas third-person blame focuses on action guidance in developing a fitting response is given in 4.7.

Assuming that this is a resolvable dilemma and that there is most reason for Jim to kill one of the twenty Indians as opposed to letting them all die, there exists a significant similarity between this case and the ones already discussed in that he will be responsible for the decision of which particular person is killed. There is also, however, a significant difference. The potential victims of Jim’s decision are complete strangers to him, i.e. he has only thin relations to them. This fact may lead us to think that Jim need not feel guilty for he will not be violating a significant relationship in killing one of the Indians. Furthermore, we might think that he will be acting in accordance with what there is arguably most reason to do. Nonetheless, it does seem to be true that most agents would in fact feel guilty. What is more, I suspect that we think that a decent agent certainly would feel guilty. Can the relationship responsibility account go any way toward justifying these feelings?

It seems plausible that a decent agent would recognize, as was explained in Chapter 3, that each person is intrinsically and irreplaceably valuable and be committed to the idea that each is to be accorded basic respect as such. The constitutive rule of thin relationships is that one act in accordance with respect toward others. One has a moral responsibility to do this. As such, Jim would not be inclined to have a hand in deciding which particular individual would suffer the harm of death, disrespecting the value of that individual. Given this responsibility and recognizing the fact that due to his decision, that particular individual will die, it seems plausible to suppose that qua decent agent, Jim would feel guilty.

His guilt is fitting because not only, as in our other dilemmas, is he responsible for which particular individual is harmed, but this counts as wrongdoing. He necessarily fails, through no fault of his own, in living up to the claim of the second person for respect and recognition of his intrinsic, irreplaceable value. Jim, who as a decent agent is committed to respecting others and
recognizing their intrinsic and irreplaceable value, thereby violates his own integrity and so does wrong, even though that is what he is morally guided to do in the circumstances. Given, however, that Jim does not have an unconditional commitment to the stranger’s welfare, we can expect that his guilt feelings are fittingly weaker than those of a tragic agent like Sophie.

4.4 RESENTMENT

We have examined what feelings and attitudes are fitting in response to tragic dilemmas by first and third persons according to neo-Aristotelian ethical theory. We have yet to examine; however, what feelings and attitudes are fitting for second persons in tragic dilemmas. Recall that the second person in a tragic dilemma is the agent most directly negatively affected by the tragic agent’s decision other than the tragic agent herself. In the tragic dilemmas that we have canvassed, this person is killed, e.g. Sophie’s daughter Eva—the second person—is killed as a result of Sophie’s decision, Iphegenia is killed as a result of Agamemnon’s decision, and Billy Budd is killed as a result of Captain Vere’s decision.275

In figuring out what fitting second-person attitudes and emotional responses might be,276 consider, first, that it would make a significant difference to Sophie if Eva forgave her. Second,
consider the fact that when one agent voluntarily causes harm to another, this typically gives rise to a claim, a claim for restitution, apology, and so forth, and the right to criticize the agent who intentionally harms one. We have already established that the tragic agent intentionally harms the second person. Although she is not morally responsible for the fact that some sort of wrongdoing on her part is inevitable in her situation (i.e. she is going to be forced to act contrary to one virtue or another, or alternatively, contrary to one obligation or responsibility or another), she is morally responsible for the particular wrongdoing that she engages in (e.g. she is morally responsible for the fact that she violates her obligation to agent X instead of to agent Y) because the origin of that action is in her. In other words, although doing something wrong is involuntary, the particular wrong that is done is voluntary. Consequently, the second person is in an important sense wronged by the tragic agent insofar as the latter is selected to be harmed contrary to the obligation of the tragic agent with respect to the second person: to secure the welfare of the latter (Sophie and Agamemnon) or to act in accordance with natural justice (Vere). Consider that if the tragic agent had not decided, for instance, that Eva or Iphigenia, or Budd, respectively, would die, then they may well have lived. This analysis of tragic dilemmas as well as the facts adduced above regarding claims that arise in response to voluntarily harming another suggest, at least at first glance, that resentment might be a fitting response on the part of the second person toward the tragic agent. After all, is it not fitting to feel resentment toward the family member that forsakes you? Does not an innocent person fittingly experience resentment toward the person who treats him as though he’s guilty?

In order to answer the question as to whether resentment on the part of the second person toward the tragic agent is fitting, let us examine the notion of resentment more closely.

equally. If Agamemnon does not save the armies, then he is not committed to acting in accordance with the moral principle of choosing the lesser evil. The question before us, then, is what are the fitting feelings and attitudes for the second person to have in genuine tragic dilemmas. Such dilemmas must be practical ones.
Resentment is a moral emotion.\textsuperscript{277} It is a \textit{moral} emotion because the object of its state involves moral appraisal or evaluation.\textsuperscript{278} Specifically, it is a painful or negative emotion in response to the evaluation that one has been culpably wronged or, as Rae Langton puts it, “at the receiving end of viciousness.”\textsuperscript{279} It is a kind of moral anger.\textsuperscript{280} Moreover, it involves an attitude of complaint or protest against this treatment. More specifically, what is resented is the claim made by the offender’s action that one may be treated in such a way. Pamela Hieronymi says regarding resentment:

…a past wrong against you…makes a claim. It says, in effect, that you can be treated in this way, and that such treatment is acceptable. That—that claim—is what you resent. It poses a threat. In resenting it, you challenge it. If there is nothing else that would mark out that event as wrong, there is at least your resentment.\textsuperscript{281}

As such, it is not merely the fact that one is harmed in terms of incurring damages or losses that is resented, but also the disrespect or ill will shown toward one. Jeffrie Murphy says,

One reason we so deeply resent moral injuries done to us is not simply that they hurt us in some tangible or sensible way; it is because such injuries are also \textit{messages} – symbolic communications. They are ways a wrongdoer has of saying to us, “I count but you do not,” “I can use you for my purposes,” or “I am here up

\textsuperscript{277} Note that assumed here is the analysis of emotions as involving a cognitive evaluation developed in Chapter 1.

\textsuperscript{278} John Rawls notes in John Rawls, \textit{A Theory of Justice} (Cambridge: Belknap/Harvard University Press, 1971), 481. that “In general, it is a necessary feature of moral feelings, and part of what distinguishes them from the natural attitudes, that the person’s explanation of his experience invokes a moral concept and its associated principles. His account of his feelings makes reference to an acknowledged right or wrong.” As cited in Jerome Neu, "Rehabilitating Resentment and Choosing What We Feel," \textit{Criminal Justice Ethics} 27, no. 2 (2008): 34.


\textsuperscript{280} Paul Hughes, "What Is Involved in Forgiving?," \textit{Journal of Value Inquiry} 27, no. 3-4 (1993): 331. Note that indignation is a kind of moral anger too, but we will soon see how it differs from resentment.

high and you are there down below.” Intentional wrongdoing insults us and attempts (sometimes successfully) to degrade us – and thus it involves a kind of injury that is not merely tangible and sensible. It is moral injury, and we care about such injuries.  

Luc Bovens notes that we start out with the claim that as members of a moral community of equals, people are owed respect.  

The offender, in wronging someone, treats her with less respect than she is owed. Resentment, then, is an emotional protest of the claim made in being culpably wronged, namely, that it is acceptable that one be treated in such a way. According to all of these accounts, it is a fitting response to this disrespect. Resentment, according to Hieronymi, “affirms what the act denies—its wrongness and the victim’s worth.”  

There are some additional important points that need to be made about the emotional protest that is resentment. First, it only makes sense in the context of the wrongdoer (i.e. the offender) being a member of the moral community who can be expected not to do such things. Note that if, for example, a young child intentionally hits you on the face with a ball, although you may respond with anger, it is not moral anger because the young child is not a member of the moral community who can be expected to know better and not to do such things. If, on the other hand, a full-fledged member of the moral community intentionally hits you on the face with a ball, a response of moral anger, i.e. resentment, makes sense since such a member is one who can be expected not to behave in this way. Second, resentment only makes sense in the context of a victim of wrongdoing who regards herself as morally significant, i.e. as one deserving of a certain kind of treatment from other moral agents. If a victim of wrongdoing does

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283 Bovens, "Must I Be Forgiven?," 230.
284 Hieronymi, "Articulating an Uncompromising Forgiveness," 547.
285 Ibid.: 530.
286 You may, perhaps, resent the parents of said child for not better controlling their child.
not possess an adequate amount of self-respect in this regard, then she will not emotionally protest her mistreatment because she does not see herself as one who deserves not to be mistreated. This might, for example, describe some abused women. Others are often dismayed at such women because they regard their refusal to leave abusive men as a sign of a significant lack of self-respect. Third, resentment is to be distinguished from the closely related indignation. Resentment is partial—it is concerned with wrongs to ourselves or those close to us or those with whom we identify. It is not merely that a moral wrong has taken place that is resented, but that I have been morally wronged. As William E. Young notes, “In resentment...I am concerned with what I count as morally culpable harm to my interests...one does not resent comparable harms to distant others...Resentment speaks to the special concern that the aggrieved place on their particular interests, leaving outside its scope distant, comparable wrongs.” This is in contrast to indignation which, as Bishop Butler notes, is that “emotion of mind against injury and injustice, whoever are the sufferers by it”. Thus, whereas a person resents herself being mercilessly teased, she is indignant in response to a stranger being...
mercilessly teased, whereas she resents that her child is subject to racist remarks, she is indignant in response to strangers halfway across the world being subject to racism.

Now that we have an understanding of resentment before us, let us determine whether resentment would be fitting on the part of the second person in a tragic dilemma. There are actually two separate questions here, the latter of which is of greater interest. The first is whether resentment is fitting toward the initial wrongdoer, i.e. the one who is ultimately responsible for the fact that there is a high probability that something very bad is likely to happen to the second person. The second and more difficult question is whether resentment is fitting toward the tragic agent. Let us consider the former question first. In certain tragic dilemmas, such as Sophie’s, Captain Vere’s, and Agamemnon’s, there is an agent who clearly is the initiator of evil in terms of making it the case that something very bad is overly likely to happen to the second person. In Sophie’s dilemma it is the Nazi guard, in Vere’s the lying John Claggart, and in Agamemnon’s the goddess Artemis. With respect to the first question, the answer is a clear yes. The initiators of evil, in being such, are culpable for the fact that something very bad is likely to happen to the second person, whereas without the exercise of their agency in this vicious fashion, the situation as it stood did not guarantee to such a high degree of likelihood that something bad would happen to the second person. Being put in such a situation is to be culpably wronged and resentment is a fitting response toward the wrongdoer.

Let us now explore the more difficult question as to whether resentment is fitting toward the tragic agent. In order to answer this question, let us first revisit some of what was said earlier about a tragic agent’s moral responsibility in a tragic dilemma. Susan Sauvé Meyer was cited as

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293 Alternatively, we may describe what I am referring to as the initiator of evil as making it the case that “(1) you have been wrongfully harmed, or (2) you have been wrongfully put at the risk of harm, or (3) you have been or are the object of an intended wrongful harm or have been or are the object of an intended wrongful risk of harm.” These are distinctions made by Paul Hughes, "What Is Involved in Forgiving?," 331.

294 Other gods, such as Zeus, may be implicated too.
arguing that “there is no level of badness causally attributable to the agent rather than to the externals.”295 This is true, but ignores an important point. Although badness *per se* is not attributable to the agent because whatever she does something bad will result, and although it is true that the agent makes the outcome better than it would otherwise have been296, *which* badness occurs *is* attributable to the agent and this is not a point without moral significance. As Patricia Greenspan says, although the agent facing the tragic dilemma is not responsible for doing *something* wrong, she “is responsible for the particular wrong that [s]he does in a sense that exceeds mere involvement in a moral wrong.”297 First of all, note that in Captain Vere’s dilemma, it is up to him whether Billy Budd dies or he fails in loyalty to the King and the chances for mutiny increase; in Sophie’s dilemma it is up to her which child dies; and in Agamemnon’s dilemma it is up to him whether his daughter is killed or his armies perish. Second, note that these dilemmas all involve the tragic agent in the failure to fulfill a moral responsibility to one specific person or another. Captain Vere will either fail to treat Billy with justice298 and compassion or he will fail to be loyal to the King. In both Sophie’s and Agamemnon’s dilemmas, their actions go beyond being merely instances of ordinary injustices to being betrayals also.299 They involve betrayals of the parent-child responsibility relationship. Eva’s *own mother*, Sophie, has called out that she should be taken to death and Iphigenia’s *own father*, Agamemnon, has decided that it is better that she die than that he be impious and the fleet destroyed. These are violations of the responsibility that each parent has to her or his own child’s welfare. Sophie betrays her moral responsibility to Eva in deciding that Jan will live.

295 See p. 130.
296 If the agent did not do this, then there *would* be a level of badness attributable to her: the difference between the greater evil that she chose and the lesser evil that she did not choose.
298 At least he will fail in terms of natural justice. As the story is told, it is not contrary to martial law to execute Budd.
299 Murphy discusses the idea of ordinary injustices which are also betrayals in a non-dilemma context. Murphy and Hampton, *Forgiveness and Mercy*, 17.
Note that such betrayal can take place not only in irresolvable tragic dilemmas, but also in resolvable ones. Thus Agamemnon, although he does what all things considered he ought to do, i.e. the thing with the weight of moral reasons behind it, still betrays his daughter. After all, he has just chosen to sacrifice her in order to safeguard his fleet on its way to Troy. He has acted contrary to his responsibility as a parent to help safeguard his child’s life and flourishing. This betrayal of responsibility for the child’s welfare is a specific way in which the second person is wronged by the tragic agent. In general, the familial relationship is violated. Insofar as there is familial love, family members do not allow one another to be killed; rather quite the opposite is true—they try to aid in securing one another’s flourishing and one must be alive in order to flourish.300

Since the tragic agent is morally culpable for the fact that the second person in particular is harmed and given that the action encompassing this decision that she be harmed is a violation of a moral responsibility toward her—a wrong—it seems as though resentment is a fitting response on the part of the second person toward the tragic agent. Note that an objection of the sort that the second person should not be resentful because the tragic agent could not do otherwise and hence is not culpable for the wrongdoing is inapt here and entirely misses the point, for the point is exactly that the tragic agent could have done otherwise, but decided not to. Captain Vere could have decided to defy the King and allow Budd reprieve, and Sophie could have decided to allow Jan to die instead of Eva, and Agamemnon could have decided to let the armies die instead of killing Iphigenia. As Patricia Greenspan says with respect to Sophie’s choice: “She knows she is responsible for doing something wrong, something she could have avoided—even though she could not have avoided doing wrong. The same would be true if she

300 Of course other types of thick relationships could also lead to betrayal in dilemmas, e.g. friendship (in our modern sense) and romantic relationships.
had chosen differently, and allowed both children to be killed.\textsuperscript{301} The tragic agent could not have done otherwise than wrong, but she could do otherwise than the specific wrong she did. For that wrong she is morally culpable. Therefore, once again, resentment on the part of the second person toward the tragic agent seems to be fitting because the former has been culpably wronged by the latter due to the latter’s violation of an obligation and/or special relationship to the former.\textsuperscript{302}

4.5 FORGIVENESS

Since we have established that resentment is, at least initially, a fitting response on the part of the second person to the action of the tragic agent, the question arises as to whether forgiveness, which we mentioned earlier would make quite a significant difference to the tragic agent, may ultimately be a more fitting response.\textsuperscript{303} The question of forgiveness arises because we know that sometimes this is a fitting response to being culpably wronged and the second person has been culpably wronged. We have already established that resentment seems to be fitting.


\textsuperscript{302} Note that indignation would be a fitting response on the part of third persons toward the initial wrongdoer, e.g. the Nazi guard, because unlike resentment, which is partial and thus concerned with wrongs to ourselves, those close to us or with whom we identify, indignation is impartial and thus concerned with wrongs to anyone. As we have seen, it is resentment, on the other hand, that is fitting on the part of the tragic agent and the second person toward the initial wrongdoer for in each case the initial wrongdoer has put each of them in a position in which undue harm is likely to fall upon them. The explanation that will be given in 4.7 of the lack of fittingness of third-person blame of the first-person also applies to the lack of fittingness of indignation toward her.

\textsuperscript{303} Recall that if an agent harms another, then she creates a claim. The second person, since her rights have been violated, has a claim to explanation and/or apology all the way to complete restitution—which of these, or which combination of these is warranted will depend on the description under which the action is assessed. Furthermore, note that if the harm comes from vice, and is not only in accord with vice, then the claim becomes even stronger. For example, if a person is walking down the street and is shoved by another who did not see him, i.e. she accidentally shoves him, this gives rise to a claim. If no long-term or significant damage is done to him, then a quick apology on her part will suffice as a response to the claim. If significant damage is done, e.g. his shoulder is dislocated, then she may, say, additionally have to recompense him his medical costs. If however we add to the latter scenario that the harm is intentional and comes from vice, then additionally she will be liable to criminal proceedings and have to do more in the way of restitution.
Forgiveness, according to standard accounts, is (or entails) the forswearing of resentment. More specifically we might say that it is the forswearing of any resentment-driven agency. So while an agent may continue to feel resentful, she forgoes acting on that basis. As Bovens explains, this means that the agent commits to treating the offender with the respect due to a moral equal. This means, for example, that she will no longer go around insulting him. Importantly, this does not mean that the offender and the victim must resume any relationship they may have had before the breach. All that this means is that the offender, if forgiven, must be treated as a moral equal henceforth. This, then, is what the act of forgiveness does.

It is important to note that the forswearing of resentment which forgiveness involves must occur while retaining the judgments that one has been wronged and that the offender is culpable for this wrongdoing. If either of these judgments is given up, then the offender is not being forgiven, but rather excused for the harm caused. Consider that a typically friendly colleague makes up a nickname for you. You were teased with this nickname as a child because you were tubby and it was the name of a tubby television character on a show that was on television back in your childhood. You recall telling this story to an officemate and think this colleague overheard and is now being cruel to you by giving you this nickname. You complain to the mutual friend and she says that she thinks the colleague means nothing cruel by it since: 1) he was out of the country when the story was told, so he could not have overheard it, and it was unlikely that anyone else was around then who may have overheard it and told him, 2) you are no longer tubby, and 3) it is very unlikely that he would know of the cartoon given that he was not born yet when you were a child. As such, it is determined that you were not wronged and

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304 See Bishop Joseph Butler, *Sermons* (Boston, Hilliard and Brown, 1827).
305 Bovens, "Must I Be Forgiven?," 231.
306 Ibid.
that resentment is unfitting. Alternatively, consider the child who hits you on the face with a ball. Since he is not culpable for this wrongdoing, he is excused and once again, resentment is not called for.

Moreover, one may cease to be resentful due to simply forgetting the moral injury one has incurred, or, say, as the result of taking a pill, but we do not tend to think that such cases are ones of genuine forgiveness. As Jeffrie Murphy tells us, we should distinguish forgiveness, which some regard as a virtue and as sometimes morally commanded, from mere forgetting “which may just happen”. As such, real forgiveness is not a mere matter of manipulating oneself out of negative affect, but rather of responding to what intentional wrongdoing ultimately says about the character of an agent because such wrongdoing suggests that the agent’s character be evaluated negatively.

So under what conditions might forgiveness be appropriate? As previously noted, resentment is a fitting response to the claim entailed by wrongdoing, namely, that it is acceptable to treat the victim in such a way. If this claim is rationally undermined, then so is the grounding for resentment. Hieronymi says “…resentment protests a past action that persists as a present threat…a past wrong against you, standing in your history without apology, atonement, retribution, punishment, restitution, condemnation, or anything else that might recognize it as a wrong, makes a claim.” Thus, if the tragic agent apologizes, atones, makes restitution or reparations, condemns the action or the like; then the claim grounding resentment is undermined and a building block is laid for the foundation that might make it fitting to forgive her.

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308 Murphy and Hampton, Forgiveness and Mercy, 15.
310 Hieronymi, "Articulating an Uncompromising Forgiveness," 546.
311 Note that others might condemn the action as well, thereby recognizing it as wrong, but their condemnation is not relevant with respect to the issue of forgiveness. Since the tragic agent is the author of the threatening claim, in order to be forgiven for that claim, she has to condemn her tragic action.
It seems to be essential, then, that the offender sincerely apologize because her sincere apology serves to renounce the claim made by her wrongdoing. Involved in this apology will be a demonstrated appreciation on her part of how she has wronged the victim. In addition she should make reparations where possible. As Tara Smith tells us, in contemplating forgiveness, the primary question is: “How should I evaluate this person?”, since the intentional wrongdoing suggests that the person be judged negatively as having vicious character. The foregoing actions on the part of the offender, on the other hand, serve as evidence that plays a role in countering that suggestion. They serve as ways for the offender to distance herself from what her intentional wrongdoing otherwise suggests about her character, namely that it is vicious. It is not, however, just the offender’s actions that provide crucial evidence, but also her emotional responses and attitude toward her transgression. Guilt, for example, shows that the agent regards what she did as wrong, sadness that she has an appreciation for and cares about the harm she did to the agent, and so forth.

Let us now examine whether the second person may in good conscience forgive the tragic agent. The tragic agent needs to show by her actions, attitudes, and feelings that she renounces the claim made by her tragic action: that she is vicious, that she is not fundamentally committed to the relationship. She must renounce what appears to be the case, namely, that she regards it as acceptable to have intentionally wronged the second person. Captain Vere, for instance, must reject the view that it was just to allow Budd to be hanged. Both Sophie and Agamemnon must reject what is suggested by their tragic actions: that they do not love and care for their children, that they regard it as okay to violate their special responsibilities to and relationships with them, that they do not deserve to live. In terms of actions, then, they have to make restitution as far as is possible. In these three situations, restitution is obviously not possible for the second person in

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each case is dead. This, indeed, is one of the factors making their dilemmas so tragic. We could, however, imagine them apologizing beforehand. It seems, then, that it is in the realm of the emotional and attitudinal responses that we get to see how they regard their actions.

An important sign indicating whether the tragic agent recognizes what she did as wrong is whether she experiences guilt over it since guilt is a fitting response to being morally responsible for wrongdoing. We know that Sophie certainly does. She says, “This guilt is something that I cannot get rid of and I think I never will.”… “I know I will never get rid of it. Never.” This guilt is experienced by her, in part, in response to the violation of her special responsibility to her child for the child’s welfare and attests to the fact that she regards what she did as wrong. Note that this evaluation holds even if she would not do otherwise if faced with the same situation again, and this is because, as noted previously, her responsibility to act in accordance with her child’s welfare holds regardless of whether or not this conclusion accords with the correct conclusion of moral deliberation in the situation, which in her situation is to save either child. Not only does Sophie recognize that she did wrong, but the extent of her guilt suggests that she has a definite appreciation of the serious moral responsibility and relationship that she betrayed. Additionally, her guilt serves in repudiating the claim her action makes. It is a pain in response to that claim, a pain recognizing that her daughter did not deserve the treatment she received. So it seems that in such a case, given the tragic agent’s fitting emotional and attitudinal responses to the tragic action and the fact that she is not morally responsible for creating the situation that leads to her having to act contrary to virtue, and given that she would try to make restitution if she could, the fitting response on the part of the second person would be

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313 Recall the case of the hiker Craig from Chapter 1. His moral dilemma is not tragic, although he does face a situation of inescapable wrongdoing. It is open to him to respond to the claims arising from his wronging the two teenage girls by offering an explanation, apologies, and some form of recompense.

314 Styron, Sophie's Choice, 286.
to forgive. After all, in the overall history of their relationship, and given all of the other evidence post-dilemma, the wrongdoing is anomalous and does not testify to Sophie being a bad mother with respect to Eva, she is not vicious in that way.

Consider, by contrast, the case of Iphigenia. Forgiveness does not seem to be called for in her case because Agamemnon’s attitude toward what he has done in the tragic dilemma shows that he does not repudiate the claims made by his wrongdoing. As such, Iphigenia does not have the grounds to forgo her resentment toward him and forgive him. In fact, his attitude can only serve to confirm the claim further and thereby fuel her resentment. At first Agamemnon has the appropriate reaction of anger and grief in response to what he recognizes that he has to do: sacrifice his daughter, Iphigenia. Eventually, however, he starts to reconcile himself to the evil in which he is made to partake and executes his daughter with passion. He says, “For it is right and holy that I should desire with exceedingly impassioned passion the sacrifice staying the winds, the maiden’s blood. May all turn out well.” This indicates that he no longer even recognizes what he is doing as wrong. As Martha Nussbaum notes, Agamemnon seems to assume that “if he decided right, the action chosen must be right”.

Regarding his daughter Iphigenia, “Her prayers, her youth, her cries of ‘Father’, this father ‘counted as nothing’, treating his daughter, from then on, as an animal victim to be slaughtered.” Furthermore, Nussbaum notes that subsequent to his action he never utters a regret nor has a painful memory. Since Agamemnon does and feels nothing showing that he

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316 Ibid.
317 Ibid., 36. This is the view argued against in Chapter 3. Moral deliberation determines what an agent all things considered ought to do, i.e. it determines what she is morally guided to do. The action in accordance with this is right action in terms of action guidance. It is not, however, right action in terms of action assessment; in terms of that it is wrong action.
318 Ibid.
319 Ibid., 37.
rejects the claims made by his wrongdoing\textsuperscript{320} and in fact has attitudes suggesting that he accepts them, there are no grounds for forgiveness in his case and continuing resentment on the part of Iphigenia is fitting.

So once again, whether forgiveness is fitting on the part of the second person toward the tragic agent depends on whether the second person may appropriately regard the tragic action as indicative of the tragic agent having a vicious character and not being fundamentally committed to the relationship in the light of evaluating the tragic agent’s actions, feelings, and attitudes before, during, and after the tragic dilemma. If the tragic agent successfully repudiates the claim made by her wrongdoing in the tragic dilemma, namely, that it is acceptable to treat the second person in that way, then forgiveness is a fitting response.

Earlier it was noted that it would make a significant difference to Sophie if Eva forgave her. Now we can explain why. Sophie’s voluntarily causing harm to Eva is a horrible breach of their special relationship and her special responsibility and sends Eva the message that Sophie does not love her and that it is okay to treat her like this. After all, her tragic action is very suggestive of it. In response to this, she experiences overwhelming guilt and cannot forgive herself. Until Eva forgives Sophie, Sophie does not know that Eva rejects this message as being true. Once she is forgiven because the message is rejected, then it is easier for her to forgive herself.

4.6 TAIN\textsuperscript{T}

\textsuperscript{320} In the Chapter 3 discussion of voluntariness it was noted that Aristotle distinguishes, in the category of actions done in ignorance of the significant particulars, between those that are nonvoluntary and those that are involuntary. The basic idea is that a nonvoluntary action is one done in ignorance to which the agent does not afterward object. Aristotle says that the action is done “neither willingly, since he did not know what it was, nor unwillingly, since he now feels no pain” (\textit{NE} III.1 1110b22). It seems, then, that an agent’s pain in response to an action is one way in which it is made apparent that it does not accord with the values to which he is committed. This pain stresses the way in which the action has an involuntary aspect.
We are now in a position to explain why tragic agents often fittingly feel tainted or dirtied by what they have done. Typically in cases of wrongdoing, the agent who has wronged someone can make it up to her. She can offer explanations, apologize, and make reparations. If she does so adequately she moves forward with clean hands. In tragic dilemmas, however, this is not a possibility. For example, if the tragic agent is not forgiven by the second person, and in most tragic dilemmas this opportunity simply is not available because the second person is dead, then the tragic agent’s wrongdoing and the claims made by it are left to stand. They are the moral residue of the tragic dilemma that lies upon the tragic agent as a feeling of being tainted or dirty. Sophie, for example, notes that she will never be rid of the guilt she feels due to all of the things she did while at the concentration camp.\textsuperscript{321} With respect to Eva in particular, she cannot, of course, make reparations or seek forgiveness because Eva is dead. Since Billy is dead, Vere also cannot make reparations or seek forgiveness. Agamemnon, on the other hand, although he should feel tainted because he has wronged Iphigenia and cannot make it up to her, does not feel this way because he has reconciled himself to his wrongdoing. Even if the second person is alive and forgives the tragic agent, the harm done to the former is so grievous that nothing the tragic agent can do can really constitutes adequate reparations. This fact also leaves the tragic agent fittingly feeling tainted or dirty.

4.7 BLAME REVISITED

We can now explain the asymmetry between the fact that the second person and the first person each has a reason to blame (resentment being a form of blame) the tragic agent, but the third person does not. Neo-Aristotelian ethical theory is well-positioned for the tragic action to be regarded as wrongdoing because of its emphasis on the agent-relativity of flourishing, meaning

\textsuperscript{321} Styron, \textit{Sophie's Choice}, 286.
that the fact that a course of action results in assistance to one’s own personal projects, relationships, et cetera provides an ethical reason for preferring that course of action to another. In other words, it gives significant weight to securing and maintaining the external goods (e.g. health, relationships, power, etc.) as part of the final end of ethical action. Due to the nature of their relationship, the second person has a claim, minimally, against the tragic agent to have her welfare maintained at a minimum threshold. The tragic agent violates this claim and for this the second person resents her. The tragic agent recognizes that the second person has a claim against her due to their thick relationship and she blames herself for not living up to this claim. Her emotional response is to the negative assessment she makes of the type of action she takes as opposed to the fact that what she does is what she is morally guided to do. The former is prominent because what she must do in the circumstances is violate her integrity by betraying one of her core commitments. An agent that is truly committed to the values comprising her flourishing will not ever be fully able to take on the third-person perspective on her situation.

The third person does not have a claim against the tragic agent to have her welfare maintained at a minimum threshold like the second person does and so does not have the standing to fittingly blame the tragic agent on the basis of the action. In terms of the action performed, the third person only has grounds to blame the tragic agent if she does not act in accordance with the conclusion of correct moral deliberation. Third persons, may, however, blame the tragic agent if she has vicious emotional responses and attitudes before, during, or after the tragic dilemma. The Chorus blames Agamemnon for these. Such blame is fitting because these vicious responses and attitudes indicate that the agent is not committed to the values she ought to be committed to. If, on the other hand, the tragic agent’s emotional responses and attitudes are more like Sophie’s, then her character is not in any way impugned.

322 A claim to be treated as though loved by one’s parent presumably involves more than this.
due to her action. Thus, action and agent assessment easily come apart with respect to tragic actions that are assessed as wrong ones, but that are in accord with all-things-considered ‘ought’ because in making judgments of an agent’s character we consider not only what the agent does, but her overall attitude toward and feelings in response to her action, and the circumstances of her action.

Regarding the circumstances of action, in a tragic dilemma, the choice of actions is coerced. If the agent had to do the repugnant action due to prior wrongdoing, then it would count against her goodness, but in a tragic dilemma, this is not the case. Through no fault of her own, an agent is faced with horrible action alternatives, none of which accord with her correct conception of the good. If this is the case, then the fact that she performs such an action does not serve as evidence on the basis of which to blame her because she is placed in circumstances in which her character has no natural outlet in the actions available. None are of the type that appeal to her character, nor express it. In addition to considering the circumstances of action, we take into account the reason for which the agent acts. Thus although the tragic agent does a wrong action, she does it for the sake of approximating virtue as much as is possible in the circumstances and thus is not thought of as less for it. By paying attention to all of these different factors, we see that there is no necessary connection between wrongdoing in the action-assessment sense and a negative assessment of the agent who does the wrong act. As such, we need not avoid seeing tragic dilemmas as situations of inescapable wrongdoing simply because the usual connection between wrongdoing and third-person blame is here broken. The usual connection pertains to violations of all-things-considered ‘ought’, not to wrongdoing in the action-assessment sense.
Moreover, we are in a position to understand the asymmetry between first-person blame (guilt) and third-person blame. The tragic agent focuses on action assessment because what she must do in the circumstances is violate her integrity by betraying one of her core commitments. The actions she is called to do are just such actions. She recognizes that the second person has a claim against her due to their special relationship and she blames herself for not living up to this claim. As noted above, the third person has no such claim and other adequate bases for blame are also absent.

4.8 CONCLUSION

In this chapter it was established that the tragic agent, although not morally responsible for the fact that the only action alternatives she has before her all accord with vice given that each involves her in violating one of her obligations, is morally responsible for which particular person will be negatively affected by the breaking of her obligation. The action establishing this is an intentional action on her part. She does it in order to best approximate eudaimonia in the scenario, a rational desire. Since this action has its origins in her beliefs and desires, it is voluntary and thus she is morally responsible for it.

Since she is morally responsible for wrongdoing, guilt on the tragic agent’s part is fitting. For this reason also, second-person resentment is, at least initially, fitting. Whether or not forgiveness is ultimately fitting depends on whether the tragic agent adequately renounces the claims made by the wrongdoing. Given the great harm done, this will primarily be established by the tragic agent’s attitudes and emotional responses to the dilemma.

Despite the fact that the tragic agent may be forgiven by the second person, she will nonetheless feel tainted and dirty by her action because given the great harm done, she will not be able to make reparations adequately.
Third persons do not have standing to blame the tragic agent based on her tragic action, unless that action does not accord with all-things-considered ‘ought’. They may, however, have reason to blame an agent who has feelings and attitudes in response to the tragic dilemma that accord with vice because these indicate that the tragic agent is not sufficiently committed to the correct value scheme. In the next chapter we shall see what third-person reactions are fitting: tragic fear and pity.
CHAPTER 5: LUCK AND MORAL VULNERABILITY

5.1 INTRODUCTION

In Chapter 1 it was noted that in standard practice, if it is fitting for an agent to feel guilty, then it is appropriate for her to incur the blame of others. In response to the agent who has experienced a tragic dilemma, however, and who fittingly feels guilt, we do not blame her, but rather pity her and experience fear at the thought of being in her position. Consider, for example, the case of Sophie. We do not blame her, but rather pity her for having to choose which of her two children will die and, moreover, fear being put in a similar situation ourselves. Rationalist ethical theories have difficulty providing an explanation for the rational appropriateness of these third-person responses. This chapter will explain why this is so and why a neo-Aristotelian ethical theory succeeds where they fail.

5.2 TRAGIC FEAR & PITY

In the *Rhetoric*, Aristotle defines fear as “a pain or disturbance due to a mental picture of some destructive or painful evil in the future. Of destructive or painful evils only; for there are some evils, e.g. wickedness or stupidity, the prospect of which doesn’t frighten us: I mean only such as amount to great pains or losses. And even these only if they appear not remote but so near as to be imminent” (*Rhet* II.5 1382a21-25).323 Pity he defines as “a feeling of pain caused by the sight of some evil, destructive or painful, which befalls one who does not deserve it, and which we might expect to befall ourselves or some friend of ours, and moreover to befall us soon” (*Rhet* II.8 1385b12-16). Aristotle notes that we fear for ourselves what we pity when it happens to

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another (Poetics 13 1453a4-5, Rhet II.5 1382b26-7, II.8 1386a22-8). There are a number of important points to note here. First, the reason that we do not fear wickedness or stupidity is because these states are regarded as being within our control, i.e. we can prevent them. We pity another and fear for ourselves, on the other hand, encounters with misfortune—the kinds of misfortune that negatively affect eudaimonia. Second, we fear (pity) great or significant harms to us (to others), not minor pains and losses. Third, in talking about desert with respect to pity, Aristotle is noting that we feel pity in situations in which the evil that befalls an agent is not primarily due to a flaw in her character, i.e. it is not the result of her own poor decisions, but rather the evil is due to misfortune. Fourth, we might expect a similar evil to befall us insofar as we are similar to the tragic agent in terms of virtue. As such, we can expect that the tragic agent will not be without imperfections. In summary, then, fear and pity are responses to situations in which we see evil befall a decent agent as a result of an encounter with misfortune resulting in her eudaimonia being significantly harmed.

As such, fear and pity are the emotions we tend to experience in response to tragedy in general and therefore also in response to tragic dilemmas. There is, however, an important factor that distinguishes tragic dilemmas from tragedy in general that make them perhaps the most serious kind of tragedies an agent can encounter. A tragic dilemma, recall, is a practical negative dilemma in which moral considerations against all of the courses of action open to an agent are grave, but there is nonetheless overriding moral reason to take some course of action though not necessarily any particular course of action. Moreover, as argued in Chapter 3, the action the

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324 Ibid.
326 Recall that some tragic dilemmas will be irresolvable ones one in which neither of the action alternatives has the net weight of moral considerations in its favor when compared to the other alternative and as such, although the agent ought, all things considered, to take some course of action there is not any particular course of action that she ought, all things considered, to take. In a resolvable dilemma, on the other hand, one of the action alternatives has
agent takes amounts to wrongdoing. As such, in a tragic dilemma, the agent is not merely subject to agential misfortune due to the wrongdoing of others or to natural misfortune, but is also an agent of wrongdoing herself, and this is what makes these situations especially tragic. Aristotle says that the finest tragedies involve “some deed of horror,” that the cause of the negative change in the hero’s fortunes does not lie in any depravity, but rather in “some great error on his part”\textsuperscript{327} (Po 13 1453a15-23). Such tragedies, excluding the necessity of error, we may regard as tragic exemplars: tragedies that involve some morally significant activity on the part of the agent leading to his or her downfall as opposed to the agent being a mere subject of a downfall that he plays no role in securing. As such, we may regard the exemplars of fear and pity—\textit{tragic} fear and pity—as responses to non-blameworthy agential misdeeds, i.e. as fitting reactions to innocent wrongdoing leading to a significant negative impact on the agent’s flourishing.

Let us consider some different examples of tragedy in order to see how these distinctions play out. First is the case of Hecuba.\textsuperscript{328} She is Priam’s wife, queen of Troy, who because of its fall becomes a Greek slave. During the fall of Troy, her husband and all of her children excepting two, Polyxena and Polydorus, are killed. Polyxena eventually dies as the Greek army demands her sacrifice to become the underworld bride of the dead Achilles. Although grieved, Hecuba takes comfort in the steadfastness of Polyxena’s good character as her daughter faces death in a dignified and noble manner. Polydorus, who had been sent to live with his parents’ best friend, King Polymestor, along with money and jewelry for safekeeping during the Trojan War, is killed by Polymestor after Troy falls so that Polymestor may keep the treasure for

\textsuperscript{327} For example, Oedipus’s “deed of horror” is the slaying of his father and his great error lies in not realizing that the man he slays is his birth father. He is not blameworthy for this error because his ignorance is not his fault.

\textsuperscript{328} For a detailed discussion of Euripides’ \textit{Hecuba} see Nussbaum, \textit{The Fragility of Goodness}. 
himself. Moreover, Polydorus’ corpse is mutilated. Hecuba is considered to be a decent woman and we pity her for the misfortune of being subject to the evils of both becoming a slave and losing all of her family. With respect to the death of her son and the disrespect shown to his corpse, she is subject to the misfortune of another agent’s, King Polymestor’s betrayal, a form of wrongdoing. Note, however, that in this tragic situation she does not engage in wrongdoing herself.

Consider next a situation in which a mother is stuck in an area, unbeknownst to her, about to be hit by a hurricane. As the torrential waters pour over her hotel she tries to escape with her two young children, holding tightly a hand of each. The three of them are overtaken by the swiftly flowing water and her grip on each is loosened. She must quickly decide on one to grab before he is carried off by the water. She faces a tragic dilemma for no matter what she does, she will have engaged in wrongdoing by not saving the other child and her flourishing is consequently undermined. She has been subject to natural misfortune.

By contrast, consider some of the tragic dilemmas that we have discussed. In the case of Agamemnon, he either kills his daughter—an act of murder, or allows his army’s men to die—an act of impiety, and as such, both are wrong. No matter what Agamemnon chooses to do he will engage in wrongdoing and have his flourishing negatively affected.

Alternatively, consider Vere’s dilemma. He either shows Billy leniency, thereby violating martial law, or he enforces martial law, thereby violating his conscience and natural justice.

Third-person responses of fear and pity and not blame appear to be rationally appropriate responses to all of these situations because being good people, we do not think that any of these agents deserves what happens to him or her. Hecuba, for instance, through no fault of her own,

\[\text{329 Of course she will also have done something right by saving a child.}\]
is subject to the wrongdoing of King Polymestor and the mother in the hurricane is likewise without fault subject to evil, in her case, that of natural misfortune. We pity them both in having the tragedy of losing children befall them and fear that we could be similarly unlucky. Likewise, Agamemnon does not deserve the evil inherent in his choice situation³³⁰ and we fear being put in a situation where we, like him, would have to choose between two evils: violating one or another of our most significant and meaningful commitments or responsibilities with the result of some of our dearest values being destroyed. Similarly, we fear being in Vere’s position and having to choose between violating one of two allegiances. Now if either Agamemnon or Vere were at fault for having to face such dilemmas, in other words, if their blameworthy prior wrongdoing led to each of them having to make their respective tragic decisions, then insofar as we are not similarly vicious, they would not be pitied and we would not fear facing comparable tragedies ourselves. Rather, they would simply incur our blame for their wrongdoing.³³¹

Tragic fear and pity on the part of third persons are rationally appropriate responses to the plight of decent agents who are forced by circumstances to fail morally, i.e. to engage in wrongdoing. They are justified reactions to an agent who is forced by circumstances to be involved in evil activity. Forced engagement in serious wrongdoing, i.e. innocent wrongdoing, appears to be one of the most serious kinds of evil that can befall an agent.³³² Such engagement hijacks and subverts the agency of a virtuous agent such that in acting for the best possible in the situation, i.e. in best approximating eudaimonic action, the tragic agent destroys one of her most

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³³⁰ For the sake of example we will assume this is true. In the actual story, he may have brought about his situation as a result of dishonoring the goddess Artemis.
³³¹ Consider, for example, horizontal collaborators in WWII France. Excepting those women who prostituted themselves in order not to starve and so forth, we would not pity their post-war fate of being shunned and so forth due to their blameworthy collaboration. Their post-war fate, had they better character, would be avoidable.
³³² Such wrongdoing combined with the agent’s death or the death of all his family and friends would probably qualify as one of the worst kinds of evil that could befall an agent. In 5.4.2.2 the possibility that such a tragic experience could lead to the loss of virtue and to the descent into viciousness is discussed. This possibility combined with having to engage in wrongdoing and the agent’s death or the death of all his family and friends is probably the worst kind of evil that could befall an agent.
dearly held values. The situation of the mother in the hurricane, and both Agamemnon’s and Vere’s situations are ones in which tragic fear and pity are fitting responses because they are all forced to engage in wrongdoing. In so doing, each violates not only integrity understood as an agent’s acting so as to promote the major projects and commitments constituting his or her conception of the good life, but also, on the neo-Aristotelian account, moral integrity—for according to this account what he or she morally ought to do is to promote those very ends. Tragedies are situations in which being good and living well greatly diverge and tragic dilemmas are especially tragic situations because a good agent has to act as if he or she were evil.

5.3 THE RATIONALIST RESPONSE TO TRAGIC FEAR AND PITY

Rationalists, contrary to common intuitions, regard the responses of tragic fear and pity to the type of dilemma situations just described to be rationally unjustified. This is because they deny that these dilemmas are especially tragic. This is so because as noted in Chapter 1 Rationalist ethical theories reject the idea that an agent in an ostensible tragic dilemma engages in any form of wrongdoing. Rationalist ethical theories, for the most part, also counter the suggestion that non-tragic fear and pity are rationally justified because they deny that any significant evil has befallen the putative tragic agent.

Let us quickly review the denial of wrongdoing in tragic dilemmas by some standard Rationalist ethical theories: Utilitarian, Kantian, and Classical Virtue Ethics. As noted in Chapter 1, according to Act-Utilitarianism, an action is morally wrong if and only if it fails to maximize the good of the aggregate of all persons, in other words, there is another action available to the agent that can be expected to produce a greater amount of good. As such, inescapable wrongdoing exists if and only if it is possible for there to be a situation such that the
agent, no matter what she did, could have done something which would produce a greater amount of good. This, however, is impossible. Even in a situation in which all of the mutually exclusive available actions have equally good (or bad) consequences, wrongdoing is escapable because there is no action that the agent can do that produces a greater amount of good. Furthermore, even though Rule-Utilitarianism may countenance situations of moral conflict insofar as an agent might face a situation in which she cannot act in accordance with all applicable utility-promoting moral rules and thus appear to violate at least one of her moral obligations and hence engage in wrongdoing, this is merely an appearance of admitting situations of inescapable wrongdoing insofar as Rule-Utilitarianism collapses into Act-Utilitarianism precisely in cases of conflict.333

As discussed in Chapter 1, Kantians also deny that there are situations of inescapable wrongdoing. According to the Kantian view, an agent acts wrongly if and only if she acts contrary to her perfect duty or obligation. As we saw earlier, however, Kant denies that a conflict of perfect duties or obligations is possible. Given that the concepts of duty and obligation express the objective practical necessity of specific actions, and that two conflicting rules cannot at the same time both be necessary, a conflict between perfect duties or obligations is inconceivable and thus situations of inescapable wrongdoing are impossible.

According to Classical Virtue Ethics, inescapable wrongdoing is ruled out due to a commitment to the unity of the virtues. As a result, when an agent does what she has the most reason to do she acts in accordance with practical wisdom and so does not do anything contrary to any of the virtues and in accord with vice. In other words, the agent does not in any way engage in wrongdoing.

333 As we saw in Chapter 1, Mill says “if utility is the ultimate source of moral obligations, utility may be invoked to decide between them when their demands are incompatible.”
In short, according to all of these views, if an agent makes the best of her situation, i.e. she exercises her agency to select the best among the available alternatives, then she does nothing wrong. In the putative tragic dilemmas we have examined, the agent indeed does select the best of the horrid options before her and thus, according to these views, does nothing wrong. Hence, insofar as tragic pity and fear are responses to being forced by circumstances to do wrong, they are irrational as there are no situations, according to these views, in which an agent is forced to do wrong.

Although all of these ethical theories deny that ostensible tragic dilemmas are situations of inescapable wrongdoing and so these situations avoid being ones to which responses of tragic pity and fear are fitting, they might still regard them as situations in which real evil befalls the agent and thereby offer a rationally justified grounding for reactive attitudes of non-tragic fear and pity. In this way also, they can make sense of the situations as being tragic in the ordinary sense of innocently encountering evil that does not involve wrongdoing. As we will see, both Utilitarian and Kantian ethical theories can make some sense of the situations as being tragic, however, Classical Virtue Ethics runs into some difficulty.

Socrates and the Stoics, for instance, hold the view that a virtuous person cannot really be harmed. So long as one’s virtue is safeguarded, eudaimonia is safeguarded. As Martha Nussbaum puts it, on this view “inner virtue suffices for human flourishing” and the external goods are not regarded as having any genuine worth. As such, the losses of family and/or friends, bodily integrity, honor, and so forth in a tragic dilemma, are not seen as losses of something having real worth and so the agent’s flourishing is not negatively affected by such losses. The Apology has some remarks that may illuminate Socrates’ view of flourishing. After all, prima facie, to claim that loss of family or friends, for instance, does not negatively affect

flourishing seems to demand explanation. In the *Apology*, Socrates tells us that “a good man cannot be harmed either in life or in death” (*Ap. 41d*) and those that have condemned him to death have thus done him no harm. In the *Phaedo*, Phaedo says regarding Socrates “it struck me that even in going down to the underworld…that he would fare well when he got there…That is why I had no feeling of pity, such as would seem natural in my sorrow” (*Phd. 58e-59a*). Furthermore, Socrates suggests that those who have lived an extremely pious life and have purified themselves by means of philosophy are rewarded in the afterlife (*Phd. 114c-e*). These comments suggest that flourishing or the good life in this world is simply that which is instrumental to the achievement of the good in the next world, namely, a virtuous soul. Since, on this picture, experiencing a ‘tragic’ dilemma need not in any way mar an agent’s soul, she does not suffer any evil and hence third-person responses of fear and pity are irrational.

Plato also does not think that fear and pity are rationally justified responses to ostensibly tragic situations. This is so because he identifies *eudaimonia* with activities of the rational soul that are self-sufficient and therefore largely invulnerable to what happens in the external world. As Nussbaum describes it “The best life will be a life maximally devoted to contemplative, scientific, and aesthetic pursuits, in which all other activities have a merely instrumental value at best.” Performance of these types of activities is sufficient for flourishing. Reactions of fear and pity to tragic dilemmas are unjustified on this conception of value for such reactions are the result of our attaching undue importance, for example, to the deaths of loved ones or to reversals

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336 Ibid.
337 Ibid. He says: “Those who are deemed to have lived an extremely pious life are freed and released from the regions of the earth as from a prison; they make their way up to a pure dwelling place and live on the surface of the earth. Those who have purified themselves sufficiently by philosophy live in the future altogether without a body; they make their way to even more beautiful dwelling places which it is hard to describe clearly…”
in fortune, which are not on Plato’s conception of value truly important and so not evils. He states that death is not a terrible thing for a decent person to suffer and hence that an agent will not mourn the death of his decent friend as if he has suffered a terrible fate. In the *Republic* he says, “We also say that a decent person is most self-sufficient in living well and, above all others, has the least need of anyone else….Then it’s less dreadful for him than for anyone else to be deprived of his son, brother, possessions, or any other such things…Then he’ll least give way to lamentations and bear misfortune most quietly when it strikes” (III 387d-e).

It appears that Kant also would think that no serious evil befalls the agent in an ostensible tragic dilemma. According to Kant, the only absolutely good thing, i.e. the only thing good in itself, is the good will. He says, “It is impossible to think of anything at all in the world, or indeed even beyond it, that could be considered good without limitation except a good will.” Such a will is one that follows the supreme law to “act only in accordance with that maxim through which you can at the same time will that it become a universal law”—this is our supreme duty. Reason, according to this view, does not have for its purpose happiness—understood by Kant variously as general well-being, contentment, self-conservation, and welfare—but rather its “true vocation…must be to produce a will that is good, not perhaps as a means to other purposes, but good in itself…This will need not, because of this, be the sole and complete good, but it must still be the highest good and the condition of every other, even of all demands for happiness.”

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339 Ibid., 382.
340 Plato, *Apology*.
342 Ibid., 31. (4:421)
343 {Kant, 2003 #182@10 (4:396)
valuable than anything else in human life can be negatively affected by an ostensible tragic dilemma.

There is perhaps some reason to think so insofar as some of Kant’s comments suggest that the good will itself might be more or less vulnerable to fortune in as much as happiness is so vulnerable because he says that there is at least an indirect duty to secure one’s own happiness, “for, want of satisfaction with one’s condition, under pressure from many anxieties and amid unsatisfied needs, could easily become a great temptation to transgression of duty.”\textsuperscript{344} Such transgression, of course, undermines the goodness of the will. Furthermore, he says, “Some qualities are even conducive to this good will itself and can make its work much easier; despite this, however, they have no inner unconditional worth…[m]oderation in affects and passion, self-control, and calm reflection”.\textsuperscript{345} If these qualities are liable to damage by an agent having to face an ostensible tragic dilemma making it thereby more difficult for the agent to discern and act in accordance with the categorical imperative, then perhaps she is to be pitied for having encountered such a situation and incurred such a harm.

It should be noted, however, that Kant does not appear to place much value on actual activity in accordance with the good will in his overall scheme of values. As such, certain kinds of damages an agent could incur due to an encounter with an ostensible tragic dilemma that impede her activity need not serve as grounds for any significant degree of pity for her. He says, A good will is not good because of what if effects or accomplishes, because of its fitness to attain some proposed end, but only because of its volition, that is, it is good in itself and, regarded for itself, is to be valued incomparably higher than all that could merely be brought about by it in favor of some inclination and indeed,

\textsuperscript{344} \{Kant, 2003 #182@12\} (4:399)
\textsuperscript{345} Kant, \textit{Groundwork of the Metaphysics of Morals}, 7-8. (4:393-394)
if you will, of the sum of all inclinations. Even if, by a special disfavor of fortune or by the niggardly provision of a stepmotherly nature, this will should wholly lack the capacity to carry out its purpose – if with its greatest efforts it should yet achieve nothing and only the good will were left (not, of course, as a mere wish but as the summoning of all means insofar as they are in our control) – then, like a jewel, it would still shine by itself, as something that has its full worth in itself.  

Therefore, for Kant it seems that the kind of activity that results in changes to the external world is itself not very valuable, but that the activity of merely trying to effect such changes as accord with the categorical imperative is what is most valuable and moreover far more valuable than any of the non-moral values. As Bernard Williams says, "the bare Kantian fact of the good will is itself a kind of good news," for our most important value—the good will—is that over which we have most control and it is what is most valuable. Thus, although there appear to be some grounds in Kant’s ethical theory for some degree of pity for the agent who encounters an ostensible tragic dilemma insofar as this experience may indirectly undermine the good will, these grounds do not quite capture our commonsense judgments about what is so pitiful in the dilemma. We do not typically pity putative tragic agents because their experiences might indirectly make them less likely to will good things later. Rather we pity them because one of their deeply held values is destroyed by their own hands—we pity both the way in which their agency must be used and their loss. If this does, indeed, make them worse people later on, then we pity them for that too. As such, the Kantian ethical perspective does not offer sufficiently good grounds for fear and pity responses in terms of the putative tragic agent enduring significant evil in ostensible tragic dilemmas.

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\(^{346}\) Ibid., 8. (4:394)


\(^{348}\) Quoted in Ibid., xxxiii.
Another reason that we perhaps need not pity the virtuous agent is suggested by Kant’s “moral argument” for God’s existence. Kant argues that the proper object of the practical (i.e. moral) use of reason is the highest good. The highest good in his view is, as Philip Rossi notes, “a proper proportioning of happiness to accord with the measure of the virtue each person acquires in willing right moral actions.” To will a right moral action means to choose an action because it accords with the categorical imperative. The action is willed because it is moral and the effect on one’s own happiness is not considered. One acquires virtue by so willing. The state of affairs in which happiness is proportioned according to the level of virtue acquired is the highest good. Nonetheless, there is reason to think that right moral actions will not necessarily coincide with happiness. This, then, results in a conflict between what an agent is morally required to do (i.e. choose an action because of its rightness) and the requirement of making the object of the practical use of one’s reason (i.e. of one’s willing) the highest good.

The conflict between the moral requirement and the requirement of making the object of one’s willing the highest good has the danger of discouraging agents in their efforts to lead a fully moral life. Kant, however, is committed to the principle that the practical use of our reason cannot require the impossible. This means that it cannot be impossible that happiness will be proportioned in accordance with an agent’s level of virtue. In order to resolve this conflict, Kant postulates the existence of God and the immortality of the soul. It is God, then, that ensures that happiness is proportioned to the virtue acquired. The notion of the immortality of the soul is important because this happiness is not necessarily meted out in this life, but in the afterlife.

Thus, although an agent may face situations in which there is a conflict between what an agent is

350 Rossi notes that even in cases where happiness results from the moral action, it does because the action is part of the causal processes of the natural world that bring us satisfaction and pleasure. The rightness of the action does not have a role in these processes. Qua moral actions, these actions do not have the power to produce the happiness that the highest good leads us to expect them to have. Ibid.
morally required to do and the requirement of making the object of one’s willing the highest good and therefore seem to occasion fear and pity, this is just an appearance, for God ensures that happiness will be proportioned to virtue eventually, i.e. in the afterlife.

Utilitarianism, alone among the Rationalist ethical theories canvassed, has the resources to allow that significant evil befalls the putative tragic agent. Although such an agent acts rightly in maximizing the aggregate good, she is still nontrivially harmed by encountering the dilemma. For the Utilitarians, the good is pleasure and as such they are hedonists about value. Insofar as the dilemma is a pleasure-reducing or pain-increasing situation, we have another instance of the potential gap between being good and living well. Given that such a situation is one in which the agent violates an important value, e.g. kills a family member, it is very likely to incite much pain in the agent. Nevertheless, the agent undertakes the violation in order to maximize aggregate value. Thus there are grounds for pitying the agent and fearing being in a similar situation. This fear and pity, however, is not tragic fear and pity because the latter are responses to forced moral failure on the part of the agent. In other words, they are responses to the agent suffering qua moral agent; that is, suffering the particular evils of engaging in wrongdoing, and according to the Utilitarian view the putative tragic agent does nothing wrong.

For the Utilitarian, ostensible tragic dilemmas are on a par with any other pleasure-reducing situations. If a natural tragedy and an ostensible tragic dilemma would diminish the good to the same extent, then they are equally bad situations: we should pity the person who suffers from the natural tragedy just as much as the person who faces the ostensible tragic dilemma, and should be equally fearful of both happening to us. The fact that in the latter

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351 This is true at least for the Classical Utilitarians, but we will get similar results for preference-satisfaction, informed preference, etc. Utilitarians as well.
352 Recall that tragic fear and pity are fitting responses to non-blameworthy wrongdoing leading to a significant negative impact on the agent’s flourishing.
situation the agent *does* something terrible, e.g. kills her child, while in the former situation something terrible *happens to her*, e.g. a tornado kills her child, is irrelevant for the Utilitarian. It matters only that the agent does nothing wrong in both situations and that both result in her being pained. In other words, Utilitarianism places no or very little importance on violating integrity in terms of destroying any of her major projects and commitments constituting her life. Although identifying oneself with these projects and commitments is part of moral integrity on the neo-Aristotelian account it is not so on the Utilitarian one. An agent has moral integrity on the Utilitarian account if she acts so as to maximize the aggregate good. Maximization of the aggregate good is the Utilitarian moral agent’s moral project—it is the agent’s higher-order project which trumps, in cases of conflict, her various lower-order projects comprising her individual good as sources of pleasure. Maintaining non-moral integrity on the Utilitarian account in the case of an ostensible tragic dilemma simply figures into the Utilitarian calculus and gets outweighed by the lives saved. Ordinarily acting in accordance with her various lower-order projects may coincidentally serve to fulfill her higher-order project, and so she acts morally in so doing. In the dilemma, however, abiding by this moral habit of acting in accordance with her lower order projects would lead to moral failure and hence the agent decides to destroy one of these projects.

The Rationalist ethical theories canvassed, then, all fail to account for our reactions of tragic fear and pity in response to tragic dilemmas. The reason for this is that all of these theories deny that the agent in such situations engages in any wrongdoing, rather, they refer to her action as a right one. In other words, they deny that that there are any truly tragic dilemmas. In addition, with the exception of Utilitarianism and Kantianism, these theories also deny that a lesser degree of fear and pity are warranted because they deny that the agent experiencing the
dilemma suffers any significant evil. Kantian ethical theory is faulty in accounting for reactions of fear and pity because it does not view ostensible tragic dilemmas as situations in which the agent necessarily suffers evil. Utilitarian ethical theory does have the resources to account for our reactions of fear and pity in a more adequate fashion, but falters in not giving enough weight to the importance in human life of integrity violations.

5.4 THE NEO-ARISTOTELIAN EXPLANATION

The view that the virtuous agent is not seriously harmed by the loss of external goods, that she will never face a situation of inescapable wrongdoing, and that virtue is sufficient for flourishing is an attractive view for it puts the possibility of flourishing almost completely under our control. If true, then as Williams notes, this is good news. On the other hand, it is easy to understand how we might find the idea that a virtuous agent might encounter circumstances through no fault of her own in which wrongdoing is inescapable, and in which although she acts in accord with virtue insofar as possible, nevertheless has her flourishing substantially undermined, depressing and fearsome.353

Regardless of how depressing or fearsome this idea is, it is, on the neo-Aristotelian ethical view, reality. In contrast to the Rationalists, the neo-Aristotelian thinks that there are genuine tragic dilemmas. As such, situations of inescapable wrongdoing are possible and so is the possibility of flourishing being seriously undermined through no fault of the agent. Whether

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353 Recall that in Chapter 4 we established that if the agent is not morally responsible for the fact that something bad is going to happen in her situation, i.e. she is not at fault for that, then she is consequently not appropriately blamed for that. If, on the other hand, the agent is morally responsible for having before her only action alternatives that directly undermine eudaimonia, then she is at fault and blameworthy. Moreover, if this is the case, then we do not, as witnesses, experience tragic fear for we see that it is indeed possible for us to avoid the circumstances in which the agent finds herself by acting virtuously. For the same reason, we do not experience tragic pity for her. At the heart of both of these third-person responses is the idea of tragedy—the idea that an agent may be so unlucky that she is forced by circumstances to do something severely contrary to at least one of the ends of virtue, i.e. something in accord with vice. In non-tragic cases, on the other hand, the agent chooses to do something vicious, e.g. to create the circumstances that force her to do something vicious.
Agamemnon kills his daughter or allows his fleet to be destroyed, his flourishing will be devastated. As such, neo-Aristotelian ethical theory allows for tragic dilemmas and tragic agents and therefore also the fittingness of third-person reactions of tragic fear and pity. The wrong action in tragic dilemmas is one that seriously undermines flourishing. Recall the Aristotelian view of flourishing explicated in Chapter 2: flourishing is virtuous activity, with an adequate supply of external goods, for a complete life. Fear and pity are rationally justified in an Aristotelian normative framework because according to it the agent in a tragic dilemma inflicts real and significant harm upon her own flourishing. On this view of flourishing, one of the possibilities of human life is that tragedy can befall an agent through no fault of her own. More specifically, it is not a tragic flaw in her character that leads to the destruction of her flourishing, but rather misfortune. The harms the tragic agent suffers can negatively affect flourishing in three different ways: 1) an important context for virtuous activity is lost, 2) virtuous activity is internally impeded, or 3) a virtuous disposition is severely harmed or lost, or made exceedingly difficult to maintain.

5.4.1  *Virtuous Activity Externally Impeded: Loss of Context*

One way in which a tragic dilemma harms an agent’s flourishing is that she loses an important context for the exercise of her virtues. As noted in Chapter 2, being sufficiently equipped with the external goods means that an agent has the normal or preferred context for the exercise of the virtues. Without being so equipped, an agent’s virtuous activity becomes impeded. In tragic dilemmas, an agent exercises her agency to destroy a dearly held value. He or she participates, for example, in filicide and thereby engages in wrongdoing. Both Sophie and Agamemnon, for instance, decide that their daughters will be killed and thus suffer the loss of a child. Much of our virtuous activity takes place in the context of such close personal relationships and when a
person to whom one is close is lost, an agent is prevented from exercising her virtues in one of the normal and preferred contexts for them, in this case, the rearing of children. The absence of the family member, particularly if it is one’s child, takes away a significant realm of activity. A relationship which was central in structuring virtuous activity and providing the material for such activity is destroyed. As noted in Chapter 2, particular relationships are important to the flourishing life, not just relationships in general, and these particular close relationships are difficult to form and maintain. So the loss of these relationships constitutes a momentous harm to the agent’s flourishing.

5.4.2 Virtuous Activity Internally Impeded: Soul Sickness

Flourishing can also be negatively affected when an agent is, at least temporarily, internally hindered in exercising her virtuous disposition fully. This is an understandable psychological outcome of being haunted by having engaged in grievous wrongdoing. The inability to exercise one’s virtuous disposition fully is perhaps best understood by way of an analogy to being sick, e.g. having the flu. In such a condition, an agent experiences an impairment of normal functioning, for example, she cannot sit up for more than a few minutes without becoming exhausted, but typically recovers from it and resumes normal functioning. Likewise, an agent who has had to deal with a tragic dilemma may be impaired in her functioning for a while in terms of not being able to engage fully in virtuous activity. An agent such as Sophie may be so haunted by what she has done and grieving for what she has lost, that she may not be able to exercise her virtue fully. For example, in terms of satisfying the demands of parental virtue, she may be unable to do much more than feed her children, although she may eventually recover to the point where she meets the other demands of this virtue. We do not say of her that she no longer has a virtuous disposition; rather we say that she is unable to exercise it fully. This
impairment of virtuous activity, particularly if it is deep and longstanding, is an evil that the agent suffers. For this impairment we pity her and fear for ourselves. Of course things may be even worse for the agent and her state therefore even more pitiable: she may never recover and therefore she may never again be able to exercise her virtuous disposition fully, with the eventual result of the loss of virtue itself.\textsuperscript{354}

5.4.3 Virtuous Activity Internally Impeded: Lost Virtue

Let us now examine the final possibility resulting in the negative effect on flourishing, namely that the agent may lose her virtuous disposition as a result of encountering a tragic dilemma. This possibility is the most drastic and surprising one particularly if we think, along with the Rationalists, that if anything is immune to luck it is an agent’s virtue. Although it would for this reason be surprising if an agent lost her virtuous disposition through confrontation with a tragic dilemma, this is not entirely implausible but rather a real possibility. The extreme circumstances that the agent is thrust into in a tragic dilemma might serve to transform character in a negative way. Consider again the case of Priam. As noted, a consequence of experiencing many serious misfortunes might be that it takes a long time, including great successes at one’s projects, for an agent to return to \textit{eudaimonia}. Martha Nussbaum suggests that another consequence of experiencing “crushing and prolonged misfortune” is “the corruption of desire, expectation, and thought”.\textsuperscript{355} This “corruption” indicates that the agent’s attitudes and dispositions have been so transformed that it can no longer be claimed that the agent is virtuous. In what follows, we shall

\textsuperscript{354} As we saw earlier, Kantian ethical theory also appears to have the resources to account for pity and fear as a response to the analogous difficulty of maintaining a good will.

\textsuperscript{355} Nussbaum, \textit{The Fragility of Goodness}, 337. Although Aristotle and Nussbaum speak of many such misfortunes, it seems as though one that is especially bad, like having to experience a tragic dilemma, might be enough.
examine the different ways and reasons to think that such a psychological transformation might be effected.356

Consider, again, Hecuba’s tragedy. Her experience leads to the warping of her character. She ends up, Nussbaum says, “in the shape of a dog with fiery eyes”357. The horrible event of being betrayed by King Polymestor leads Hecuba to lose her virtuous disposition. Seeking vengeance, she becomes a confidence woman to Polymestor and slays his children and gouges out his eyes. Note that Hecuba, before the murder of Polydorus, is considered to be a woman of excellent character. Nussbaum says, “if she can be corrupted, this creates a persuasive argument that this is a possibility for adult excellence in general.”358 Examination of the dog metaphor as applied to Hecuba informs us of the ways in which she is vicious. Nussbaum notes that in Greek society the dog represents “a thorough absence of concern for nomos, a complete imperviousness to social or relational values”.359 A person who has become doglike is selfish; she does not care for the community and the values that sustain it. These are Hecuba’s attitudes after she is betrayed by Polymestor. She is intent on revenge and will do anything to secure it.

Nussbaum notes that risk of harm is a part of each of the virtues. For example, “there is no courage without the risk of death or of serious damage, no true commitment to justice that exempts its own privileges from scrutiny.”360 Hecuba, due to the extreme circumstances that she has encountered, understandably becomes unwilling or unable to open herself to the risks that are concomitants of the virtues. In her particular case, she no longer trusts that people will adhere to society’s conventions, that they will keep their agreements and promises. She loses the

356 In addition to any corruption of Priam’s character that may have occurred, his eudaimonia may be disrupted simply from the loss of intrinsically valuable external goods, e.g. his family. This is so, at least on some interpretations of Aristotle, as noted in the discussion in n. 189 on p. 85.
358 Ibid., 407-8.
359 Ibid., 141.
360 Ibid., 420.
‘openness’ that Nussbaum contends is an essential part of virtue. Nussbaum says “with the departure of openness comes loss of goodness. If speeches and oaths no longer look reliable, if I question everything and look for betrayal behind every expression of love, I am, quite simply, no longer a noble person; perhaps no longer a person at all.”

It is not difficult to see how this loss of virtue effected by a change in attitudes, this derangement into doggishness, comes about. It is an understandable response to what happens to her. Hecuba’s greatest remaining relationship and hope for the future, Polydorus, is murdered, and this is after the destruction of all of her other family members, her city, and her station in life. That she no longer has trust in others after the greatest of her friends has betrayed her is not surprising. It is also not surprising that she might find it intolerable to risk further investment in vulnerable goods since she has experienced the great pain associated with losing them.

Furthermore, we can see the temptation of vengeance and the appeal of the solitary life, given the risks associated with investing her cares in a communal life where every other person is a potential confidence person, given her horrifying experience with one. If all of this is correct, then it seems as though the maintenance of the attitudes that are at the heart of virtue is subject to the luck of the circumstances in which an agent finds herself. An agent may no longer perceive, feel, or act as a virtuous agent does due to the great misfortune she has experienced.

One might object that this fall into doggishness only serves as evidence that Hecuba was never virtuous to begin with. An agent who is virtuous, the thought goes, would succeed in resisting becoming a vicious person. The thought is that someone like Hecuba would realize that her distrust of everyone is not fitting, and that qua virtuous would have the strength required to uphold virtue and maintain an attitude of openness despite the risk of further harm. This thought does not seem to be entirely off the mark. Consider, however, that certain parts of human

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361 Ibid., 405.
psychology, such as the emotions, appear to be less susceptible to rational control than others.

Additionally, in certain respects we seem to be like Pavlov’s dogs, unaware of what exactly triggers our responses. Consider the soldier home from war suffering from post-traumatic stress disorder who jumps every time he sees a flash in his peripheral vision, perhaps the light reflecting from a passing car’s hubcap, or the woman who suffered physical abuse at the hands of her ex-husband for years and whose heart starts beating faster every time she hears a slammed door due to the perhaps sub-conscious association of that sound with beating time. Even if these agents become aware of what triggers their reactions, however, and how unwarranted the reactions are in terms of real danger, they may have quite a difficult time changing their responses.362 Analogously, then, the thought is that it might be quite difficult for an agent in Hecuba’s situation to retain an attitude of openness even if she recognizes the rationality of doing so and wants to do so. It might be that maintaining such an attitude is for the rare few who are virtuous to the highest degree, those who are most committed to the attitudes needed for a flourishing life and with the greatest degrees of practical wisdom needed to secure it after such harrowing experiences.

Consider now the case of Sophie, who unlike Hecuba, actually engages in wrongdoing. She faces a tragic dilemma in which her hands are dirtied in the death of her child, for she has

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362 Current research into post-traumatic stress disorder gives mixed results. The National Institutes of Health indicates that prognosis depends on how soon an agent develops symptoms after the trauma and on how quickly she is treated. If the disorder occurs soon after the trauma it typically gets better in 3 months, but some people have a longer-term type that can last for many years. A.D.A.M. Medical Encyclopedia, "Post-Traumatic Stress Disorder," National Center for Biotechnology Information, http://www.ncbi.nlm.nih.gov/pubmedhealth/PMH0001923/. The American Psychological Association, however, notes that the International Society for Traumatic Stress Studies gave a number of treatments a high effectiveness rating in a 2008 based on an extensive empirical support (Tori DeAngelis, "Post-Traumatic Stress Disorder Treatments Grow in Evidence, Effectiveness," 39, no. 1 (2008), http://www.apa.org/monitor/jan08/treatments.aspx.), but the Institute of Medicine sounded a cautionary note by noting that “only exposure therapies such as prolonged exposure and cognitive-processing therapy have enough evidence to recommend them for treatment.” T. DeAngelis, "Post-Traumatic Stress Disorder Treatments Demand More Study, Independent Panel Finds," 39, no. 1 (2008), http://www.apa.org/monitor/jan08/treatments.aspx. Since only a relatively small subset of people exposed to trauma develop post-traumatic stress disorder, perhaps only a vulnerable subset of people may have their thoughts, feelings, and attitudes warped by tragedy.
decided which of her two children is to be killed. As a result of this and other acts, she feels guilty and tainted. If Hecuba, who does not engage in wrongdoing and so is a tragic victim rather than a tragic agent, is so susceptible to a change in character, it seems that Sophie will be even more so given her participation in evil. In her comments, we once again see animal imagery invoked to describe changed character. She says:

…”the Nazis were murderers and when they were not murdering they turned people into sick animals, so if what the people done was not so noble, or even was like animals, then you have to understand it, hating it maybe but pitying it at the same time, because you knew how easy it was for you to act like an animal too.”… “So there is one thing that is still a mystery to me. And that is why, since I know all this and I know the Nazis turned me into a sick animal like all the rest, I should feel so much guilt over all the things I done there. And over just being alive. This guilt is something that I cannot get rid of and I think I never will.”… “I know I will never get rid of it. Never. And because I never get rid of it, maybe that’s the worst thing the Germans left me with.”

We see that Sophie is left tainted by what she has done for she regards herself as a sick animal. She feels a guilt that she thinks is a permanent part of her. Note, importantly, that she is left this way despite the fact that she can understand the perspective of other people, perhaps us, who pity her and see how the camp conditions overstrained human nature, and do not blame her. Even knowing all of this, however, she cannot shake off what she has done and the resulting horrible feelings of guilt. This leads to one of the reasons that she does not flourish: the pain of guilt cuts into the pleasure associated with virtuous activity.

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363 Styron, Sophie's Choice, 286.
Furthermore, we can see how someone who has unfortunately experienced what Sophie has might adopt some of the same attitudes that Hecuba adopts: attitudes of suspiciousness and vengefulness for example. Apathy would also be an understandable response. We can understand why an agent might refrain from adopting new projects and relationships given that the loss of the old ones has been so fraught with pain. We can see how an agent’s openness might be lost. The important point, however, is that these attitudes are incompatible with virtue, and so we realize how an agent such as Sophie might lose her virtue. In Sophie’s particular case, we come to see that she appears to welcome the abuse that her Jewish lover Nathan piles on her, a gentile Pole, almost as if she seeks expiation of a guilt that she does not deserve and that she believes that she can never really get rid of. This lack of self-respect is also incompatible with being virtuous.

What both the case of Hecuba and the case of Sophie show us is that being unfortunate in having to encounter extremely horrific circumstances, whether one is a tragic victim or a tragic agent, may understandably affect an agent’s attitudes and dispositions such that her character is transformed from a virtuous one to a vicious one, or at least to one that is less virtuous than before the encounter, making an agent’s virtue vulnerable to luck. Moreover, as noted, facing a tragic dilemma as Sophie does is worse than Hecuba’s tragic experience because in the former the agent actually engages in wrongdoing in addition to suffering significant losses. Perhaps as a testament to the more severely tragic nature of a tragic dilemma, Sophie cannot actually live with what she has done and commits suicide.

We all know that the formation of our character up to maturity, whether it turns out to be virtuous or vicious, or somewhere in-between, is subject to luck. What tragedies show us is that even adult virtue, once formed, is not completely immune to fortune, although it is correctly
regarded as a quite stable state. An analogy may be drawn here to a healthy person who
becomes sick due to factors beyond her control, e.g. someone injects her with a foreign virus to
which she has not already built up immunity. She might recover and get better because she
might have a rare constitution that is able to withstand it or a brilliant doctor who is able to cure
it, but the chances are slim. She has encountered something, unluckily, that even a healthy
agent’s nature could not for the most part be expected to withstand. Likewise, an agent might
recover from the ‘infection’ of experiencing a tragic dilemma and be virtuous yet again.
Likewise, an agent might recover from the ‘infection’ of experiencing a tragic dilemma and be
virtuous yet again, but once again, the chances are slim.364

Some might object that it does not make sense to say that an agent like Sophie is less
virtuous because she is not blamed for having done what she did in the tragic dilemma and only
blameworthy actions lead to downfalls in virtue. Rather she is pitied for what she had to do.
This view, however, does not bear scrutiny. Consider the extreme end of the continuum of
having one’s character negatively affected in a case in which there is not even the appearance of
wrongdoing and so no blame. The story of Phineas Gage illustrates this possibility. He was a
railroad worker in the 1800s. In setting up an explosion he did what was standardly done at the
time to set one up, he tamped down some gunpowder with a metal rod. Unluckily, this time
when he did it, the gunpowder exploded. The explosion caused the rod to go through his skull
and brain. This had a remarkable effect on his character. Whereas before the accident he was
known as an affable hardworking fellow, afterward, as those who knew him put it, he was “no

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364 Regarding recovery, the view is that just as a person can make healthy choices that over time build healthy habits
that contribute to health, so an agent can make virtuous choices that over time build virtuous habits that contribute to
becoming a virtuous person. Although this is a possibility, the idea here is that the damage done by experiencing a
tragic dilemma may be too deep and significant for full recovery. It may simply be the case that the agent does not
have the time left in life to make a full recovery, or as stated above in the discussion of Priam by Nussbaum, the
agent’s desires may so be corrupted that the desire for recovery is gone.
longer Gage”. He became irascible, mean-spirited, lazy, and so forth. In other words, he underwent a transformation of character, through no fault of his own, from a virtuous to a vicious agent. Although he did not do anything blameworthy in becoming what he became, it does not make sense to say that what he became is not properly described as vicious. Likewise, a tragic agent does not do anything blameworthy in becoming what she becomes: vicious. Nonetheless, she is vicious.

Although others do not blame Sophie, she herself cannot escape self-blame because under her voluntary control was the action determining which specific person, in her dilemma which of her children, was wronged. Since she cannot make amends for this, she fittingly regards herself as stained. That is bad enough, as we can see by reflecting on Williams’ case of Jim and Pedro discussed in Chapter 4, but she is not only acting contrary to her commitment not to wrong others, but also contrary to her commitment and special responsibility to preserve the life of this person, her child.

She has violated her own integrity by acting contrary to one of her deepest commitments. Acting in accordance with such a commitment is partly constitutive of her flourishing. As such, it is not difficult to see how she cannot quite adopt our perspective on her situation, which focuses on the fact that she is not at fault for having to do something wrong. The fact of what she has done is not something that she can get over because the harm is irreversible, rather it is something that she has to find a way to live with. Christopher Gowans says,

Harms that are easily remedied are generally not tragic, and harms that are more difficult to rectify are more tragic than those that are less so. Since death is utterly irreversible, it is especially tragic in this regard. But death is not the only
harm meeting this criterion. There are many harms—physical, psychological, and social—that are irreversible even though life goes on. As such, we encounter another way in which an agent’s flourishing is negatively affected by the tragic dilemma: the awareness of having violating one of one’s deepest values and commitments.

Having to violate one’s deepest commitment points to another way in which an agent’s attitude may change for the worse: an agent may lose confidence in the possibility of her being efficacious in the world. After all, the agents we have encountered so far were all, at least decent agents, and yet they still were not able to secure a good life for themselves. We can see a tragic character like Oedipus being especially vulnerable to such an attitude shift for he spent his whole life trying to avoid doing the evil things that it was prophesied that he would do and yet a tragic error of his—not seeing that the old man he killed was his father—led to his downfall. In all of the cases that we have looked at in this chapter, the effects of the tragic circumstances on the agents’ virtuous dispositions are evil for it is not possible to live a flourishing life with such dispositions.

Another objection to the account of wrongdoing developed focuses on the standard negative relation between wrongdoing and virtue, rather than on the one between blameworthiness and virtue. It is made by both Foot and Nielsen. Foot, recall, says “‘wrong’ as understood in moral contexts applies to actions that count against a person's goodness”. Nielsen says that Nussbaum and Stocker:

... leave it open to the torturers and tyrants of this world to destroy not just the lives, but the moral characters, of innocents who do the right thing. In fact, their position entails that by facing their victims with this type of choice-situation,

Foot, "Moral Dilemmas Revisited," 188.
torturers and tyrants will necessarily succeed in damaging the victim’s character, for they will do wrong no matter what they do. And for those with power, creating such choice-situations is depressingly easy. In short, Nussbaum and Stocker leave the agent’s virtue all too vulnerable to the vice of others.  

In response we should note that it is very important how we understand ‘character’ in assessing the claim. If by ‘personal goodness’ and ‘character’ we are referring to a virtuous disposition, then it is not necessarily the case that torturers and tyrants will succeed in damaging the victim’s personal goodness or character, although, as has already been described, it does seem to be a definite possibility.

Perhaps what the objectors mean to get at with the notion of ‘personal goodness’ or ‘character’, then, is the agent’s moral record. An agent’s moral record involves all that an agent has done or has not done that is a proper subject of moral assessment. The relevant candidate for such assessment in our discussion is voluntary action. As noted in Chapter 3, since the action Sophie does satisfies Aristotle’s control and epistemic conditions for voluntariness, the action is voluntary and so a fitting candidate for moral assessment. Sophie’s moral record is stained because of her inability to make amends. Making amends would, metaphorically speaking, serve to erase the stain of her wrongdoing. Therefore, if we think of character in terms of a moral record, then indeed torturers and tyrants may create conditions that necessarily succeed in damaging the victim’s character. Such a stain on an agent’s record certainly damages her flourishing, but it need not result in a negative evaluation of her by third persons unless her disposition is negatively affected by the stain such that she becomes more vicious. Third persons

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368 This idea of a moral record is analogous to the biblical idea of a Divine book. In a Divine book, an account is kept such that one’s good deeds are written on the credit side and one’s sins on the debit side. A net positive balance results in being saved from oblivion and being listed in god’s book of life. Margalit, *The Ethics of Memory*, 190.
consider the circumstances and see that through no fault of her own, she had no choice but to do wrong in the sense of action assessment.\textsuperscript{369}

Third-person negative evaluations of an agent for doing something wrong, independent of any effect such wrongdoing has on the agent’s disposition, only apply if the agent is at fault for having to do something wrong. For example, if an agent creates the conditions that make wrongdoing inescapable or acts so as to violate the correct conclusion of moral deliberation, then she is negatively evaluated (i.e. she is blamed).\textsuperscript{370} Regarding such wrongdoing, indeed, there are no circumstances that will necessarily succeed in damaging an agent’s personal goodness because it is always in her power to act or not to act in accordance with the correct conclusion of moral deliberation, i.e. it is always in her power to do what is right or wrong all things considered. If only this sense of wrongdoing is considered, then indeed, an agent’s moral record may not necessarily be damaged by others.

Tyrants and torturers necessarily succeed in destroying an agent’s moral record and therefore an agent’s moral record is something that is subject to fortune. This possibility might be what both Foot and Nielsen ultimately find to be objectionable for what it does is destroy the possibility of moral innocence. Moral innocence, recall, is “the ideal of living one’s life in such a way as to fully, comprehensively, and harmoniously understand and respond to the requirements of morality, and thereby to exclude all forms of wrongdoing.”\textsuperscript{371} We can be so unlucky as not to be able to respond to the requirements of morality. We may have to do

\textsuperscript{369} In this way Sophie differs from Gage. In her case it is a tragic decision for which she is morally responsible and that she must make that ends up damaging her virtue. Gage does not have to make any such decision. Their cases are similar, however, in that both are subject to circumstances out of their control that damage their virtue.

\textsuperscript{370} Note that creating the conditions that make wrongdoing inescapable would also be acting in a way that violates the correct conclusion of moral deliberation.

\textsuperscript{371} Gowans, \textit{Innocence Lost: An Examination of Inescapable Wrongdoing}, 219.
something horribly wrong in order to prevent something even worse from happening that would also be wrong. In this way, indeed, we are depressingly susceptible to torturers and tyrants.

We have seen that the tragic agent suffers severe harm in a tragic dilemma. The action the agent takes may ensure that an important context for her virtuous activity is irreplaceably lost. Although a tragic agent may escape the tragic dilemma with her virtue intact, she may not be able to exercise her virtue for a long time. Worse yet, her virtuous disposition might be seriously harmed or lost altogether, and with that the possibility of flourishing. Pity, we noted, is a response to a serious evil which befalls one who does not deserve it and fear is a response to imagining the same happening to us. Tragic fear and pity on the part of third persons are rationally appropriate responses to the plight of decent agents who are forced by circumstances to fail morally, i.e. to engage in wrongdoing. These are rationally justified responses to what happens to an agent in a purportedly tragic dilemma only if there is serious evil which befalls the agent. The Rationalists maintain that ostensible tragic dilemmas are not cases in which an agent is forced to engage in wrongdoing and are not cases in which a serious evil befalls an agent and so significant degrees of fear and pity in response to them are mistaken emotions. Anyone who thinks otherwise is putting value on the wrong things. If, however, we take on board the Aristotelian view of flourishing as virtuous activity, with a sufficient supply of external goods, for a complete life, we can see how these responses are rationally justified for we have seen the myriad ways in which an agent’s flourishing can tragically be undermined.\textsuperscript{372}

\textsuperscript{372} One might respond to the tragic context by suggesting that agents should limit the number of commitments they have so as to lessen the possibility that they will come into conflict with the resultant moral failure. Although of course an agent must be prudent with respect to the number and depth of her commitments, the cost of too great a restriction in this regard is simply another way of undermining flourishing. It is decreasing the risk of moral failure at the cost of living a flourishing life—a tradeoff not worth making. Instead, it seems that we should respond to the tragic context by working to change the world so that we can satisfy the demands of the commitments necessary for flourishing more often, recognizing, of course, that we cannot completely eliminate the possibility of tragic conflict.
CONCLUSION

At the beginning of this dissertation it was noted that agents emerging from tragic dilemmas tend to feel guilty, tainted, and the need to make amends as a result of what they have done. A distinction was made between appropriateness and fittingness such that these responses are appropriate if they are what we would expect from decent agents and are fitting if they accurately track reality. It was argued that insofar as we would suspect the virtue of agents who did not have these feelings, that these feelings are appropriate ones to have. In addition, it was argued that the standard second-person response of resentment toward the tragic agent seems to be appropriate insofar as the tragic agent would attach significance to being forgiven by the second person, thereby suggesting that the tragic agent has engaged in culpable wrongdoing, to which resentment is a fitting response. Ultimately, however, it was argued that the second person’s forgiveness of the tragic agent might be appropriate if the latter’s subsequent actions, feelings, and attitudes adequately recognized the value that she destroyed by her choice in the tragic dilemma. Furthermore, it was noted that third-person responses of fear and pity to the plight of the tragic agent also appear to be appropriate. After all, the tragic agent is forced to have a hand in destroying one of her major projects or relationships and this strikes many as a major evil to endure. As such, fear of being put into such a position and pity for another who is put into such a position appeared to be appropriate responses.

Although the weight of these intuitions supports these responses as being appropriate ones, they are not necessarily fitting. In other words, they do not necessarily track reality. While appropriateness is suggestive of fittingness, the two can come apart. For example, it might be appropriate to shield a child from another child toting a gun, but not fitting given that the gun is a fake. In order, then, for the phenomenology arising from tragic dilemmas to be fitting, the tragic
agent needs to be morally responsible for wrongdoing in the tragic dilemma. With respect to the first-person responses, guilt and the consequent felt need to make reparations are fitting responses to culpably wronging another. If such reparations are impossible to make, then it is fitting to feel as if one is dirtied or tainted by the tragic action. In terms of the second-person responses, resentment is a fitting response to being culpably wronged and the question of forgiveness only justifiably arises in cases where a person has reason to be resentful since forgiveness is the forsaking of resentment-driven agency. Regarding third-person responses, tragic fear and pity, it was argued, are responses not merely to a negative change in an agent’s fortunes, but rather such a change that results from non-blameworthy, but nonetheless culpable wrongdoing on the part of the tragic agent. The fittingness of all of this phenomenology is suggested by what we intuitively take to be appropriate responses on the part of first, second, and third persons insofar as they are virtuous and insofar as we take virtuous agents to be, as part of their virtue, tracking reality. In order, however, for the phenomenology to be correctly regarded as fitting, rather than merely understandable but irrational reactions on the parts of various decent agents, then the tragic agent must have engaged in culpable wrongdoing.

Rationalist ethical theories, however, deny that the tragic agent engages in wrongdoing and so the phenomenology, although perhaps comprised of understandable responses in terms of possibly being the natural result of dispositions that imperfectly track reality, is ultimately unjustified. These theories take the view that an agent who acts in accordance with the conclusion of sound moral deliberation, does the right thing. In other words, an agent who does her best to satisfy the specific end of ethical action extolled by the particular Rationalist ethical theory under consideration—whether it be pursuing the ends of the virtues, maximizing the aggregate good of all persons, or satisfying one’s perfect duty—does what is right. Although
there may be some sort of badness attached to the action, it is in no way wrong. This view of wrongdoing, then, makes the phenomenology unfitting since a key condition for the fittingness of it is that the tragic agent be morally responsible for wrongdoing. This means that we have to say that virtuous agents are, in an important sense, irrational. This is a conclusion that we presumably want to avoid if we can.

We can avoid this conclusion because it was argued in this dissertation that there is an account of wrongdoing based on neo-Aristotelian ethical theory that accounts for the phenomenology of tragic dilemmas as fitting, thereby saving reactions that are generally regarded as virtuous responses as being rationally justified ones. According to this account of wrongdoing, an action is wrong if and only if it either counts against an agent’s virtue or negatively affects an agent’s flourishing in a serious way. As such, another sufficiency condition for wrongness is added to what amounts to the extant major neo-Aristotelian accounts of wrongdoing. The first sufficiency condition focuses on agent assessment and the latter on action assessment. Actions that necessarily undermine flourishing are assessed as wrong ones according to this account and these of course are the kinds of actions present in a tragic dilemma. Therefore, while a tragic agent is capable of *hairesis* in her situation—she can decide on one or the other of her alternatives—she is not capable of *prohairesis*, meaning she cannot make a decision consistent with maintaining some of the fundamental values comprising her own conception of the good. Instead, she can only make a decision that directly undermines what she correctly takes to be good, i.e. she is forced to act wrongly. The tragic agent engages in an act of betrayal. She is not evaluated negatively for such an act, so she does not do wrong in terms of agent assessment, but her action does negatively affect flourishing in a serious way, and therefore she does do wrong in terms of action assessment. This wrongness is a necessary
condition for the fittingness of the first-, second-, and third-person responses to the tragic dilemma described earlier. The first-person feelings of guilt, taint, and the need to make amends all involve as part of their evaluative cognitive content that the she has engaged in wrongdoing. The second-person response of resentment also has this content and the second-person response of forgiveness implies that one has been wronged. Third-person responses of tragic fear and pity also involve as part of their evaluative cognitive content that the tragic agent has engaged in wrongdoing.

Given that deontic notions such as ‘right’ and ‘wrong’ are typically associated with abiding by or not abiding by some sort of law, principle, or procedure, the relevant proposed law for neo-Aristotelian ethical theory is ‘Do that which is in accordance with eudaimonia.’ Specific content is given to this law by speaking of virtues, activity in accordance with which, and given an adequate supply of external goods, constitutes flourishing. As Hursthouse notes, a virtue is simply “a character trait a human being needs for eudaimonia, to flourish or live well” and she deems virtues as the only reliable bet with respect to living a flourishing human life. Right action in terms of action assessment, then, is action in accordance with this law and serves as an ideal standard by which to judge other actions. Right actions in the action-guiding sense are those that live up to this ideal and those that approximate it.

Although the tragic agent does her best to do what is in accordance with a flourishing life in her circumstances, the fact that all of her alternatives destroy a significant part of her flourishing makes it the case that these actions are assessed as wrong with respect to the end of eudaimonia. In other words, in a tragic dilemma, it is right (action guidance) for the agent to do wrong (action assessment). This account, then, allows for actions that are wrong in one

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374 Ibid., 172. Hursthouse does not claim that virtue is necessary for happiness, only that “no ‘regimen’ will serve one better—no other candidate ‘regimen’ is remotely plausible.” ———, *On Virtue Ethics*, 173.
important sense, but nonetheless right or permissible in another important sense. One might object that ‘wrong’ is an action-guiding term and that this meaning is perverted by this account insofar as it allows a wrong action to be permissible. This, however, is precisely the result desired in order to account for the tragic agent’s phenomenology. She feels guilty, the need to make amends, and tainted and this because she has acted incorrectly, i.e. done wrong, with respect to the good (eudaimonia). She is not, however, blameworthy because (in the action-guidance sense) she has not acted incorrectly, i.e. she has not violated the correct conclusion of moral deliberation.

In order for the phenomenology described to be fitting, not only must the tragic agent have engaged in wrongdoing, but she must also be morally responsible for it. I argued that according to an account of moral responsibility developed from Aristotle’s discussion of voluntary action, the tragic agent is morally responsible for the specific wrongdoing that she chooses to do in a tragic dilemma. According to the account developed, a moral agent who has the power to do or not to do a particular action and who has sufficient knowledge regarding what she is doing is morally responsible for her action. Since the tragic agent’s action satisfies these conditions with respect to the particular wrongdoing that she decides to engage in, she is morally responsible for that wrongdoing. For example, Agamemnon is morally responsible for killing his daughter as opposed to letting his fleet be destroyed and Sophie is morally responsible for betraying her responsibility for her daughter’s welfare as opposed to that of her son. Another way of putting the point is that the tragic agent is morally responsible for which particular individual or group of individuals is wronged.

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375 “…the principle of the actions is in him, it is also up to him to do them or not to do them” (NE III.1 11110a16-17)
376 The agent must not be ignorant "of the particulars which the action consists in and is concerned with" (NE III.1 1111a1). Aristotle defines these particulars as "who is doing it; what he is doing; about what or to what he is doing it; sometimes also what he is doing it with…for what result…in what way" (NE III.1 1111a4-7).
It is the moral culpability for which particular individual or group of individuals is wronged that grounds the tragic agent’s feeling of guilt. She is morally responsible for a specific wrongdoing. She feels a need to make amends in the light of the fact that she has wronged someone, but given that the harm involved in the wrong is so grievous—e.g. death—sufficient amends cannot be made. This fact leads to the feeling of being tainted because normally when an agent is guilty of something she can make it up to the person harmed and thereby stops feeling guilty, but in a tragic dilemma this is not possible.

The fact that the tragic agent is culpable for wronging a specific individual also serves to ground the fittingness, at least initially, of the wronged person’s resentment. Ultimately, however, it was argued that forgiveness might be the more fitting response. This is the case if the subsequent actions, feelings, and attitudes of the tragic agent serve sufficiently to undermine the claim entailed by wrongdoing, namely, that it is acceptable to treat the victim in such a way. The tragic agent’s feelings of guilt are at least a first step in this direction insofar as they denote that she recognizes that she has engaged in wrongdoing. Moreover she must be sorry for what she has done, even if it is the case that faced with the dilemma again she would not do otherwise. This, like the guilt, serves as a partial demonstration that she recognizes that she wronged someone. Moreover, it serves to renounce the claim made by her wrongdoing that it is acceptable to treat another person in this way. Any rectifying actions that can be taken should be taken. Importantly, the tragic agent’s feelings, attitudes, and actions can serve to support the wrong action as anomalous and not as indicative of a vicious character or attitude toward the second person. As such, and by recognizing the other weighty obligations the tragic agent had, and the fact that the circumstances made it such that she could not fulfill all of them, the second person may fittingly forgive the tragic agent.
An objection to this view of the tragic agent being morally responsible for wrongdoing is that typically when an agent is culpable for wrongdoing, it is fitting to blame her, but we do not blame tragic agents therefore suggesting that she does not do wrong. This objection relies on a view of wrongdoing that is tied only to agent assessment. An agent who does something that counts against her virtue is assessed negatively, i.e. she is blamed. In response I argued that the tragic agent would indeed be blameworthy for wrongdoing if she were at fault for the existence of her tragic dilemma, i.e. if she were morally responsible for the fact that she only faced wrongful action alternatives. Given that she is not, however, third-person blame is inappropriate and not fitting. Third-person blame is fitting if an agent is morally responsible for having to do wrong (this counts against her virtue), but there is no room for third-person blame for the fact that the tragic agent decides to violate one moral obligation in the situation where the conclusion of sound moral deliberation indicates that this is exactly what she ought to do. Indeed, rather than blame the agent third persons tend to react with tragic fear and pity. If our view of wrongdoing is tied only to agent assessment, then indeed it is puzzling to say that the tragic agent engages in wrongdoing and yet she is not blameworthy. If, however, our account of wrongdoing is also tied to action assessment, then the door is open for actions that although wrong, do not incur third-person blame.

The fittingness conditions for tragic fear and pity are that the tragic agent be forced to engage in serious non-blameworthy wrongdoing leading to a significant negative impact on her flourishing. Forced engagement in evil activity subverts the agency of the tragic agent such that in acting for the best possible in the situation, i.e. in best approximating eudaimonic action, she is involved in the destruction of one of her most dearly held values. We pity the tragic agent because we do not think that a good person deserves such a fate and we fear being so unlucky
ourselves. Since according to the account here developed the tragic agent is morally culpable for serious wrongdoing, and because this destroys one of her relationships that forms a key context for her exercise of virtuous activity, third-person reactions of fear and pity to her plight are rationally justified.

Once again, in this dissertation it was argued that in having to act in tragic dilemmas, tragic agents become morally responsible for wrongdoing. As a result, the following phenomenology of tragic dilemmas that we intuitively regard as appropriate is made fitting: first-person feelings of guilt, taint, and the need to make amends; second-person resentment and eventual forgiveness; and third-person tragic fear and pity, instead of blame.

The fact that neo-Aristotelian ethical theory, when appropriately grounded in personal flourishing, can accommodate the disparate phenomenology of tragic dilemmas serves as partial vindication of it over its Rationalist theoretical rivals in as much as there is pressure to “save the appearances” presented by the compelling and common phenomenology. Flourishing is activity in accordance with the virtues, given an adequate supply of external goods. These external goods provide the preferred context for the exercise of the virtues. The preferred context for an individual, it was argued, is agent-relative, meaning that it is determined by the contingent aspects of her practical identity: her particular ends in terms of relationships and projects. Her flourishing depends on her being able to engage in virtuous activity in this personal context. Since in neo-Aristotelian ethical theory flourishing involves essential reference to the individual person, we speak of personal flourishing.

On the neo-Aristotelian account, moral integrity involves promoting these agent-relative ends. In a tragic dilemma, a virtuous agent’s moral integrity is destroyed because circumstances are inhospitable to being able to promote the ends, specifically the relationships, to which she is
committed. In other words, an agent is unable to live up to the moral responsibilities she has to particular persons. The most choiceworthy action alternatives present in a tragic dilemma are grievously deficient in terms of living up to both the letter and spirit of the constitutive rules structuring these relationships. As such, they are contrary to the end of ethical action on this account, which is personal flourishing and hence the tragic agent necessarily has to do wrong.

Rationalist ethical theory, on the other hand, is impersonal. The end of ethical action is not personal flourishing, but something else, whether it be improving and maintaining one’s soul or good will (by respecting the moral law), which is an entity separate from the contingent aspects of an individual’s practical identity, or the welfare of all individuals considered impartially. Any moral responsibilities to particular persons, then, are secondary phenomena arising from these ultimate moral responsibilities to a moral abstraction. Circumstances always present action alternatives that are hospitable to being able to abide by these ends of ethical action. As such, the agent need not ever necessarily do anything wrong.

Given that neo-Aristotelian ethical theory has the resources with which to say that the phenomenology of tragic dilemmas correctly tracks moral responsibility for wrongdoing, it thereby also helps to explain what is especially tragic about the dilemmas we have considered. It is not simply that an agent’s flourishing is seriously undermined by being subject to misfortune, which can happen in myriad ways, but that she is forced by circumstances to engage in wrongdoing. Tragic dilemmas, then, remind us of the vulnerability of both virtue and flourishing to the luck of circumstances.
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