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A Thomistic Critique of the Ethics of Alasdair MacIntyre

Marcus Otte
University of Central Florida

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A THOMISTIC CRITIQUE OF THE ETHICS OF ALASDAIR MACINTYRE

by

MARCUS SHANE OTTE
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ABSTRACT

Alasdair MacIntyre argues in favor of a historicist Thomism in ethics and political philosophy. In his theory, sociological categories take up much of the space traditionally occupied by metaphysics. This peculiar feature of MacIntyre's Thomism, and its merits and demerits, is already a subject that has been taken up by many critics. In this thesis, these criticisms are supplemented and unified by identifying what is perhaps the most fundamental difficulty with MacIntyre's ethics: his version of Thomism is problematic because it treats epistemology as first philosophy. This misstep compromises MacIntyre's ability to provide a defense of moral objectivity, while also undermining his theory's usefulness in deriving moral rules. The result is an ethics of doubtful coherence. If Thomism is to offer a viable alternative to Enlightenment morality and Nietzschean genealogy, it must defend the priority of metaphysics with respect to epistemology.

Dedicated to the Immaculate Heart of Mary

ACKNOWLEDGMENTS

TABLE OF CONTENTS

CHAPTER ONE: INTRODUCTION

The past few decades have seen a considerable revival in virtue ethics and, to a lesser extent, natural law theory. Alasdair MacIntyre is among those at the forefront of this development. His own conception of ethics has changed significantly over time, becoming more metaphysical and classically Thomistic. Nevertheless, the foundations of MacIntyre's ethics remain insufficient, in large part because he makes epistemology prior to metaphysics. MacIntyre's ethical philosophy is a corruption of the theory provided by Aquinas, rather than a legitimate development and improvement upon it.

This conclusion will be supported with three arguments. First, MacIntyre fails to do justice to the phenomenology of moral motivation. He treats the precepts of natural law as, first and foremost, the rules that are presupposed in shared deliberation with others. In part, this is due to his account of moral deliberation as an essentially social act. But his characterization of our stance towards the precepts is radically deficient. In reality, acceptance of the precept against murder is not occasioned by a realization that each person is a potential partner in discussion about the common good. Rather, the turpitude of murder is perceived in view of the goodness of life and of peace: goods that murder wantonly destroys. In failing to provide due place for "constitutive goods," such as human dignity, MacIntyre undercuts his ability to provide a realistic moral phenomenology; likewise, these failures in phenomenology bring about an overly sparse moral ontology.[1] The result is a loveless philosophy.

Second, MacIntyre's account of natural law consists, in large part, in rules designed to guarantee dialogue between partisans. These rules, which are of dubious origin, lack the substance needed to derive more specific precepts of ethical living, such as whether the hungry

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[1] Here, and throughout the rest of the paper, I use the term "phenomenology" merely in the sense of the what-it-is-like. I am not referring to the methodology of Husserl or other phenomenologists.

may use stealth to secure provisions, or whether lying is ever permissible. At the very least, MacIntyre does not offer the resources needed to derive precepts with the degree of certitude and specificity he assures us is possible.

Third, MacIntyre's more recent writings bestow a greater role upon tradition-independent standards than his earlier texts. But he fails to delineate how tradition-constituted rationality coexists with tradition-independent principles of natural law. In its current form, his vision of practical rationality is ambiguous at best, incoherent at worse.

CHAPTER TWO: LITERATURE REVIEW

MacIntyre's writings on tradition-constituted enquiry began with *After Virtue* in 1981. This book was the fruit of ten years of reflection and writing, following MacIntyre's earlier works on the history of philosophical ethics, in which the shortcomings of Marxism with respect to establishing grounds for practical enquiry was becoming ever more salient to him. There are seven central claims in *After Virtue* which are foundational to the subsequent developments in MacIntyre's theory of tradition-constituted rationality:

1)   Uniquely intractable ethical disputes over central issues are a peculiar feature of our social and cultural order.

2)   One important reason this state of affairs has come about is the failure of the Enlightenment project: the attempt to devise a secular morality able to obtain the consent of any sufficiently reflective rational person.

3)   A consequence of interminable moral debate has been the bastardization of concepts of practical reasoning: they have been extracted from the contexts in which their original meaning was sensible, and yet, continue to be posited as if self-evidently justified. Moral debate has therefore become emotivist and inherently manipulative.

4)   Nietzsche is the philosopher who best understood that Enlightenment-inspired moral assertions are intrinsically manipulative and emotivist. He generalizes this, however, beyond the Enlightenment project in his genealogy of morals. This raises the question of whether his history is a true history, and whether there is an error laying at the foundation of the Enlightenment project that

Nietzsche fails to understand. MacIntyre answers in the affirmative: the mistake consists in a rejection of Aristotle's ethics and politics.

5) In Chapters 10-14, MacIntyre provides a history of the understanding of virtue, tracing the notion from archaic Greece through the Middle Ages. This account is meant, in part, to rebut a Nietzschean genealogy. It also explicates a concept of virtue in relation to the notions of practices, *telos*, and narrative structure.

6) During the 16th and 17th centuries, an Aristotelian understanding of virtue collapsed. When Enlightenment morality took its place, certain Stoic notions arose which laid the groundwork for Kantianism, and to a lesser extent, some other modern ethical theories.

7) The rejection of Aristotelian ethics and politics has been shown to be intelligible. It has never been shown to be warranted, however. When Aristotelianism is well understood, it is not vulnerable to the genealogical critiques that defeat Kantianism and utilitarianism.[2]

Since the publication of *After Virtue*, MacIntyre has expanded upon his concept of tradition-constituted enquiry, primarily in his trilogy of books: *Whose Justice? Which Rationality?* (1989), *Three Rival Versions of Moral Enquiry* (1990) and *Dependent Rational Animals* (1999).

MacIntyre is keenly aware of the problems that may arise from historicist accounts of morality, such as that proposed in *After Virtue*. From the outset, he has realized it is important for him to defeat worries that his theory entails relativism or perspectivism. In *Whose Justice? Which Rationality?*, he articulates the conditions in which one is justified in accepting or

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[2] Alasdair MacIntyre, "The Claims of *After Virtue*," *Analyse & Kritik,* no. 9 (1984): 3-7, https://owl.english.purdue.edu/owl/resource/717/05/.

rejecting one conception of practical rationality over another, and in advancing universal truth claims. Additionally, he dispels the common misperception that he proposes an "ethics of virtue" that excludes an "ethics of rules." Rather, MacIntyre argues, any sufficient conception of virtue requires as its counterpart a notion of law.

MacIntyre advances four considerations to be kept in mind, if his concept of rational enquiry is to be properly understood. First, the process of justification in matters of practical enquiry is historical. "To justify is to narrate how the argument has gone so far."[3] Second, the claims of a particular doctrine cannot be expressed adequately in an ahistorical way. The content of a given claim is dependent upon the precise manner of its formulation, the opposing opinions it is meant to deny (at that particular time and place), and the background assumptions presupposed by those who assert the claim. Claims to timeless truth are possible, but only by formulations that are time-bound.[4]

Third, the diversity of traditional standpoints is a phenomenon in need of explanation, and a theory of tradition-constituted enquiry provides a superior basis for such an explanation. Finally, the concept of tradition-constituted enquiry cannot be expounded but through recourse to its historical exemplifications. MacIntyre holds this to be the case for all concepts. Nevertheless, neglecting the history of a concept is a more important error in some cases than in others: in this instance, the historical dimension is crucial. MacIntyre follows the course of four traditions of practical enquiry, all of which have stood in a relationship of alliance, antagonism, or synthesis with at least one of the others: the ethical theories of Athenian philosophers, of medieval Christendom, of the Scottish Enlightenment, and of liberal modernity.[5]

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[3] Alasdair MacIntyre, *Whose Justice? Which Rationality?* (Notre Dame, IN: University of Notre Dame Press 1988), 8.
[4] Ibid., 9
[5] Ibid., 10

Three Rival Versions of Moral Enquiry is a collection of essays based upon MacIntyre's Gifford Lectures at Edinburgh in 1988. It overviews and assesses "encyclopedic," "genealogical," and "traditional" approaches to practical rationality. The first of these is epitomized by the Ninth Edition of the *Encyclopedia Britannica*. The encyclopedic tradition was an inheritor of Enlightenment rationality, and a forerunner of the contemporary analytic school. Of course, the overall intellectual vision of the Ninth Edition is not shared by today's analytics in general: in the Edinburgh of Adam Gifford's day, the aim of enquiry was to create a unified vision of the world, with natural theology standing at the apex of the natural sciences and serving as the principle of unity among them.[6]

There is, however, one key encyclopedic belief that continues to inform the analytic school, and which makes discussion of enyclopedism clearly pertinent to an understanding of the analytics: "…the belief that every rationally defensible standpoint can engage with every other, the belief that, whatever may be thought about incommensurability in theory, in practice it can be safely neglected."[7]

The second approach MacIntyre examines– the genealogical approach which originates with Nietzsche– rejects the notion that there is truth-as-such. There is only truth-from-a-point-of-view.[8] Objective truth corresponding to the world is an empty notion, as is the notion of *the* world itself. There are no precepts of rationality as such upon which compelling argument might be based. Instead, there are only "strategies of insight and strategies of subversion."[9] From the standpoint of the genealogist, the encyclopedist is confined by metaphorical language he does not realize to be metaphorical. Deleuze and Foucault inherited this conviction.

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[6] Alasdair MacIntyre, *Three Rival Versions of Moral Enquiry: Encyclopedia, Genealogy, and Tradition*, (Notre Dame, IN: University of Notre Dame Press 1990), 22.
[7] Ibid., 171
[8] Ibid., 36
[9] Ibid., 42

The third standpoint on practical enquiry MacIntyre reviews is that of "tradition,"

represented by Socrates, Plato, Aristotle, and Aquinas. The genealogists and encyclopedists both

frame questions of practical rationality within a dichotomy they treat as exhaustive: *either* reason

is universal, abstract, and disinterested *or* reason is a manifestation of the will to power, masked

by a phony appearance of neutrality. There is a third possibility neither party considers, however:

perhaps reason is only enabled to obtain the universal to the extent it is not "neutral" among

contending parties. That is, perhaps practical reason may only flourish within a moral

community in which authority exists, so that such reason is simultaneously particularist and

universalist.

MacIntyre focuses specifically on the Socratic notion of philosophy as a *technē*, a craft. It

is via the idea of philosophy as *technē* that he establishes the need for teaching authorities

internal to its practice.[10] Paradoxically, this actually diminishes the authority of the lecturer.

Among the 19th century encyclopedists, deferential audiences came to hear (not publicly dispute

with) lecturers. Authority "resided in the lecturer himself and in the lecture."[11] For the medievals

it was not so; the lecture had, as its customary sequel, a public disputation. This was the case

because lecturers and their audience shared background beliefs with regard to which texts ought

to be regarded as authoritative. The lecturer took on the role, therefore, of an interpreter of a

shared authoritative tradition.

Having described these three approaches, MacIntyre likens our epistemic situation to that

of Aquinas in the 13th century. Formed in the Augustinian tradition that had long served as the

core of enquiry within Christendom, Aquinas encountered the newly rediscovered works of

Aristotle. The Augustinian and Aristotelian traditions were radically incommensurable. Like the

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[10] Ibid., 63
[11] Ibid., 33

genealogical and encyclopedic approaches of modernity, they disputed not merely over which fundamental principles ought to be accepted, and how enquiry ought to be conducted– they also disagreed about how to characterize their disagreements.

Aquinas's solution serves as a model for MacIntyre. Aquinas examines each rival tradition in its own terms, uncovering problematic areas in each. He proceeds to point out cases in which, by borrowing from the resources of its opponent, each tradition could resolve its problems in a manner rationally superior according to its own standards. The conflict between Augustinians and Aristotelians was resolvable: an Aristotelian could provide his counterpart with the resources to be a better Augustinian, and demonstrate this using Augustinian argument, and vice versa. It is this approach to synthesis between encyclopedism (or really, its descendents) and genealogism that MacIntyre envisions.

The last book in this trilogy, *Dependent Rational Animals*, represents a more significant break from *After Virtue* than do its predecessors. In *After Virtue*, MacIntyre repudiates the role of "metaphysical biology" in Aristotle's ethics.[12] *Dependent Rational Animals*, by contrast, emphasizes the intrinsic animality of man. Any adequate account of practical rationality must begin from our biological form of life.

Here, MacIntyre develops his Thomism more intensively than in previous volumes, especially with regards to distinguishing the ethics of Aquinas from that of Aristotle. Most importantly, Aquinas' valuation of humility and acknowledgement of dependence places him deeply at odds with the Aristotelian ideal of the *megalopsychos*.[13]

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[12] Alasdair MacIntyre, *Dependent Rational Animals*: *Why Human Beings Need the Virtues*, (Chicago, IL: Open Court Publishing Company 1999), x.
[13] Ibid., 127

Assigning man's animality (and consequently, his dependence and vulnerability)[14] a central place highlights a number of important problems and directions for investigation. It profoundly affects the structure of MacIntyre's overall argument. He begins with an examination of empirical data about dolphins, a species of animal for which, he argues, strong reasons can be adduced to ascribe beliefs, thoughts, feelings, reasons for action, and concept acquisition. MacIntyre attempts to delineate, quite precisely, the line separating human rationality from the cognitive abilities of other high animals. He emphasizes the commonality between human and non-human cognition with respect to pre-linguistic, pre-rational mental functions, and the degree to which rationality rests upon these functions.[15] Second, he explicates the relation between that which is dependent in man, and that which is independent. Being dependent upon others in important respects is a necessary condition of obtaining properly human autonomy, in part because to be a "rational animal" is to be an animal. Third, social and political implications are drawn out of the notion of man as dependent rational animal. Most importantly: (1) there must be institutionalized deliberation among those who have obtained the status of autonomous reasoners, (2) there needs to be contextual norms of justice that accommodate various states of dependence and independence, and (3) political structures must provide a representative voice for those who do not have sufficient exercise of reason to provide their own voice.[16]

Some of MacIntyre's minor works are also directly relevant to this thesis. His contribution to the Tanner Lectures at Princeton, "Truthfulness, Lies, and Moral Philosophers: What Can We Learn from Mill and Kant?" (1994), gives a defense of lying in a narrow range of circumstances: one may lie to protect oneself or others from murder, or from other forms of aggression that are contrary to the needs of a rational relationship. This lecture is MacIntyre's

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[14] Ibid., 4
[15] Ibid., 18
[16] Ibid., 129, 130

most sustained treatment of a specific moral question. He offers two objections to Kant's position on lying. First, a consistent Kantian is a "moral free-rider," inasmuch as he derives benefits from living in a society in which lying takes place, and these benefits would disappear were everyone to be a Kantian. MacIntyre likens Kantians to pacifists.[17] The second argument is that, in some types of cases, one encounters situations in which a reappraisal and revision of the universal principles one has hitherto held becomes necessary. He supplies a particular example of a Dutch woman who lied to save a child's life from a Nazi officer.[18] In MacIntyre's view, Kant begins his ethical project from an incorrect starting point: rather than starting from the question, "By what principles am I, as a rational person, bound?" we ought to first ask, "By what principles are we, as actually or potentially rational persons, bound in our relationships?"[19]

For MacIntyre, the evil of lying stems from its aptitude to distort and destroy rational relationships. In view of the fact that would-be murderers have already rejected any possibility of a rational relationship, the precept against lying does not apply to our interactions with them. Additionally, lying is even morally required if it is needed to protect a rational relationship: as when the innocent are protected from the violent.[20]

In 2004, then Cardinal Ratzinger asked the University of Notre Dame to conduct a symposium on natural rights and natural law. MacIntyre provided the opening lecture, "Intractable Moral Disagreements" (2009), to which eight scholars from a variety of disciplines (philosophy, theology, political science, civil and canon law) replied with essays of their own.

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[17] Alasdair MacIntyre, "Truthfulness, Lies, and Moral Philosophers: What Can We Learn from Mill and Kant?," *The Tanner Lectures on Human Values* (1994): 44 http://tannerlectures.utah.edu/_documents/a-to-z/m/macintyre_1994.pdf.
[18] Ibid., 45
[19] Ibid., 46
[20] Ibid., 49, 50

MacIntyre writes a brief synopsis of Aquinas' ethical theory. He demarcates the tiers of moral law thus: there is the first principle of natural law (one should do and pursue good and avoid evil); other principles he also refers to as "first principles" of natural law, each corresponding to a natural desire; there are primary precepts, roughly corresponding to the ten commandments, which are immutable, necessarily true, and, in principle, accessible to any normally situated human cognizer; and the secondary precepts, which are contingently true and entail the application of primary precepts to the concrete situations of life. The latter operation requires skill in practical reasoning and may be handicapped by a variety of factors. Complications in the detailed explication and application of the secondary precepts are the chief source of moral disagreement, often because primary precepts appear to conflict with one another.[21] This taxonomy of Aquinas' ethics has created needless confusion[22] because it is contrary to the usage of many other scholars.[23]

MacIntyre posits that three conditions must be met in any well-structured practical enquiry. Progress towards truth is not possible unless these are presupposed. In matters of practical enquiry: (1) the good of truth must never be trumped by other goods, (2) there must be some ongoing dedication to enquiry for those who live in a community marked by practical disagreement, (3) and one must detach himself from his own psychological and material

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[21] Alasdair MacIntyre, "Intractable Moral Disagreements," in *Intractable Disputes About the Natural Law*, ed. Lawrence S. Cunningham (Notre Dame, IN: University of Notre Dame Press, 2009), 6, 7.

[22] Hence, the misunderstanding with Jean Porter that MacIntyre points out in "From Answers to Questions": "She supposes that I was speaking of the first principles of natural law when I spoke of its primary precepts." In *Intractable Disputes About the Natural Law*, ed. Lawrence S. Cunningham (Notre Dame, IN: University of Notre Dame Press, 2009), 318.

[23] For example: Denis J. M. Bradley, *Aquinas on the Twofold Human Good: Reason and Human Happiness in Aquinas' Moral Science,* (Washington D.C.: CUA Press, 1997), 244; Stephen Schneck, "Strauss Contra Aquinas: The Problem of Nature for Right," *Presented at the annual meeting of the American Political Science Association*, (2004): 11, http://www.allacademic.com/meta/p59152_index.html; and Jean Porter "Does the Natural Law Provide a Universally Valid Morality?," in *Intractable Disputes About the Natural Law*, ed. Lawrence S. Cunningham (Notre Dame, IN: University of Notre Dame Press, 2009), 80.

interests. Reflection upon such commitments makes it clear that, if we are to deliberate well, we must abide by the precepts of the Decalogue that govern social life.[24]

That these precepts are assumed in well-structured moral deliberation depends upon the notion that such deliberation is chiefly a social, not an individual, activity.[25] MacIntyre even asserts that deliberation is "by its very nature a social activity," so that the fundamental matter of practical enquiry is not, "What ought *I* do?" and "How ought *I* live?" but instead, "What ought *we* do?" and "How ought *we* live?"[26]

Having reviewed MacIntyre's writings, I will now proceed to the works of other authors. The substance of my critique is drawn from St. Thomas Aquinas. This is appropriate, in light of Aquinas being typically regarded as the paradigmatic natural law theorist[27], as well as an important virtue ethicist. Furthermore, since MacIntyre regards his ethical theory as Thomistic, it is sensible to ask to what extent it truly represents an improvement upon, or a corruption of, the thinking of St. Thomas.

The first principle argument is that MacIntyre's theory fails to provide an adequate moral ontology due to its weak moral phenomenology, and vice versa. A delineation of third-person, objective features of the moral world must find its ultimate source in primitive, first-person experiences of the noble. The broad contours of this argument are borrowed from David McPherson.

McPherson makes use of the notion of "strong evaluation," borrowed from Charles Taylor, to contend that any attempt to frame neo-Aristotelian ethics in "ethical naturalism" must

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[24] MacIntyre, "Intractable Moral Disagreements," 21-23
[25] Ibid., 24, 25
[26] Ibid., 15; Marcus Otte, "A Summary of MacIntyre's 'Intractable Moral Disagreements,'" (paper from independent study, University of Central Florida, 2014).
[27] Mark Murphy, "The Natural Law Tradition in Ethics," *The Stanford Encyclopedia of Philosophy*, ed. Edward N. Zalta, (Winter 2011), http://plato.stanford.edu/archives/win2011/entries/natural-law-ethics/.

inevitably fail to account for important features of the moral life. In "To What Extent Must We Go Beyond Neo-Aristotelian Ethical Naturalism?" (2012), he focuses his criticisms upon Rosalind Hursthouse's *On Virtue Ethics* (1999), MacIntyre's *Dependent Rational Animals* (1999), and Phillipa Foot's *On Natural Goodness* (2001). In McPherson's usage, "ethical naturalism" refers to the position that ethics is grounded upon claims about what it means for human beings to flourish *qua* members of the human species, so that human flourishing is analogous to non-human animal flourishing, and ethics is founded upon truths about human beings *qua* biological entities.[28]

For Taylor, "weak evaluation" is an act of judgment in which something is deemed to be good merely because it is desired. In "strong evaluation," by contrast, a qualitative distinction is drawn between higher and lower desires. This distinction is made in light of "strongly valued goods," that serve as the normative standards for assessing the worthiness of our desires. Strong evaluations are central to our moral lives. It is in virtue of such evaluations that we deem some wishes trivial, base, superficial, bad, etc.[29] Strongly valued goods are incommensurably more important than their weakly valued counterparts.[30]

Taylor distinguishes between two "levels" of strongly valued goods. There are "life goods" that one may refer to in order to differentiate worthy from unworthy feelings, actions, and ways of life. The virtues are among the most important examples of life goods. There are also "constitutive goods" that comprise the most fundamental level of strongly valued goods and underlie the significance of life goods. Constitutive goods include features of ourselves, of the

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[28] David McPherson, "To What Extent Must We Go Beyond Neo-Aristotelian Ethical Naturalism?" American Catholic Philosophical Quarterly, 86:4, 627-628. DOI: 10.5840/acpq201286449.
[29] Ibid., 634
[30] Ibid., 635

world, and of God that are experienced as deserving of our esteem, allegiance, love, respect, and so forth.[31]

These constitutive goods fulfill two purposes in Taylor's theory of ethics. First, they serve to establish life goods as such. For example, suppose we take human beings as worthy of our respect and love because of their rational potentialities, or their ability to love, or their being in the image of God. Such features being fundamentally valuable is constitutive of life goods that manifest respect and love for human beings: such as the virtues of justice and magnanimity. Second, constitutive goods also serve as "moral sources" in the sense that, insofar as they are the objects of our love and esteem, we are stirred to pursue corresponding life goods.[32]

Taylor focuses on the relation between third-person moral ontology, on one hand, and first-person moral phenomenology, on the other. Posited constitutive goods are among those things that form our moral ontology and thus provide a basis for our "first-person evaluative experience." At the same time, it is only from our first-person phenomenological perspective that we can argue for moral realism, that is, for the truths that pertain to the third-person perspective. Thus, our moral ontology and our moral phenomenology are mutually constraining– if they do not correlate, we must adjust one, the other, or both, on pain of irrationality.

This is Taylor's attempt to find a middle course between "Platonism" and projectivism on the matter of moral objectivity. The Platonist affirms moral objectivity (the third-person) in a manner that makes phenomenology irrelevant; the projectivist makes morality into nothing but first-person phenomenology. Each of these perspectives is in agreement "that the objectively real is only what exists independently of our human responses to the world."[33] This is precisely what

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[31] Ibid., 635-636
[32] Ibid., 637
[33] Ibid., 638

Taylor means to deny. Rather, our "deepest moral instincts" are our means of access to objective, third-person constitutive goods.[34]

This distinction might be met with an objection. One's moral phenomenology and ontology are both "evaluative." Both contain "attitudinal content." It is difficult then, to draw a principled distinction between them. They appear to collapse into one another, since neither concerns "facts," but only "values." This is the reply of projectivism. If I have taken considerable liberty with quotation marks, it is only because this objection comes from a point of view that I reject entirely. It rests upon the so-called fact/value distinction, and thus, is premised on the rejection of final causes and essentialism. For the Aristotelian, propositions about the *ergon* of man, about *telos*, and *to kalon* refer to third-person facts, every bit as objective as physical facts.

The claims of any moral ontology are "evaluative," so to speak, but they are not claims *about* evaluations. Rather, they are claims about (purported) realities that are prior to any evaluative act on our part. If the Aristotelian is to give a fully adequate defense against projectivism, he must defend a moral ontology that belies the fact/value distinction. Such a defense is not the topic of this paper. It is sufficient for us to show that MacIntyre's account of virtue, which is not projectivist, fails if it is not joined to an adequate ontology and phenomenology.

McPherson argues that, on the basis of Taylor's theory of moral objectivity, three criticisms may be leveled at recent attempts to naturalize Aristotelian ethics. First, these accounts virtually ignore the concept of the "noble" or the "fine" (*to kalon*), that, with good reason, is central to Aristotle's own theory of virtue. To put Aristotle's ethics in Taylor's terms: man's potential as political and rational animal is a constitutive good that elicits our respect and admiration. This potential endows us with an ability to attain a higher mode of life than that

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[34] Ibid., 638

available to other animals. On this basis, we may judge the sorts of character traits that tend to the realization of this potential as "noble." These traits are life goods. To flourish is to be prosperous in such goods. Aristotle differentiates between "the pleasant," "the useful," and "the noble," and holds that "[actions] in accord with virtue are noble, and aim at the noble."[35]

In contrast, naturalistic neo-Aristotelian theories expound upon virtues as instrumental goods almost exclusively, rather than as goods which themselves are constitutive of the good life. MacIntyre briefly acknowledges the role of virtues as "constitutive of human flourishing"[36] but is remarkably inarticulate in explaining just what is good about virtue in itself. McPherson argues that articulating such a thing requires a concept of the "good human being" formed via strong evaluation, so that fulfilling one's function(s) *qua* man is regarded as an intrinsically desirable, nobler mode of being.

In neglecting those goods that are incommensurably higher and intrinsically worthy– that is, in forgetting the noble– the neo-Aristotelian naturalists force themselves to define human flourishing very thinly: "e.g., in terms of the avoidance of death, physical injury, suffering, oppression, helplessness, etc."[37] This thin view is all that is available to them, since it can be explicated purely in third-person terms, without necessary recourse to evaluative phenomenology, or so McPherson argues.

The second critique McPherson levels against MacIntyre et al., is that they are unable to adequately describe our orientation towards the other-regarding virtues. For neo-Aristotelian naturalists, other-regarding virtues, such as justice and honesty, are virtues primarily because they tend to the well-functioning of social groups, and such functioning is a pre-requisite of our own flourishing as rational animals. McPherson acknowledges the importance of such factors,

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[35] Ibid., 642
[36] MacIntyre, *Dependent Rational Animals,* 112
[37] McPherson, "To What Extent," 644

but insists they do not do full justice to our moral experience. Specifically, MacIntyre et al. fail to capture "our first-personal sense that human beings are *worthy* of our love and respect."[38] MacIntyre does regard the pursuit of goods for the sake of others as a necessary aspect of other-regarding virtues,[39] but there is still no exposition of a view in which human beings *deserve* such concern due to some constitutive good, such as human dignity. Rather, concern for others is treated merely in terms of its being a necessary condition of other-regarding virtue.

Third and finally, Taylor's evaluative framework provides a relatively superior standpoint from which to handle the question of life's meaning. To ask what, if anything, renders life worthwhile, is a question pertaining to strong evaluation. It requires a specification of that which is worthy. This consideration is related to the first discussion of nobility, but differs inasmuch as the focus is upon the significance of a life as a whole, instead of the intrinsic significance of virtuous actions. A person may flourish in the naturalistic ends of metaphysical biology, and yet, still regard his or her life as meaningless. In Taylor's thinking, the experience of life as meaningful results from love and esteem for constitutive goods and the actualization of their corresponding life goods.[40]

This argument will be supplemented with Thomistic sources. The key concept that comes into play here is that of *synderesis*– it is where phenomenology and nature itself meet in the NLT (natural law theory) of Aquinas. In the *Summa Theologica,* St. Thomas distinguishes, as he does elsewhere, between speculative and practical reasoning. In the absence of first principles, there cannot be a beginning of the reasoning process. Speculative rationality demands, for example,

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[38] Ibid., 646
[39] MacIntyre, *Dependent Rational Animals*, 160-1
[40] McPherson, "To What Extent," 647, 648

the principle of non-contradiction. Just so, "the first practical principles, bestowed on us by nature,"[41] are necessary to make a beginning of any practical syllogism.

But our knowledge of the first principles in the practical sphere differs from our grasp of those in the speculative sphere. In matters of practical reasoning, Aquinas is careful to balance the epistemic roles of reason and of the natural inclinations. This is consequent upon his action theory being broadly inspired by Aristotle. Aristotelian choice, after all, is rationcinative desire or desiderative reason: a description that respects both the affective and intellectual facets of human agency.

Before Aquinas' theory of synderesis and knowledge of first principles can be explained, however, it is first necessary to discuss his account of the three principles of action that pertain to virtue: passion, power, and habit. These are discussed, among other places, in his *Commentary on Aristotle's Nicomachean Ethics*. Passions are operations of appetite.[42] Among the passions are such things as desire, anger, fear, boldness, envy, and joy.[43] A power is a capacity for an operation. So, we have an irascible power inasmuch as we are capable of becoming angry.[44] Finally, habits, which typically arise out of repeated operations, are dispositions that determine a power to be well or badly disposed with regard to passions.[45] For example, one has a bad habit with respect to anger if his disposition is to become either violently or feebly angry; he has a good habit if he is disposed to anger with moderation in the appropriate circumstances. A habit is

[41] Thomas Aquinas, *Summa Theologica,* trans. Fathers of the Dominican English Province, Online Edition (Kevin Knight 2008), I q. 5 a. 4, http://home.newadvent.org/summa/.
[42] Thomas Aquinas, *Commentary on the Nicomachean Ethics*, trans. C.I. Litzinger, O.P., (Notre Dame, IN: Dumb Ox Books 1993), n. 291.
[43] Ibid., n. 294
[44] Ibid., n. 297
[45] Ibid., n. 298

good if it determines a power in a manner "conformable to the nature" of the thing that possesses it.[46]

Now, whence comes the knowledge of first practical principles? St. Thomas attributes this knowledge to "reason as to a power, and to 'synderesis' as to a habit. Wherefore we judge naturally both by our reason and by 'synderesis.'"[47] Synderesis "is said to incite to good, and to murmur at evil."[48] In the *Treatise on Law*, Aquinas refers to synderesis as "our intellect's law" since "it is a habit containing the precepts of natural law."[49] That is to say, synderesis determines reason in such a manner that it is disposed (infallibly) to know the most fundamental rules of practical reason, such as "Good is to be done and pursued, and evil avoided."

Synderesis is a habit because, were it a power, it would be a mere capacity for action, rather than a determination towards some mode of operation. Furthermore, rational powers "regard opposite things."[50] Were synderesis a power, it would be indifferent to good and evil, rather than inciting only to the good. Lastly, "By the very fact that something exists habitually in a man, it follows that he is sometimes unable to make use of it because of an impediment."[51] Aquinas provides the example of a man who is sleeping, and therefore unable to make use of the *habitus scientiae*– the habit of knowing conclusions. Likewise, a young child cannot understand first principles, or operate with a regard for natural law. Other like examples could be added.

But what is the phenomenology of synderesis? Each of the first precepts of natural law correspond to an inclination. Hence, St. Thomas writes that synderesis "incites" us to good and "murmurs" against evil. This inciting and murmuring has a distinctively moral character. The

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[46] Ibid.
[47] Aquinas, ST I q. 79, a. 12
[48] Ibid.
[49] Thomas Aquinas, *Treatise on Law: The Complete Text (Summa Theologiae I-II q. 90-108)* , trans. Alfred J. Freddoso, (South Bend, IN: St. Augustine's Press 1998), q. 94, a. 1.
[50] Aquinas, ST I, q. 79 a. 12
[51] Aquinas, *Treatise on Law,* q. 94 a. 1

basic precepts that pertain to practical reason are articulations of these instincts: "There is an ordering of the precepts of natural law that corresponds to the ordering of the natural inclinations."[52] Among these inclinations Aquinas names, for instance: the instincts to live, to shun ignorance, and to not offend against social peace.[53] The goods so obtained are known to be noble, or fine (*to kalon*, or in Latin, *bonum honestum*). This is grasped in a non-derivative manner: the first precepts are understood to be true *per se nota*: that is, they are self-evident.

The goods that synderesis incites us towards are precisely those that draw and actualize man in his compound nature as a rational animal.[54] And so, in the Thomistic system, there is a tight, indivisible relationship between phenomenology and ontology that appears fully congruous with McPherson's and Taylor's insights on the prerequisites of moral objectivity.

The second critique I offer against MacIntyre is that his first principles are of defective origin, and are less useful for the derivation of specific precepts than he suggests. Gerald McKenny, in a brief aside, argues similarly in "Moral Disagreement and the Limits of Reason" (2009). For MacIntyre, the most basic rules of natural law are also the conditions of disinterested, rational enquiry. However, a liberal might contend that disinterested enquiry demands precepts MacIntyre does not necessarily concede. "These norms include (at least) the prohibition of all forms of discrimination, the guarantee of toleration for minority and dissenting views, and the rejection of appeals to the constituted authorities (whether persons or texts)."[55] In other words, the liberal order is the precondition of rational enquiry, rather than its enemy. McKenny, who is certainly illiberal, is not satisfied that MacIntyre can account for why his

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[52] Ibid., q. 94 a. 2
[53] Ibid.
[54] Ibid.
[55] Gerald, McKenny, "Moral Disagreement and the Limits of Reason: Reflections on MacIntyre and Ratzinger," in *Intractable Disputes About the Natural Law*, ed. Lawrence S. Cunningham (Notre Dame, IN: University of Notre Dame Press, 2009), 211.

primary precepts, but not the norms of liberalism, should be treated as the foundation of practical deliberation.

As mentioned, MacIntyre diverges somewhat from Aquinas in the manner he demarcates levels of ethical laws. The taxonomy suggested by St. Thomas is summarized here. Besides his first principle (the good is to be done and pursued, and evil avoided), Aquinas outlines three tiers of practical precepts in his *Treatise on Law*. The first of the three levels (*gradus*) consists in the precepts of natural law properly so-called. These are "absolutely certain and so evident that they do not need to be made known publicly" via human means. Aquinas provides examples of such precepts, including: that the means of conserving human life ought to be pursued and preserved, and those things which destroy human life should be thwarted; that offspring ought to be educated; that a man should avoid ignorance; avoid harming society;[56] and act reasonably.[57]

For Aquinas, the first principle and the primary precepts of natural law are known *per se nota*, but are not self-evident in the manner normally conceived of in modern philosophy. For Aquinas, a proposition is known *per se nota* "if its predicate is contained in the *ratio* of the subject,"[58] where *ratio* means intelligible constitution. In this scheme, to say a proposition is self-evident is not primarily to make a claim about semantics or linguistic competence. Instead, it is a claim about essences. Thus, for St. Thomas, a proposition may be self-evident "in itself," even if not "to us," if the essence of the predicate's referent is contained in that of the subject's referent, but one or both of these essences are not grasped sufficiently by us.

In "Principles and Prudence: The Aristotelianism of Thomas's Account of Moral Knowledge" (1987), Thomas Hibbs clarifies that, for Aquinas, "…a *per se nota* proposition is

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[56] Aquinas, *Treatise on Law,* q. 94 a. 2
[57] Ibid., q. 94 a. 3
[58] Ibid.

not *a priori* analytic in a Kantian sense, nor is it self-evident in any Cartesian sense."[59] This is because, in the Thomistic system, empirical experience always precedes and conditions knowledge. Once the meanings of the terms are grasped, a *per se notum* proposition is, indeed, immediately understood and "no further conceptual analysis is necessary."[60] But experience is more important in the Thomistic account of self-evidence, compared to its modern counterparts, because it construes definition, "not as a matter of concept formation, but of understanding essences or natures."[61] Such understanding is arrived at via abstraction that is consequent upon lived, empirical experience.

The secondary precepts include content that is more specific. They are such that, through a minimum of reflection, an ordinary man can grasp their truth and understand the reason behind them. Nevertheless, it is possible (however unlikely) for a person to be mistaken with regard to a secondary precept, either due to passion, bad habit, or evil custom. Owing to the possibility of error, it is fitting for these precepts to be declared publicly. The secondary precepts are those of the Decalogue (except the third commandment): that a person should not murder, steal, lie, commit adultery, covet, etc.[62]

Finally, the tertiary precepts are those which are evident only to the wise. They are "a sort of addition" to the precepts of the Decalogue.[63] Aquinas cites laws supplied through Moses and Aaron as instances of such addition. For example, to the fourth commandment, which requires the honoring of parents, a tertiary precept adds that the elderly ought to be honored (Lev 19:32).

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[59] Thomas Hibbs, "Principles and Prudence: The Aristotelianism of Thomas' Account of Moral Knowledge," *New Scholasticism*, 61(3): 273, DOI: 10.5840/newscholas198761313.
[60] Ibid., 273, 274
[61] Ibid., 273
[62] Aquinas, *Treatise on Law,* q. 100 a. 11
[63] Ibid.

The fifth commandment prohibits murder. To this is added a law against hatred (Lev 19:16, 17).

And so on.[64]

There are two distinct means of arriving at lower-tier precepts. The first is akin to demonstration in the speculative sciences. It proceeds from general principles to increasingly particular conclusions. Aquinas gives the example: "*One should not kill* can be derived as a conclusion from *One should not do evil to anyone.*"[65] The second mode of derivation is *determinatione*. Aquinas likens this to the sort of reasoning that takes place in a craft. He provides the example of a craftsman who begins with the general form *house* and then narrows his conception to a particular shape for a house. Just so, the natural law requires "*Let him who does evil be punished*, but it is a specification of the law of nature that an evil doer be punished by *this specific* punishment."[66] The second kind of derivation acquires its force via the mediation of human law or custom, made within reasonable bounds.[67]

Given this account of derivation, how does Aquinas explain errors in moral reasoning? The causes are multifarious. With regard to the primary precepts: they cannot be altogether abolished from the human heart, but may be deleted with respect to particular acts, owing to passion.[68] Secondary precepts, as mentioned, are rendered unknown via depraved customs or habits. Aquinas also claims that ignorance of these precepts may take place "because of bad arguments, in the same way that error occurs in speculative matters…"[69] Even so, such mistakes are quite rare.

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[64] Ibid.
[65] Ibid., q. 95 a. 2
[66] Ibid.
[67] Ibid., q. 95 a. 2; q. 95 a. 3; q. 96 a. 4
[68] Ibid., q. 94 a. 6
[69] Ibid.

Opinions regarding tertiary precepts are more likely to be the subject of error– all the more so, the more such precepts descend to particulars. Aquinas cites a famous example: the rule that one ought to return borrowed goods. Surely, this precept holds true in the large majority of cases. But it fails if one is asked to return weapons to a malefactor. "And the further down one descends to particulars, the more often [the original rule] fails."[70] Each failure of a higher rule is a possible occasion of error in practical judgment. Also, Aquinas' thoughts on the specification of precepts by *determinatione* leaves much space for prudential opinion that cannot be filled with the deductive application of rules.[71] Deficiencies in practical wisdom may yield erroneous judgments. Finally, in his *Commentary on the Nicomachean Ethics*, Aquinas makes mention of another source of possible error: bad example, in the form of hypocrisy, which deprives a moral argument of credibility in the eyes of the non-sophisticated.[72]

How does MacIntyre explain the derivation of moral truth and the occurrence of error? In "From Answers to Questions" (2009) his account is much the same as that of Aquinas, with a small number of crucial differences. First, MacIntyre posits that well-formed argument brings moral disagreement, even with regards to tertiary precepts[73], to a "decisive conclusion."[74] This is particularly true in practical reason's capacity to detect mistakes, once committed.[75] Of course, despite encountering such "incontrovertible argument" (which MacIntyre takes to be ordinarily possible) that better specifies a precept,[76] one may still fail to be persuaded. But to not be persuaded is "to fail to be open to what reason requires."[77]

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[70] Ibid., q. 94 a. 4
[71] Ibid., q. 96 a. 4
[72] Aquinas, *Commentary on Nicomachean Ethics,* n. 1961-1962
[73] For the sake of clarity, I will continue to use the terminology that was used in describing Aquinas' NLT.
[74] MacIntyre, "From Answers to Questions," 319
[75] Ibid., 337
[76] Ibid., 321
[77] Ibid., 340

Thus, MacIntyre claims considerably more for the certitude of practical reasoning than Aquinas does: particularly with regards to moral argument. But in so doing, he accepts a burden that moral argument generally cannot satisfy. Thus, time and again, MacIntyre fails to actually provide a decisive argument with regard to tertiary precepts, whether in the realm of sexual morality[78] or lying, as will be demonstrated. Particular attention will be given to the article, "Truth, Lies, and Moral Philosophers" (1994).

The third and final case against MacIntyre is on the grounds of coherence. The doctrine on first principles is a centerpiece in his synthesis of Thomism and historicism. It has developed over time. In *Whose Justice? Which Rationality?*, he acknowledges that all the traditions the book examines "agree in according a certain authority to logic."[79] Later, in "Intractable Moral Disagreements," MacIntyre specifies a rather long list of basic precepts of moral living, similar to the Decalogue in content, each corresponding to a natural end and according with the requirements of disinterested enquiry. If, however, all reflective enquirers think by these precepts,[80] then the claim that rival moral traditions are incommensurable becomes doubtful, and perhaps unsustainable. The more space MacIntyre accords to common principles and to necessarily-held standards of reasoning, the more his claims regarding incommensurability must cede ground. In view of the fact that MacIntyre's catalogue of primary and secondary precepts has become mostly identical to that of Aquinas, it is difficult to see where radical incommensurability has a chance to crop up. When the gravity of this problem is acknowledged, the entire *After Virtue* project becomes an answer in search of a question.

Before elaborating upon these arguments, MacIntyre's thoughts on tradition and rationality should first be explained in greater detail.

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[78] Ibid., 333, 334
[79] MacIntyre, *Whose Justice? Which Rationality?,* 351
[80] MacIntyre, "Intractable Moral Disagreements," 23, 24

CHAPTER THREE: TRADITION FOR MACINTYRE

The concept of a practice is arguably the most fundamental notion that underpins MacIntyre's traditionalism. A practice is a composite, socially constituted activity that possesses its own internal goods and criteria of excellence that render the activity coherent. Practices have both epistemic and practical effects upon subjectivity. They methodically grow both (1) our notions of human goods and (2) our competence to actualize these goods.[81]

To clarify the nature of a practice: the most important characteristic is that a practice has its own *internal goods* proper to the activity. A practice, such as chess, may be pursued for the sake of goods that are external to it, such as the prize money to be won in chess tournaments, for example. But chess bears no intrinsic relation to money, and there are alternate means to pursue money besides the practice of chess. On the other hand, there are "the highly particular"[82] goods that are internal to chess and which cannot be realized without it, except by games with a high degree of resemblance. The inadequacy of our language keeps us from articulating these internal goods clearly, but in the case of chess it is a highly particular type of "analytical skill, strategic imagination and competitive intensity."[83]

There is another sociological category to which MacIntyre appeals in his theory of rationality: the narrative unity of life. The concept of "practices" cannot carry the whole burden in describing the sort of content a rational, good life must have.[84] Each of us needs to hierarchize practices with respect to each other and in reference to ultimate goods. Traditionally, virtue ethicists define persons as "rational substances," in the manner of Boethius, and provide metaphysical accounts of the good that justify certain hierarchies of practices. Convinced that

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[81] MacIntyre. *After Virtue* 187
[82] Ibid., 188
[83] Ibid.,
[84] Ibid., 201, 202

virtue ethics cannot be well defended on metaphysical grounds, the MacIntyre of *After Virtue* is anxious to provide sociological bases for teleology. In his view, persons are not simply rational substances with enduring personal identities that are prior to some narrative. Rather, the applicability of the concept of personal identity presupposes the concepts of intelligible action, accountability, and narrative. In addition, each of these three presupposes personal identity and each other. Any truthful attempt to explicate the idea of personal identity must acknowledge these relations of mutual presupposition.[85]

Of particular interest, for our purpose, is the relation of presupposition between narrative and intelligible action. For MacIntyre, "intelligible action" is a more basic category than action. Suppose the case of a man who is gardening. If asked to describe his action, we might truthfully say: he is "Digging," "Gardening," Taking exercise," "Preparing for winter," or "Pleasing his wife." Some of these may be true in virtue of the gardener's intentions, others because of outcomes the gardener does not intend but foresees, and others due to consequences the gardener is not cognizant of whatsoever. If we are to correctly answer the question, "What is he doing?" we must be able to rightly describe the hierarchization of his intentions. An intelligible action is individuated, at least in part, by such a hierarchization. If one gardener is digging in order to exercise and incidentally preparing for winter, this type of action is different from that of another gardener who is digging in order to prepare for winter and incidentally pleasing his wife.[86]

Rendering an agent's actions intelligible requires an ordering of short and long term goals with respect to each other. But this is only possible with advertence to history and setting. Thus, narrative history "turns out to be the basic and essential genre for the characterization of human

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[85] Ibid., 218
[86] Ibid., 206

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actions."[87] For MacIntyre, man is essentially a story-telling animal. A personal agent is not simply an actor, but an author and a protagonist whose story has a beginning, middle, and end.

Man's life is truly intelligible only *qua* narrative. This understanding of intelligibility is central to MacIntyre's notion of how a life might be rightly ordered to the good. If the unity of a life is that of a narrative, then to ask what the good is for oneself is to ask how to "live out that unity and bring it to completion."[88] The good life is a quest of sorts. It is constituted by steadfast enquiry into what the good really is, and by answering this question with righteous action. In *After Virtue*, MacIntyre proposes this interim description of the good life: "The good life for man is the life spent in seeking for the good life for man, and the virtues necessary for the seeking are those which will enable us to understand what more and what else the good life for man is."[89]

At this point, we may turn to the third important sociological concept that lies at the base of MacIntyre's teleology: tradition. Neither practices nor life narratives can be adequately understood without recourse to settings and histories beyond the individual. Practices have histories. They are individuated by the contents according to which they are understood, and such understandings are typically received by one generation from another. Thus, practices are preserved through traditions. These traditions do not stand in a social vacuum, however: they are lodged within larger social traditions. These larger phenomena are what MacIntyre principally refers to as "traditions." But what, if we may specify more precisely, is such a tradition?[90]

According to MacIntyre, a "living tradition" is a "historically extended, socially embodied argument, and an argument precisely in part about the goods which constitute the

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[87] Ibid., 208
[88] Ibid., 218
[89] Ibid., 219
[90] Ibid., 221

tradition."[91]Every exercise of reason is located within and is conditioned by some traditional mode of thinking. This is not to say, of course, that a rational cognizer is strictly limited by tradition: invention and criticism is possible, and in fact, helps to shape traditions. Internal conflict is one of the characteristic signs of a vital tradition.

It is also worthwhile to point out that, in MacIntyre's conception, a life narrative is not intelligible apart from its being embedded in a social tradition. The specific contents of the good life differ for a 5th century Athenian general, a medieval nun, or a 17th century farmer.[92] This context-sensitivity arises in view of the social identities that help constitute life narratives.

A personal historical identity necessarily includes a social identity. Each person is born into a network of persons not determined by them, as a son or daughter. Likewise, persons might belong to cities, guilds, professions, tribes, or nations. The past of such institutions or networks provides each person with "a variety of debts, inheritances, rightful expectations and obligations."[93] These partially comprise the particularity of one's moral life. Our starting point is always a set of givens.

Despite all this, just what counts as a tradition remains somewhat unclear in *After Virtue*. Seemingly, the concept encompasses both modern physics and medieval logic.[94] It includes the cultures of universities and of hospitals.[95] It apparently embraces the traditions of political communities as well, since MacIntyre contrasts his traditionalism with that of Edmund Burke.[96]

In *Whose Justice? Which Rationality?*, the scope of what is treated as a "tradition" appears to narrow. While MacIntyre does devote his early attention to broad social tradition– in

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[91] Ibid., 222
[92] Ibid., 220
[93] Ibid.
[94] Ibid., 222
[95] Ibid.
[96] Ibid., 233

particular the "Athenian thought and Athenian practice" that emerged out of "dialogue with Homeric voices"[97]– the overwhelming preponderance of the book treats academic traditions, such as Thomism. *Three Rival Versions* is exclusively concerned with intellectual traditions. MacIntyre notes that even incommensurable traditions may share images, beliefs, and texts in common:[98] it follows that these items are included among the things that compose traditions in the sense understood by MacIntyre. The contents of these images, beliefs, and texts consist partly of an "account of and practices of rational justification"[99] or "standards of rational justification."[100]

In MacIntyre's later writing, the term "tradition" almost disappears altogether as his means of designating a distinct sociological category. Instead, he speaks of language,[101] culture,[102] philosophy,[103] scientific paradigm[104], and more generically, "tradition of thought."[105] MacIntyre does affirm that his account of practical reasoning is still one of tradition-constituted rationality.[106] Nevertheless, the concept of tradition fades in relative salience as MacIntyre gives increasing space to requirements of reason that stand independent of tradition[107] and to "metaphysical biology."[108] The precise manner in which he does this will be now be clarified.

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[97] MacIntyre, *Whose Justice? Which Rationality?*, 24
[98] Ibid., 350
[99] Ibid., 366
[100] Ibid., 351
[101] MacIntyre, *Dependent Rational Animals*, 54, 56, 59, 71, 74
[102] MacIntyre, "Intractable Moral Disagreements," 47
[103] Ibid., 40, 41, 50
[104] Ibid., 36, 37
[105] Ibid., 37
[106] MacIntyre, "From Answers to Questions," 334
[107] Ibid., 317
[108] MacIntyre, *Dependent Rational Animals*, x

CHAPTER FOUR: RATIONALITY FOR MACINTYRE

Reasonable enquiry must lean upon tradition for its standards of rationality. Tradition-dependence is not by itself, however, a sufficient condition of rationality. This becomes clear in MacIntyre's treatment of epistemic crises and of first principles.

The claims of a tradition are justified, in part, via first principles. But what sort of status do first principles enjoy in a rational noetic structure? In *Whose Justice? Which Rationality?* MacIntyre rejects the time-honored claim that first principles are self-justifying. Rather, the justification they receive is historical and dialectical. "They are justified insofar as in the history of this [that is, any successful] tradition they have, by surviving the process of dialectical questioning, vindicated themselves as superior to their historical predecessors."[109] Thus, while first principles are not analytically justified in virtue of their conceptual content, it is rational to hold to them, due to their importance to traditions of thought that, so far, have not succumbed under the weight of an unresolved epistemic crisis.

MacIntyre's account of first principles has since shifted somewhat. There are some first principles– in particular, those of the natural law– which are not known through a historical dialectic. He does not consider these to be *per se notum* propositions, as Aquinas does, but simply holds that, once we commit to an attitude of practical rationality, we find we have adopted these principles already.[110]

MacIntyre explains, sympathetically, Aquinas' thought on the primary precepts of the natural law, which are "known and their authority…recognized by human beings in virtue of their rationality."[111] Aquinas provides only two modest qualifications to this claim. First, the

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[109] MacIntyre, *Whose Justice? Which Rationality?*, 360
[110] MacIntyre, "From Answers to Questions," 318
[111] MacIntyre "Intractable Moral Disagreements," 6

amens– mentally disabled human beings– are prevented from actualizing their rationality and thus knowing the primary precepts, owing to some bodily defects. Second, the exact content of a primary precept may be unclear when precepts appear to conflict, though practically speaking, such situations are relatively rare.[112]

MacIntyre acknowledges this account is difficult to reconcile with the depth and persistence of widespread moral disagreement. In his interpretation, Aquinas, in fact, underestimates the possibility of such disagreement. Aquinas was not, of course, primarily concerned with providing an error theory. He wished, rather, to supply more determinate content to what is already known via the first principle of the natural law: that good should be done and evil avoided.[113]

How then, does MacIntyre account for the fact of widespread, intractable moral disputes? He locates the source of this problem largely in disagreements about ends. St. Thomas himself identifies twelve goods that are at times, at least implicitly, treated as ultimate goods. He argues that only *eudemonia* is the ultimate human good, and the eleven rival notions he reviews are actually erroneous.[114] In Aquinas' view, the selection of a final end is at least implicit in the manner one organizes his own life. Practical disagreements become evident when conflict emerges in the social realm, and speculative disputes on the ordering of goods then follow.[115] Though he takes his argument in favor of eudemonia to be compelling, Aquinas acknowledges that no important philosophical argument is unassailable or universally persuasive. This is because, "Human reason is very defective in matters concerning God. A sign of this is that

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[112] Ibid., 6, 7
[113] Ibid., 11
[114] Aquinas, ST I-II q. 2 a. 1-8; q. 3 a. 6; q. 4 a. 6-7
[115] MacIntyre, "Intractable Moral Disagreements," 13

philosophers in their researches by natural investigation into human affairs have fallen into many errors and disagreed among themselves."[116]

But what does practical rationality demand of us, in view of the fact of continuing disagreement? The answer, for MacIntyre, is a commitment to ongoing deliberation with one another.[117] As mentioned, he postulates conditions for enquiry that are supposed to imply the primary natural law precepts of Aquinas' ethics. These conditions are: (1) that truth must never be sacrificed for the sake of other goods, when we engage in practical enquiry, (2) one who lives in a populace that is subject to practical disagreement must be committed to ongoing enquiry, and (3) an enquirer must place distance between himself and his material and psychological interests.[118] Adherence to these precepts is a necessary condition of practical rationality.

MacIntyre makes four observations about these preconditions. First, since there is no one with whom I might not enter deliberation with in regards to some good, the precepts are universal in scope. Second, they admit of no exceptions, since they establish the preconditions of any rational and cooperative enquiry whatsoever. Third, they are the same for every person: there is no one who is not bound by them. Fourth, precisely because they are the preconditions of rational enquiry, our knowledge of them is not inferential. In adopting the attitudes demanded by the natural law, we discover that we have already implicitly accorded authority to its precepts. They are the necessary starting points of any practical enquiry.

Such a conception of natural law, as MacIntyre notes, leaves us without any obvious answers as to how we ought to live our day to day lives, at least as regards tertiary precepts. As has been said, this difficulty is evident in MacIntyre's reply to McKenny in "From Answers to Questions." If MacIntyre is to provide justification for ethical rules in regard to family life, for

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[116] Ibid., 14
[117] Ibid., 15
[118] Ibid., 21, 22

example, then according to his own account, he must supply a description of how it is that familial relationships sustain and are sustained by practical deliberation. Likewise, he must provide an account of the ends of sexuality and of their integration into the ends of the family. MacIntyre points to childrearing as a focal point for such an account. This reasoning recalls his picture of human development and flourishing in *Dependent Rational Animals*: "…in child rearing the parent as rational agent sustains and teaches the child, so that the child gradually develops her or his own potentialities for acting as an independent reasoner."[119] This metaphysical account, in which an agent passes from potency to actuality, is supplemented by an appeal to tradition-constituted rationality. MacIntyre claims that, if he is to successfully provide an account of the ends of familial life, he must lean upon the experiences of those who belong to traditions in which such an understanding of sexuality and of child-rearing is operative.[120] Despite these difficulties, MacIntyre insists, the business of practical enquiry is to provide a "decisive conclusion" to disputes over such matters.[121]

Turning now, to the matter of epistemic crises– as the adherents of a tradition learn more of the world and deliberate about problems, discoveries may take place that fundamentally challenge the tradition. If such a challenge is not readily amenable to the problem-solving techniques of the tradition, then an epistemic crisis may result. At this point, serious adaptation becomes necessary. New theories with new concepts must emerge, providing the tradition with the necessary resources to re-interpret some of its commitments. MacIntyre holds that, if it is to resolve a crisis, the new theory must satisfactorily meet three criteria: (1) it solves problems or answers questions that had proven insurmountable previously (2) it can account for why the

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[119] MacIntyre, "From Answers to Questions", 334
[120] Ibid.
[121] Ibid., 319

tradition had become incoherent or unproductive, and (3) the new conceptual schemes have an essential continuity with previous belief structures.[122]

Not every tradition has the resources to devise such needed concepts or to support a hermeneutic of continuity. At some point, the adherents of a tradition in intractable crisis must concede defeat, on pain of irrationality.[123] It is through historical and dialectical processes that traditions are interrogated and must be rationally overthrown or justified.[124] Thus, although rationality begins from tradition, rationality in turn shapes the tradition that helps comprise it. Rationality is tradition-constituted, as well as tradition-constituting.[125]

In *Three Rival Versions of Moral Enquiry*, MacIntyre reviews, with greater specificity, a range of types of dialogues and disputes. He identifies four "levels" at which questions of rational justification arise, according to St. Thomas. First, at the most basic level, there is the "genuinely uninstructed plain person," who poses the question of what the good is, within a particular context. A teacher must assist him or her in advancing beyond a basic moral apprehension toward the knowledge of how these apprehensions ought to be placed in a larger scheme.[126]

Secondly, one may share this larger scheme with his interlocutor and express it in Aristotelian language (its most adequate formulation), but differ in matters of detail. Such was the nature of the disputes between Aquinas and his Islamic, Jewish, and Latin Averroist opponents. Although the differences between Aquinas and his adversaries were far from trivial, they nevertheless shared first principles and a common conception of rational, natural enquiry. It was on this basis that Aquinas held meaningful debate to be possible with these rivals. He

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[122] MacIntyre, *Whose Justice? Which Rationality?*, 362
[123] Ibid., 364
[124] Ibid., 360
[125] Ibid., 354
[126] MacIntyre, *Three Rival Versions of Moral Enquiry*, 145

writes, "But the Muslims and the pagans accept neither the one nor the other [neither the Old nor New Testament]. We must, therefore, have recourse to the natural reason, to which all men are forced to give their assent."[127]

The third type of debate features a large degree of incommensurability. In this case, the sort of claim one advances is that one's tradition is more coherent, more complete, and more resourceful than that of one's opponent. The resources that are claimed include, not merely the ability to point out the limits and errors of the adversary's perspective (according to standards adopted by the adversary himself), but also an account of precisely why the opponent's tradition cannot overcome the problem in question. Furthermore, it is claimed, those features of the opponent's view which are true and cogent may be assimilated to one's own, perhaps offering an occasional correction to one's own perspective.[128]

This is the means by which the rationality of Thomism over earlier versions of Aristotelianism and Augustinianism may be displayed retrospectively. It is also the sort of claim via which the superiority of Thomism would have to be shown over later and current challengers, including Cartesian, Humean, Kantian, or Nietzschean philosophies. In MacIntyre's view, one of the chief errors of the "manualist" Thomist tradition that thrived in the 19th and 20th centuries, is the tendency to overestimate the extent of the common ground shared with rival philosophies. In disputes with their modernist counterparts, neoscholastics often operate on the presumption that the task of rational justification they face is of the second type, rather than the third type.[129]

Notably, similar critiques of the manualist tradition have been leveled by the "Communio" school of theologians and philosophers, most notably David Schindler and Joseph

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[127] Thomas Aquinas, *Summa Contra Gentiles*, Book I, Ch. 2, trans. Anton C. Pegis, http://dhspriory.org/thomas/ContraGentiles1.htm#1.
[128] MacIntyre, *Three Rival Versions of Moral Enquiry*, 146
[129] Ibid.

Ratzinger. The manualist school– though committed to a strict, "conservative" reading of St.

Thomas– concedes more to the Enlightenment than it realizes. This is a failure of hermeneutics,

consequent upon reading St. Thomas ahistorically (or rather, attempting to). An Enlightenment-

inspired understanding of nature and of reason is subtly read into the text. Hence, the Thomist

may find himself unable to cogently resist his opponents, having accepted the core of their

positions unawares.[130]

In the fourth type of debate, the adversary's position is organized in such a manner, and

its modes of presentation and enquiry are such, that its subscribers are systematically incapable

of seeing the defects of their perspective, even though these failures ought to be clear according

to their own standards of rationality. Such would be the dilemma faced by anyone in an

argument with a Nietzschean. Even so, it is largely because of Nietzsche, MacIntyre points out,

that we have an understanding of this phenomenon. Here, another task is added to the work of

justification: there must be "a cogent theoretical explanation of ideological blindness."[131]

MacIntyre offers a number of examples of attempts at such a theory: that of Gramsci with

regards to Croce, Mannheim's account of Utopianism, and of course, Nietzsche's treatment of

his opponents. As to whether there can be a Thomistic genealogy of Nietzsche's genealogizing,

MacIntyre names one: Fr. Fredrick Copleston's *Friedrich Nietzsche: Philosopher of Culture*.[132]

MacIntyre's picture of this fourth type of debate is reminiscent of Voegelin's account of

the modern prohibition of questions. After having traced the continuity between the Platonic-

Aristotelian paradigm and modern political science, Voegelin writes:

> As indicated, there has emerged a phenomenon unknown in antiquity that permeates our
> modern societies so completely that its ubiquity scarcely leaves us any room to see it at

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[130] David, Schindler, "Liturgy, Nuptiality, and the Integrity of the Cosmic Order: Symbolic Ontology and
Feminism," *Communio*, 28 (Summer 2001): 4, http://www.communio-icr.com/files/schindler28-2.pdf
[131] MacIntyre *Three Rival Versions of Moral Enquiry* 146, 147
[132] Ibid.

all: the prohibition of questioning. This is not a matter of resistance to analysis– that existed in antiquity as well. It does not involve those who cling to opinions by reason of tradition or emotion, or those who engage in debate in a naïve confidence in the rightness of their opinions and who take the offensive only when analysis unnerves them. Rather, we are confronted here with persons who know that, and why, their opinions cannot stand up under critical analysis and who therefore make the prohibition of the examination of their premises part of their dogma. This position of a conscious, deliberate, and painstakingly elaborated obstruction of *ratio* constitutes the new phenomenon.[133]

Just what Voegelin means in this passage is best clarified by his treatment of Marx's "Philosophical Manuscripts." For Marx, history is the creation of man by human labor. This raises obvious problems with regard to the *arche* (origin) of man. Marx himself acknowledges that non-socialists will reject his conception of history on the grounds that man does not exist of himself, which is evident from experience, and on the grounds that we ought to avoid infinite regresses, which is evident from reason. He evades this difficulty by, quite literally, forbidding the question of the *arche*.

Marx asserts this question is a "product of abstraction." "When you inquire about the creation of nature and man, you abstract from nature and man."[134] Marxism is the paradigmatic instance of a self-contained system: a Marxist can only treat nature and man as existing insofar as Marxism itself posits and elucidates their existence. Thus, Marx does not blush to instruct his interlocutors "Give up your abstraction and you will give up your question along with it," and even "Do not think, do not question me."[135] Marx affirms that, in the eyes of "socialist man"– that is, the man who adheres to a Marxist vision of history– raising questions of the *arche* "becomes a practical impossibility."[136]

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[133] Eric Voegelin, *Science, Politics & Gnosticism,* (Wilmington, DE: ISI Books, 1968), 16, 17.
[134] Ibid., 19
[135] Ibid.
[136] Ibid.

How can a Thomist construct a theoretical account of ideological blindness? MacIntyre answers that such an account must begin with the moral error in which intellectual blindness is rooted. The sin of pride– manifested both as a disordered wish for superiority *and* as a disposition to contempt for God– corrupts the will, which in turn corrupts and misleads the intellect.[137]

MacIntyre's theory of rationality develops in a new direction in *Dependent Rational Animals*, owing to his appreciation for metaphysical biology. This feature of the theory deserves to be called "metaphysical," owing to its concerns for such things as natural flourishing and potency and act, and "biology," due to its attention to the exigencies of living physical systems. He gives what is "in some sense a naturalistic account of good and of 'good', since insofar as a plant or animal is flourishing, it is so in virtue of possessing some relevant set of natural characteristics."[138] Thus, what it is for a species to flourish is "a question of fact,"[139] even if the facts are up for dispute.

MacIntyre identifies three senses in which we ascribe goodness to things. First, in some cases, "good" is intended merely to evaluate something as a means. Such ascriptions may be made with regard to skills, opportunities, and the fortune of being in particular times and places, in view of such things enabling the possession of some further good. Second, "good" is sometimes ascribed to an agent, as an evaluation of their ability to fulfill some role or engage well in a practice. Thus, someone may be called a good father, a good citizen, a good fisherman, a good chess player, etc. Those who are good in this second manner actualize the goods that are

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[137] MacIntyre, *Three Rival Versions of Moral Enquiry,* 147
[138] MacIntyre, *Dependent Rational Animals,* 78
[139] Ibid.

internal to practices and that are worthwhile for their own sake.[140] Third and finally, we may

ascribe goodness to someone, not insofar as they inhabit some role or engage in a certain

practice, but simply *qua* agent. To say someone is good *qua* human being is a judgment about

human flourishing.[141]

The development into an autonomous practical reasoner, MacIntyre argues, takes place

along three dimensions. All three include the possession of language as a necessary, but not

sufficient condition. These are: one must have the capacity to evaluate his own reasons for action

(that is, to judge his own judgments), distance oneself from his own desires, and possess an

awareness that is informed by an "imagined future" and not just the present.[142]

To flourish as a rational animal, it is necessary that one be able to think beyond the terms

of mere instrumental rationality. The assertion that doing x permits one to do, have, or become y

is not sufficient justification for doing x. It is always possible to ask whether, in the

circumstances one is in, it is best to act to obtain y. Without the ability to entertain such a

question, and thus place some distance between oneself and one's desires, it is impossible to

operate as a practical reasoner.[143] As philosophers, this means we must avoid the temptation to

simply identify evaluations with desires.[144]

Language is necessary if the agent is to question itself: one must be able to distinguish

between the question, "What do I want?" and "What is best for me to do?"[145] Even the capacity

to possess an imagined future is language-dependent, so that members of higher species without

semantical languages cannot have it: "Wittgenstein said: 'One can imagine an animal (*Tier*)

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[140] If MacIntyre is to be consistent, he must mean "for their own sake" only insofar as things can be said to be for their own sake if constitutive goods are neglected. This is further discussed on page 43.
[141] MacIntyre, *Dependent Rational Animals*, 66, 67
[142] Ibid., 71, 72
[143] Ibid., 69
[144] Ibid., 70
[145] Ibid., 70

angry, frightened, unhappy, happy, startled. But hopeful? Why not?' And he goes on to point out that a dog may believe that its master is at the door, but not that its master will come the day after tomorrow (*Philosophical Investigations* II, i, 174)."[146]

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[146] Ibid., 74

CHAPTER FIVE: MORAL ONTOLOGY AND PHENOMENOLOGY

As mentioned, David McPherson criticizes MacIntyre, as well as other "Neo-Aristotelian naturalists," on the grounds that they neglect constitutive goods, and thus, have little or no place in their ethics for the noble. Likewise, these ethicists are said to neglect the importance of first-person experiences of the noble in moral epistemology.

This criticism certainly applies to the *After Virtue* project in general. There are notable exceptional passages, however. For example, in *Whose Justice? Which Rationality?*, MacIntyre criticizes the thesis of John Finnis that Thomistic natural law can be posited without reference to God's existence, nature, or will.[147] Finnis' interpretation is not viable because, for St. Thomas, the perfect exercise of justice includes the worship of God. This worship is owed in view of attributes that make God "worthy of honor, reverence, and worship,"[148] that is, in view of constitutive goods. Full adherence to the natural law, as described by Aquinas, is impossible apart from adherence to the conclusions of natural theology as exposited in the *Prima Pars*.[149]

References to constitutive goods that render something "worthy" are, nevertheless, clearly against the general tenor of MacIntyre's ethics. A far more representative passage is this:

> The moral life begins with rules designed to direct the will and the desires towards its and their good by providing a standard of right direction (*rectitudo*). This rectitude is valued, not merely for its sake, but as leading to that perfected will and those perfected desires which happiness requires. *Consequently, the rules are to be valued as constituting the life which leads to perfect happiness*, and they can only be understood insofar as their point and purpose is understood.[150]

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[147] As pointed out by Thaddeus Kozinski in "After Philosophy," MacIntyre has taken a "theological turn" in recent years, so that the distance between himself and Finnis is now more salient. This began with his book on St. Edith Stein, and has continued with *God, Philosophy, Universities: A Selective History of the Catholic Philosophical Position*, as well as essays on St. John Paul II's *Fides et Ratio*. I am setting aside these works, as they are virtually unknown outside of Catholic circles. In any secondary literature outside of Catholic scholarship (and much within it), it is the earlier, more "naturalistic" MacIntyre who is the topic of discussion. This is the MacIntyre I too will comment on. *Modern Age*, 52, no. 4 (Fall 2010). http://www.firstprinciplesjournal.com/articles.aspx?article=1852.

[148] MacIntyre, *Whose Justice? Which Rationality?*, 188

[149] Ibid.

[150] Ibid., 194, emphasis added

Thus, the precepts that govern childrearing are justified because they conduce to "the child developing her or his own potentialities."[151] But there is no affirmation that such potentialities– rationality, for example– are good in themselves apart from whether they are the potentialities of a nature. In *Dependent Rational Animals*, MacIntyre is explicit in stating that actions are not good except insofar as they actualizes a nature. He concedes, of course, there is a sense in which acts of justice, of generosity, of compassion, etc., are done for their own sake, as well as the sake of other's flourishing. At the level of practice, the question, "Why did you do thus and so?" may be sufficiently answered, "Because it was just," for example.[152] But at the theoretical level this is not sufficient. For MacIntyre, we must ask why an act's justice is sufficient reason to carry it out. And the correct answer, he insists, is that "it is only through the acquisition and exercise of the virtues that individuals and communities can flourish in a specifically human mode."[153]

Objective flourishing is thus at the forefront of MacIntyre's ethical theory. In this respect, his thinking is aligned with a tradition some have called "Entelechial Thomism."[154] The entelechy of a thing is an inner blueprint, so to speak, corresponding to its nature, and an interior drive to actualize the blueprint. Etymologically, the term "entelechy" is rooted in a Greek word meaning "having the end within."[155] There is a sense in which an acorn can be said to have a tree within it. This virtual tree, as well as the inner impulse for realizing the tree, is the entelechy of the seed, of the sapling, and eventually of the tree.

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[151] MacIntyre, "From Answers to Questions," 334
[152] MacIntyre, *Dependent Rational Animals*, 112
[153] Ibid.
[154] Michael Waldstein, "Dietrich von Hildebrand and St. Thomas Aquinas on Goodness and Happiness," *Nova et Vetera* English Edition, 1, No. 2 (2003): 404.,
http://www.iti.ac.at/publications/pdfs/Waldstein_DVH_and_Aquinas.pdf.
[155] Ibid., 405

For the Entelechial-Thomist, something is good because it is an end, or helps in obtaining an end. This is precisely the opposite of the view of St. Thomas– a view that much better accords with the insights of McPherson regarding moral ontology, argued for previously. For St. Thomas, goods are prior to ends, rather than vice versa.[156] It is reasonable to treat something as an end because it is good. To say something is good because it is an end, as the Entelechial Thomist does, is to imply it is indifferent in itself apart from being an end.

Perhaps the most serious trouble with Entelechial-Thomism is that it generates a problem of moral motivation. It turns natural ends into mere factual, neutral final causes that possess no intrinsic value. But, as Dietrich von Hildebrand insists, "every final cause calls for a 'why' as long as we have not grasped its value,"[157] the goodness it has intrinsically. The question facing the Entelechial-Thomists is, why is the actualization of potential choiceworthy? No answer is forthcoming in the *After Virtue* project.

It is worth mentioning that MacIntyre apparently holds his Entelechial Thomism is in agreement with St. Thomas. In "Intractable Moral Disagreements," he writes that human beings must pursue a variety of goods, and that each such good is good *because* it "conduces to or partly constitutes" one's "flourishing qua human being." He then indicates that in St. Thomas' *Prima Pars*, good "is defined in terms of the concept of an end."[158]

Indeed, this appears to be the case. Aquinas describes goodness as "that which all things desire, and since this has the aspect of an end, it is clear that goodness implies the aspect of an end."[159] The Entelechial-Thomist makes a crucial error in interpretation, however. It must be borne in mind that, for St. Thomas, the good is not definable. Good is a transcendental– there is

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[156] Thomas Aquinas, *Summa Contra Gentiles*, Book III, Ch. 17, trans. Vernon J. Bourke, http://dhspriory.org/thomas/ContraGentiles3a.htm; Michael Waldstein, "Dietrich von Hildebrand," 416.
[157] Michael Waldstein, "Dietrich von Hildebrand," 406
[158] Alasdair MacIntyre, "Intractable Moral Disagreement," 46
[159] Aquinas, ST I q. 5 a. 4

nothing more fundamental in terms of which good can be defined. Instead, good is co-extensive with being.[160]

Because goodness cannot be defined in itself, it must be described in terms of things extrinsic to it. Thus, the *bonum honestum* (honest good, or virtuous good) may be described as a cause of honor because it is deserving of honor. As intelligible, goodness is likewise a cause of understanding. Just so, when St. Thomas writes that, "everything is good so far as it is desirable, and is a term of the movement of the appetite,"[161] he is not, strictly speaking, defining the good, but positing its effect on appetite.

In fact, Aquinas rejects the notion that the end is prior to the good: "A thing is said to be good insofar as it is perfect, because only then is it desirable."[162] Desirability (appetibility) is consequent upon the perfection and goodness of a thing, not vice versa. This priority is likewise made explicit in *Summa Contra Gentiles*, in St. Thomas' thesis that creation is ordered to God: "If, in fact, nothing tends toward a thing as an end, unless this thing is a good, it is therefore necessary that the good, as good, be the end. Therefore, that which is the highest good is, from the highest point of view, the end of all things."[163]

If goodness is prior to appetibility, it must be or entail an intrinsic worthiness– a nobility in itself, apart from its relation to the flourishing of the nature of another. Aquinas, in fact, posits such goodness. Following Aristotle, he distinguishes between three senses of "good." The pleasing and the useful are called good derivatively, by analogy of attribution. The "honest good" or "virtuous good"– *bonum honestum* – is good in the principal sense. *Bonum honestum* corresponds to Aristotle's *to kalon*. The noble is called *bonum honestum*, not because virtue

[160] Ibid., q. 5 a. 1
[161] Ibid., q. 5 a. 6
[162] Ibid., q. 5 a. 5
[163] Aquinas, *Summa Contra Gentiles* III, Ch. 17 s. 2

alone is good in this sense, but because virtue is the noble good that is closest to our experience. Higher goods, and especially God, are likewise called *bonum honestum* due to their deserving honor. Aquinas refers to lesser goods (health, for example) as *bonum honestum* inasmuch as they are ordered to virtue.[164]

A cogent ethical theory may be eudemonistic, but only if it succeeds in integrating a *telos* into its ontology. Entelechial Thomism is only apparently teleological. If the end is prior to the good, and the good is not noble and choiceworthy itself, the moral significance of the end is eviscerated.

In the face of such a minimalist moral ontology, we might– following McPherson– expect a dilapidated moral phenomenology. This is exactly what we find in MacIntyre: a fault that is most evident in his treatment of synderesis. According to MacIntyre's interpretation, St. Thomas' doctrine of synderesis "is not appealing to any psychological quality of evidentness, to any intuition."[165] Instead, the primary precepts of natural law are perceived infallibly because their truth is presupposed in any practical reasoning. We know these precepts because the activity of enquiry must begin from a standpoint that acknowledges them.[166] MacIntyre adopts this account of first principles in his own theory of practical reason.[167]

This theory is not truly that of Aquinas, however. This can be argued in at least two ways. First, as mentioned, synderesis is said to "incite" and "incline" to good. It also "murmurs" at evil.[168] It delivers not merely a knowledge of first principles– it impels us to act for the good. Thus, Aquinas' account of synderesis appears to have a phenomenological aspect that MacIntyre neglects. The moral sense acts and reacts towards constitutive goods.

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[164] Waldstein, "Dietrich von Hildebrand," 427
[165] MacIntyre, *Whose Justice? Which Rationality?*, 185
[166] Ibid., 184, 185
[167] Ibid., 360
[168] Aquinas, ST I q. 79 a. 12

Second, in *De Veritate*, Aquinas implies that synderesis does indeed possess "a psychological quality of evidentness." For Aquinas, explicit knowledge of primary precepts is *not* consequent upon a decision to reason practically, nor is it "dialectically justifiable."[169] Its only precondition is that we receive "something from sense [perception]"[170] that delivers the necessary abstractions. Generally, from the Thomistic point of view, it is peculiar to man that he knows through discursive reasoning. Still, Aquinas posits that man "knows some things at once and without investigation" and, in these cases, "attains to that which is proper to angelic nature."[171] With regards to practical reasoning, this knowledge is delivered by synderesis, which is a "habitual light."[172]

If David McPherson's argument against "neo-Aristotelian ethical naturalism" succeeds, then it appears St. Thomas' NLT is better able to give an account of moral objectivity, compared to MacIntyre's theory. This is the case in three respects. First, the noble good is at the heart of St. Thomas' ethics. Second, the place St. Thomas accords to synderesis means his theory is better equipped to provide a realistic moral phenomenology: one that is faithful to our experience of the noble and of other-regarding virtues. Third, to hold that life is meaningful is more obviously consistent with Aquinas' NLT, due the prominent role it gives to constitutive goods.

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[169] MacIntyre, *Whose Justice? Which Rationality,?* 173
[170] Thomas Aquinas, *Questiones Disputatae de Veritate*, q. 16 a. 1, http://dhspriory.org/thomas/QDdeVer.htm.
[171] Ibid.
[172] Ibid., q. 16 a. 3

CHAPTER SIX: RULES AND THEIR DERIVATIONS

How are the most basic precepts of the moral law known? MacInytre answers that, if we adopt the attitude of a rational, practical reasoner, these moral laws are evident to us. We know one ought not inflict harm on the innocent, break promises, or take the legitimate property of others, etc.[173] Such actions are harmful to the relationships we need, if we are to pursue the good– a pursuit that is partly constituted by enquiry about goods. In fact, MacIntyre says, "The precepts conformity to which is required as the precondition for practical enquiry *are* the precepts of natural law."[174]

This raises an important question: how can we assess competing claims as to the content of first principles in general, and in ethics in particular? It seems we must give arguments for the very principles we claim to be first, thus incurring the guilt of question-begging. Sidgwick raises this difficulty, and suggests Aristotle provides a way out by distinguishing "logical or natural priority" and "priority in the knowledge of any particular mind."[175] A proposition's truth might be properly cognizable in itself, but nevertheless, to make its truth apparent to a particular mind, it may be necessary to connect it with already accepted propositions.

The most basic precepts of MacIntyre's NLT may not be self-evident to someone who denies some other feature of MacIntyre's philosophy. For example, if we deny that practical enquiry is an inherently and primarily social act,[176] then it is not evident that successful moral investigation requires that I be honest to others, or adhere to my own promises, etc. This is all the more significant, since MacIntyre's claim that practical deliberation is intrinsically social is only

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[173] MacIntyre, "Intractable Moral Disagreements," 23
[174] Ibid., 24
[175] Henry, Sidgwick, "The Establishment of Ethical First Principles," *Mind*, 4, No. 13 (Jan. 1879): 2, http://www.jstor.org/stable/2246567.
[176] MacIntyre, "Intractable Moral Disagreements," 15, 24, 25

given the most paltry justification, despite it being central to his ethical theory. Granted, strong support is provided to the notion that practical reasoning is social in the sense of being tradition-dependent, and that a tradition-independent standpoint is impossible: this is the achievement of *After Virtue.* But, even if one were to concede the point, it does not follow that the very questions treated by practical reasoning are, first and foremost, social questions, taking the form "What ought we do?" rather than "What ought I do?"

MacIntyre is reduced to assertions such as: "It is insufficiently often remarked that deliberation is by its very nature a social activity…"[177] in this latter, more doubtful sense of "social." He remarks that both Aristotle and Aquinas observe that practical reasoning is social, even if they only make brief note of it. His citations of both thinkers, however, fall considerably short of this claim. In the *Nicomachean Ethics*, Aristotle writes that, "In important matters we deliberate with others, not relying on ourselves for certitude."[178] Aquinas expands upon this slightly, but merely notes that, in questions pertaining to contingent particulars, any given individual might be apt to overlook important factors, and thus, it is best that we take council with other people, "'since one takes note of what escapes the notice of another'".[179] But this does nothing to imply that moral questions are essentially and primarily social questions.

There are many ethical matters that appear to be only remotely social. In the Thomistic tradition, to eat in a manner that is too eager or too dainty, or to drink in excess by oneself, are violations of temperance– even apart from any manifest social harm. The same is true of sloth, as well as impurity. Ascetic virtue has an important place in pre-modern philosophies in general. It is also, however, acknowledged among the most influential moderns, such as J.S. Mill and Kant, in their writing as well as in their manners of life. Mill and Kant were nothing if not austere.

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[177] Ibid.; see also *Dependent Rational Animals,* 107
[178] MacIntyre, "Intractable Moral Disagreements, 15
[179] Ibid., 15, 16

Aquinas does concede a sense in which moral decisions always pertain to community, however. He names, among the intrinsic features of law, its being "always ordered toward the common good as its end."[180] This is true, not merely of posited human law, but also of the eternal law, divine law, and natural law. Binding moral law is always directed, at least remotely, to the fruition of happiness among the blessed in eternity.[181] Nevertheless, Aquinas does not hold moral questions to be necessarily social in the same sense as MacIntyre does. Law concerns social life insofar as it is chiefly directed towards communal happiness as its final end.[182] Still, moral reasoning is essentially an individual act, and only accidentally communal. Aquinas draws a distinction between deliberation and other aspects of moral reasoning. *Euboulia* (deliberating well) is a virtue that induces a man to take good counsel: this is indeed a communal activity. Nevertheless, the activity does not concern what *we* ought to do. Commenting on Aristotle, Aquinas writes, "…man is the principle of his activity. Every individual takes counsel about the things which can be done by him. For this reason, when he arrives, in the deliberative inquiry, at what *he himself* can achieve, at that point counsel ceases."[183] MacIntyre's contention that, for Aristotle and Aquinas, deliberation is principally about what *we* ought to do, is simply false.

There are other bases on which MacIntyre's account of first principles might be undermined. It is associated, not merely with a questionable view of practical enquiry, but also with a questionable view of how we relate to others as persons. In *After Virtue*, MacIntyre treats the virtues as necessary for sustaining practices. It is via practices that we pursue common goods.[184] Other-regarding virtues are *not* justified on the basis of constitutive goods that confer an intrinsic worth upon our fellows. Later, in *Dependent Rational Animals*, MacIntyre's

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[180] Thomas Aquinas, *Treatise on Law,* q. 90 a. 2
[181] Ibid., q. 91 a. 1, 2
[182] Ibid., q. 90 a. 2
[183] Aquinas, *Commentary on the Nicomachean Ethics*, n. 479, emphasis added
[184] Alasdair, MacIntyre, *After Virtue*, (Notre Dame, IN: University of Notre Dame Press, 1984), 191-193.

threefold classification of goods likewise makes no mention of constitutive goods: instead, goodness is predicated of something that is a suitable means to an end, or to someone who is proficient in a practice, or to an agent who is flourishing.[185] Goodness is never ascribed to something *qua* being, or *qua* type of being. Just so, in "From Answers to Questions," it is clear that the ends of childrearing are of value, but none of the obligations of parenthood seem to be premised on the value of a child in his or herself.[186]

It is true, of course, that our moral orientation towards others may be brought about by a concern for common goods or for actualizing potentials. It is likewise true that moral rules might be justified because they help sustain deliberation. But surely, this is not the whole story, or even the heart of it. Implying otherwise means proposing an acutely impoverished ethics– one that distorts a virtue scarcely ever mentioned by MacIntyre: namely, love.

St. Thomas notes two distinct tendencies present in any act of neighborly love. He names these "love of concupiscence" and "love of friendship."[187] The former refers to love of a good which a man wishes for someone. For example: to wish, out of love, that one's children be knowledgeable, entails that one loves knowledge as a good. Love of friendship, on the other hand, is love towards the one to whom good is wished. In the latter example, then, love of friendship is manifested towards one's children. Necessarily, any act of neighborly love includes both these tendencies. It is incoherent to say one loves a person, but does not will good for them. Likewise, it is incoherent to claim love of a good that may be had (knowledge, for instance), but

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[185] MacIntyre, *Dependent Rational Animals,* 66, 67
[186] MacIntyre, "From Answers to Questions," 334
[187] Aquinas, ST I-II q. 26 a. 4

not in such a way that one wishes it to be possessed anywhere.[188] In St. Thomas' ethics, each of these tendencies rests upon an acknowledgment of intrinsic goods.

Owing to his Entelechial Thomism, MacIntyre is unable to do justice to these tendencies. Of course, he acknowledges that goods are willed for persons: there is love of friendship. But no constitutive goods, such as human dignity, are identified upon which love might be founded. At the same time, life goods, including virtue, are never said to truly have worth in themselves. They are good exclusively because they tend to or constitute entelechial unfolding. Neutral "goods" actualize a neutral entelechy. What then, can move one to love?

Setting aside the difficulties with MacIntyre's basic precepts, let us turn our attention to another quandary. MacIntyre overestimates the likelihood that a given moral rule may be derived conclusively through argument.[189] His most serious treatment of a particular moral question is found in "Truthfulness, Lies, and Moral Philosophers." Here, he concludes that lies may sometimes be lawfully told in order to thwart harm. This article affords an excellent chance to examine, in depth, the sort of derivations MacIntyre takes as offering moral conclusions.

On the basis of psychological and sociological research, as well as the ethical analysis of Sidgwick, MacIntyre asserts that two disparate sets of norms now dominate in North America:

> One of these enjoins each individual to her or his own happiness, to learn how to be successful in competing with others for position, power, and affluence, to consume and to enjoy consumption, and to resist any invasion of her or his rights. The other set instructs individuals to have regard for the welfare of others and for the general good, to respect the rights of others, to meet the needs of those who are especially deprived, and even to be prepared on some particular occasions to sacrifice one's own immediate happiness for the sake of the happiness of particular others.[190]

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[188] Francis Feingold, "*Principium vs. Principiatum:* The Transcendence of Love in von Hildebrand and Aquinas," *Academia.edu,* 2010, 4 https://www.academia.edu/7510033/Francis_Feingold_-_Principium_vs._Principiatum--The_Transcendence_of_Love_in_Hildebrand_and_Aquinas. Originally published in *Questiones Disputatae,* 3, No. 2 (2013): 56-68, DOI: 10.5840/qd20133218.

[189] MacIntyre, "From Answers to Questions," 319

[190] MacIntyre, "Truthfulness, Lies, and Moral Philosophers," 322, 323

Following Sidgwick, MacIntyre refers to these disparate outlooks as Egoistic Reason and Universal Reason, respectively. These norms often do not conflict, as MacIntyre acknowledges. But there are significant cases, he argues, in which Americans find these rules make incompatible demands, and there is no higher, third set of rules to settle such matters.[191]

This latter assertion appears very doubtful– as is too often the case when incommensurability is claimed. Suppose we concede that two given philosophical systems are incommensurable: Kantian and Millian ethics, for the sake of example. Many persons have noetic structures that are influenced by both these systems. It does not follow that actual living, breathing cognizers have noetic structures filled with incommensurable theses. There is a distinction between any given philosophical system in the abstract (Kantianism, for instance), and a philosophical system that is the object of belief (Kantianism in the mind of a particular Kantian).

Comparing systems in the abstract, it may be the case that neither system can provide a higher-order rule to resolve a dispute over lower-level matters. However, in the mind of a real cognizer, the rules in these disparate systems do not simply exist in parallel. The rules are arranged hierarchically with respect to each other and also with respect to rules that are outside either system. If a contradiction is discovered, it very well might be easily resolvable.

Even debates between persons are not (at least generally) impacted by the problems of incommensurability MacIntyre portrays. To provide an illustration: suppose one philosopher declares that justice is procedural, and another holds justice to be egalitarian. The first maintains that contracts determine fair prices, the other that fair prices are established by factors prior to contracts. MacIntyre offers this as an instance of incommensurability.[192] Indeed, in this case, a

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[191] Ibid.., 323
[192] MacIntyre, "Intractable Moral Disagreements," 10

dispute about wages cannot be settled by an appeal to justice, because the respective sides define justice differently. It does not follow, however, that no other criteria exists to resolve this impasse. Suppose both contenders describe a just society as one that tends to work to the maximum advantage of the least well off classes– a thesis defended by both Rawls and Hayek. This common ground offers a possibility of debating in a non-emotive, non-manipulative way. Empirical evidence may persuade one party that he must either alter his definition of justice or his description of a just society. If the former occurs, the dispute over fair prices may be resolved rationally to the satisfaction of both persons. If the latter, then the disagreement has deepened, but any other point of common ground still offers a means to move towards a settlement through rational argument. Important common ground may be found at *any* point in deliberation, but in general, as two contending parties progress to higher-order, more fundamental rules, the supposed incommensurability between them recedes.

There is another difficulty with MacIntyre's stance on incommensurability. Over millennia, there have been many people who have changed their minds in dramatic ways: switching from socialism to libertarianism, or natural law theory to contractarianism, or utilitarianism to Kantianism, and so on. Virtually none of these have arrived at their new positions via the historical dialectic required by MacIntyre. Instead, viewing rival perspectives as commensurable, they have employed either higher-order rules internal to each perspective or a "third set of rules" to justify a choice between them. If MacIntyre's diagnosis is correct however, then *all* these people have acted in a way that is arbitrary and emotivist, despite appearances to the contrary.

Having described the two predominant sets of norms in North America, MacIntyre proposes that we must integrate their respective claims and insights.[193] This requires a hierarchical ordering of possible reasons for action. The end result ought to be a more adequate philosophical theory, providing a rule on truth-telling and lying.[194] Without overcoming our current "moral dualism," in which Egoistic Reason and Universal Reason make claims against each other, it is impossible for there to be a coherent ethical stance towards honesty.

For reasons that are unclear, MacIntyre goes on to synthesize Mill's and Kant's doctrines on lying. For the remainder of the paper, Egoistic Reason, Universal Reason, popular culture in general and "moral dualism" in particular are never treated again. MacIntyre begins by laying out Mill's argument for the immorality of lying: the telling of lies weakens trustworthiness. Trustworthiness is an indispensable support, not merely for bare social cooperation (which can actually survive a good deal of lying), but for true civilization in which free people live in open dialogue. Civilization is conducive to the general happiness. Since right actions are just those which promote the general happiness, lying is nearly always wrong. For Mill, lies may only be justified for the sake of averting serious and unmerited harm that cannot otherwise be prevented.[195]

Whereas Mill locates the turpitude of lying in its corrosive effects on trust, Kant objects to lying because it is an offense against truth. Thus, Kant denies there are any permissible lies: a lie is immoral, not simply in virtue of its consequences, but essentially because of what a lie is. MacIntyre argues that Kant's justification for this rule is flawed. Kant supposes that each formulation of the categorical imperative is equivalent to each other, and that any one of them forbids lying. However, MacIntyre points out, if the Formula of Universal Law is considered

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[193] MacIntyre, "Truthfulness, Lies, and Moral Philosophers," 325
[194] Ibid.
[195] Ibid.., 326, 327

solely in itself, it seems to make some lies permissible. It is true that we cannot will a universal

maxim that all persons should lie. We can, however, will a maxim that permits or even requires

lying in some specified types of cases. If the Formula of Universal Law is to prohibit all lying, it

must be joined to the Formula of Humanity and the Kingdom of Ends, in which coercion and

deception are the most fundamental forms of evil.[196] Deceit prevents another from assenting to

truth. It thus instrumentalizes the target of the deceit, rather than treating him or her as a rational

being.

      Having reviewed the theories of Mill and Kant, MacIntyre proceeds to work out his own

thoughts on lying. First, he imposes a restriction upon himself: if there is any principle that

makes lying permissible, it must either be identical to the principle that forbids all other types of

lies *or* it must be at least consistent with that principle.[197] Moral rules are a consistent set.

MacIntyre accepts Kant's thesis that perfect duties cannot conflict in reality, but only in

appearance.[198]

      MacIntyre proceeds to raise two objections to Kantianism. First, much like a pacifist, "the

consistent Kantian can rarely escape being a moral free-rider."[199] The social order is held

together partly by coercion and deceit. The Kantian may condemn such things, but inevitably

reaps their benefits.

      This is an exceedingly weak rebuttal for two reasons. First, the Kantian may justifiably

ask, "So what?" We do not live in an actual Kingdom of Ends, with the benefits of such a

society. Instead, we live in communities marked by evil, with all its attendant consequences–

including the goods secured by evil means. This does nothing to imply that the categorical

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[196] Ibid., 341
[197] Ibid., 349
[198] Ibid., 347-348
[199] Ibid., 350

imperative is not obligatory. Second, while it is true that Kantians benefit from the deceit practiced by their non-Kantian counterparts, it is also the case that non-Kantians reap advantages from the honesty of Kantians. Each such advantage is every bit as much a case of "free-riding." If the charge of free-riding is a defeater to the categorical imperative, it is likewise a defeater to other competing moralities with laxer notions of honesty.

The second objection MacIntyre raises is that hard cases may force us to revise any universal principal against lying. He cites an instance of a woman who lied to a Nazi officer, who was enquiring whether all the children in the house belonged to her. In fact, a Jewish child, which was not her own, had been entrusted to her just prior to the mother being taken to a death camp. By lying, the woman saved the child's life.[200]

There are a number of difficulties with MacIntyre's line of reasoning. First, in nearly every conceivable circumstance, it is possible to avert bad consequences without lying, including in this case. In classic murderer-at-the-door thought experiments, it may be possible to prevent murder in several ways: by silence, ambiguity, misdirection, or even attacking the would-be-murderer. MacIntyre's scenario is relevantly different, admittedly. Since the Nazi has the power of the state to support him, some of these stratagems are ill-advised.

Nevertheless, there are alternatives to lying that may save the innocent, even in this case. The most promising approach would be to use a broad mental reservation, by saying such a thing as "All the kids here are mine." Conventionally, it is an acceptable use of language for teachers or other authority figures to use genitives when referring to children in their care, despite not being parents to them: "Our kids this year are going to be a challenge," etc.

One might also question how useful intuitions are in challenging general principles, particularly if these intuitions arise from rare and strange cases, such as murderer-at-the-door

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[200] Ibid., 351

scenarios. We may acknowledge an innate moral sense, but it cannot be denied that intuitions are products also of cultural context. To the degree that differences in intuition are more extensive and intensive than actual differences in moral truths, intuition is an unreliable guide to truth. Anyone who is not a relativist, therefore, must take bare moral intuitions with a grain of salt.

If MacIntyre wishes to establish that Kant has failed to prove his prohibition of lying, the better approach would be to criticize the notion of universalizable maxims that are derived from abstract, disembodied reason. MacIntyre does directly attack Kantian rationality in his other writings.[201] Kantianism, after all, is the antithesis of tradition-constituted rationality. But in this article, the criticism of Kantian ethics proceeds in a far more problematic direction. Disembodied reason is rejected because it entails an absolute prohibition of lying. But the Kantian already openly embraces this rule, and by MacIntyre's own admission, the absolute prohibition of lying *does* follow from the categorical imperative. In other words, MacIntyre's second objection to Kantian ethics is nothing more than question begging.

MacIntyre's case against Kant's rule on truthfulness rests, then, on two arguments. The first is a non-sequiter and the second is question-begging. MacIntyre goes on to propose that he ought to identify some principle or set of principles that is able to justify the particular judgments made in support of lying to or killing aggressors.[202] He suggests that, rather than asking ourselves, "By what principles am I, as a rational person, bound?" we ought to ask, "By what principles are we, as potentially or actually rational persons, bound in our relationships?"[203]

There is no valid argument given in favor of this principle, though there is the appearance of one. MacIntyre posits that it is only within our social relationships (both institutional and informal) that we discover and achieve "the goods internal to practices, the goods that give point

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[201] MacIntyre, *After Virtue,* 273-274; MacIntyre, *Whose Justice? Which Rationality?*, 175, 334;
[202] MacIntyre, "Truthfulness, Lies, and Moral Philosophers," 352
[203] Ibid.

and purpose to those relationships."[204] As rational persons, we also have the ability to critique these relationships, but this capacity is likewise acquired only out of experience in relationships. Even if all this is conceded, however, it does not follow that MacIntyre's question is the correct one, and it certainly does not follow that it is correct to the exclusion of Kant's question. Even if every good is achieved via the mediation of social relationships, this does not imply moral questions are necessarily social questions, that is, questions about relationships.

Taking his proposed question as established, MacIntyre puts forward three reasons why lying is generally evil. First, in the absence of consistent truthfulness, we cannot expect to learn things we need to learn. Second, truthfulness is necessary if relationships are to be sustained through honest criticism of harmful patterns of action. Third, without truthfulness, the harmful power of fantasy– the myths that sometimes inform relationships (and particularly, hierarchical ones)– may become quite serious.[205] Because the prohibition on lying is premised on the needs of rational relationships, there is no duty to be truthful to those who reject the possibility of such a relationship: the murderer-at-the-door, for example.

There are two objections to be posed here. First, if we accept MacIntyre's question, this does not in itself, entail we ought to accept these reasons for the turpitude of lying. Even if confronting a moral problem means asking, "By what principles are we, as potentially or actually rational persons, bound in our relationships?" it does not follow that moral reasoning is about sustaining relationships. Instead, moral reasons might regard duties that a rational cognizer, in relationships, must adhere to regardless of the effects upon relationships. Thus, Kant himself understands lying as an evil that perverts relationships: lying violates the Formula of Humanity

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[204] Ibid.
[205] Ibid., 353, 354

and Kingdom of Ends by instrumentalizing another person. Kant might just as well accept MacIntyre's question and nevertheless reject his answers.

Second, MacIntyre's explanations as to why lying is wrong may justify lying in a vaster range of circumstances than he anticipates. The murderer-at-the-door is not the only person who rejects the possibility of a rational relationship. If MacIntyre is correct, then countries at war may lie to each other. Perhaps countries in a state of intractable hostility, which reject all friendship and ceaselessly try to harm one another by peaceful means, may also lie. The same might be proposed of bitterly competing political candidates, or rival corporations, or feuding families. Who will deny that each of these have rejected the possibility of a rational relationship?

MacIntyre attempts to limit the set of circumstances in which lying is acceptable by specifying that a lie must only be used if one can anticipate it is likely to succeed, and it must be less harmful than the other available means to overcome the aggressor.[206] There is, however, no guidance provided as to how harm might be weighed. Many of a consequentialist mind-frame treat a decline in trustworthiness as a less serious form of harm than any significant physical, emotional, or financial harm that can be averted by lying. Certainly, those who are tempted to lie are the first to agree.

Having proposed his guiding question and three reasons as to why lying is generally evil, MacIntyre stipulates his rule governing truth-telling: "Uphold truthfulness in all your actions by being unqualifiedly truthful in all your relationships and by lying to aggressors only to protect those truthful relationships against aggressors, and even then only when lying is the least harm that can afford an effective defense against aggression."[207]

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[206] Ibid., 356
[207] Ibid., 357

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Despite his criticism of Kant, MacIntyre claims that his argument does depend upon some recognizably Kantian insights, "in its acknowledgement of the fundamental character of respect for rationality, in its rejection of consequentialism, and in some features at least of its conception of autonomy."[208] Given that MacIntyre's rule requires a weighing of harm whenever lying might thwart aggression on a rational relationship, it is a stretch to say the rule rejects consequentialism. With regards to lying, MacIntyre finds himself in a position similar to Mill: a rule utilitarian who admits exceptions to rules.

To overview the progression of MacIntyre's argument: he begins with an analysis of the state of moral thinking among the general population, proposes that the prevailing "moral dualism" needs to be resolved via synthesis, and subsequently drops the topic completely, moving on to Kant and Mill. Virtually without argument, he suggests that a moral rule pertaining to lying ought to be formed by integrating the viewpoints of these two philosophers. The only justification given for this is that both were deeply concerned with truth and honesty, and we have the benefit of many interpreters who have commented on them.[209] The same might be said, of course, of St. Thomas. Most of those outside the traditions of Kant and Mill, and certainly most Thomists, would find such a synthesis to be suspect at best, and perhaps virtually worthless. MacIntyre then offers two fallacious arguments to defeat Kant's absolute prohibition on lying. As if he has destroyed not merely Kant's proscription on lying, but Kantian rationality in general, he proceeds to suggest a question that is to guide all moral reasoning. The role of this question in MacIntyre's ethics is not justified with valid argument. Pondering this question leads MacIntyre to three reasons why lying is generally wrong, while leaving the door open for lying in some cases.

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[208] Ibid.
[209] Ibid., 325, 326

MacIntyre concedes his argument will be unacceptable to some– in particular, anyone who is a consistent Kantian or a consistent utilitarian.[210] I believe I've demonstrated it ought to be persuasive to no one. But this failing is not simply limited to this article or to MacIntyre's account of the question of lying. It runs through his treatment of the derivation of precepts.

Arguing against Jean Porter, MacIntyre assures us that, ordinarily, sound moral argument may be "incontrovertible"[211] and arrive at a "decisive conclusion"[212] MacIntyre produces two arguments to this effect. First, he raises a classic example of an instance when one ought to not return a borrowed good: if the good is a weapon and its owner intends to wage war on one's fellow citizens. He then asks us to imagine a tradition in which warring on one's own people is not generally prohibited. In such a case, the precept requiring that property be returned would be differently qualified than in our own tradition. He then challenges Porter:

> Produce the arguments that allegedly show that it is not true in general that we should not take up arms against our fellow citizens. If they are sufficient to show this, then our original qualification of the precept fails. If they are insufficient, then that qualification stands and the precept of the imagined rival tradition fails. In either case argument will lead to a decisive conclusion.[213]

The trouble with this argument hinges on the meaning of "sufficient." What does it mean to say a precept has been sufficiently demonstrated? Cogency is person-relative. Ordinarily, moral disputes do not pertain to matters in which answers may be strictly deduced from self-evident propositions. MacIntyre's challenge ought to be returned to him: produce an argument in favor of our currently accepted precept. Everyone may agree that we ordinarily should not wage war on our own people, but there is bound to be great disagreement as to why.

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[210] Ibid., 360
[211] MacIntyre, "From Answers to Questions," 321
[212] Ibid., 319
[213] Ibid.

There is a second argument MacIntyre offers in favor of the decisive conclusion of moral debates. Jean Porter appears to hold that general moral concepts, such as murder, are "open-textured" to an extent that permits incompatible definitions of them to develop, and precludes rational decision between these definitions apart from the moral commitments of a specific tradition.[214] MacIntyre asserts this is evidently not the case, but his argument is highly question-begging. It is worth quoting at length:

> The action of killing someone is a paradigmatic example of not treating that individual as a rational agent, as someone with whom one needs to be able to deliberate about our common good. But, if I can only preserve my own life or the life of someone else, by killing that other individual, because she or he is attacking me or that someone else, then it is not I but the other who has ruled out this possibility. The life that I take is not innocent and my action is not to be accounted murder. Or suppose that my action results in someone's death, but not only was this unintentional, nothing that I could have done could have prevented this outcome. Then my action, whatever it was, was not the action of taking that life. So my action was not murder. Or imagine a case in which I do not intend to take someone's life, but my gross negligence results in loss of life. Then, although my action is not murder– defined as the intentional taking of an innocent life– I am nonetheless guilty of an offense closely related to murder. And so on.[215]

It is open to Porter, and to us, to reply that reasoning does not have to move in this way. MacIntyre himself points out the availability of this response, citing the morality of abortion as an instance in which the definition of murder is disputed. He suggests two arguments which, if they were they properly developed, he insists would demonstrate that abortion is evil. The first argument begins from the natural law precept against the taking of innocent human life. From there, one sets out to prove that embryos are, indeed, living humans.[216]

MacIntyre does not dwell on this argument, conceding that, no matter how well developed it might become, it is unlikely to persuade those not already persuaded. Indeed, this is the case for reasons MacIntyre does not indicate. The better skilled partisans of abortion do not

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[214] Ibid., 320
[215] Ibid., 320, 321
[216] Ibid., 338

argue against the humanity of embryos, but rather, that embryos are not persons. Establishing the moral fact that an embryo is a person is a more daunting task than proving the mere biological fact of his or her humanity. Furthermore, some even concede that embryos are persons, but dispute that abortion is murder. A consequentialist may argue, for example, that "The deliberate taking of innocent life" is not an adequate definition of murder, if murder is to be considered universally evil.

MacIntyre places more confidence in the persuasiveness of a second argument, though it is difficult to see why. This argument begins from the common goods of family life, and the understanding that we have already received some of these goods from others as gifts. As people mature into adolescence and adulthood, they come to realize, to varying extents, that their independence is owed to those who cared for them when they were entirely dependent. The turpitude of abortion consists not merely in its being murder, but in its being contrary to a special responsibility of parents to ensure their particular child grows from a state of total dependence to one of relative independence.

MacIntyre admits he has only provided a "bare sketch" of an argument. He must, he says, provide more detail as to what the transition from dependence to independence consists in, and what is required in the activities of caring for and protecting. The result ought to be an account of the individual and common goods that stem from family life, as well as an explanation as to why adhering to the precepts of natural law tends to the obtaining of these goods.[217]

MacIntyre accepts the burden of proving the concept of murder is not "open-textured," but fails to deliver. He only provides the sketches of arguments. Truthfully, it only takes a moment's reflection to see that MacIntyre agrees to a far more difficult task for himself than he suggests. Grant that any sound argument against abortion is likewise a sound case against

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[217] Ibid., 339

infanticide, and that MacIntyre has established the wickedness of both. Even so, there are many other practices which are, or have been, accepted by various societies, which others account as murder. Regicide, human sacrifice, and killing during acts of piracy are each among these. To conclusively prove that each is wrong, and that each is murder, is a more difficult task than one might suppose. If we accept that murder is an act of deliberately killing an innocent person, the meanings of "person," "innocent," "killing," "deliberately," and "act," remain to be defined, and each can be surprisingly contentious.

I do not dispute that, objectively, the essence of murder is highly determinate. Human sacrifice is immoral, despite contrary customs. Homicidal pirates are wicked, even if they are treated as heroes, etc. Nevertheless, the content of the notion of murder may be epistemically indeterminate. Here, we may draw on St. Thomas' distinction between two kinds of self-evidence. It is self-evident *in itself and to us* that murder is evil. The essence named by "murder" is included in that named by "evil," and this is apparent to anyone who has engaged in minimal reflection on the matter. But perhaps if we lived in ancient Greece, we might regard killing committed in acts of piracy as justified, or at least we might view such killing ambiguously. In other words, it might be the case that such killing being murder is self-evident *in itself but not to us*. The essence of killing in piracy is included in the essence of murder (hence, self-evident in itself), but this is not necessarily known to all.

In matters of tertiary precepts, strictly demonstrative argument may often be impossible. Ongoing disagreement, even after strong arguments have been produced, does not entail that one side has failed "to be open to what reason requires,"[218] if by reason we only mean what can be established by argument. We may hold that the moral law is quite determinate in itself, without being determinate with respect to what argument may establish. Turning away from MacIntyre,

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[218] Ibid., 340

we see the perspective of St. Thomas better reconciles belief in a universal moral law with the fact of ongoing moral disagreement. Tertiary precepts are found to be consonant with reason only through "the diligent inquiry of the wise,"[219] but the wise are not merely those with argumentative insight, but those who are also virtuous.[220] There might be no fully sufficient argument to establish a tertiary precept.

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[219] Aquinas, *Treatise on Law,* q. 100 a. 3
[220] Aquinas, *Commentary on the Nicomachean Ethics,* n. 737

CHAPTER SEVEN: TRADITION-DEPENDENT OR INDEPENDENT STANDARDS?

There is an important tension in MacIntyre's ethics. This may or may not be an instance of incoherence, but it is certainly a point in need of clarification. What, more precisely, is the relation between rationality and tradition? A key tenet of the *After Virtue* project is that we possess the resources of an adequate rationality only via traditions.[221] These traditions are comprised of beliefs and practices of reason, as well as institutions and social practices.

Attempts to further clarify what is meant by "tradition-constituted rationality" leave us in a quandary, however. This is particularly the case in MacIntyre's most recent writings, in which tradition-independent standards are granted a place of prominence. How are we to delineate the boundaries between tradition-dependent and independent criteria? No answer is forthcoming from MacIntyre's writings.

In "Intractable Moral Disagreements," MacIntyre names a large, but not exhaustive number of moral precepts that are fundamental to natural law, and that are evident to anyone who pursues the truth about goods.[222] These principles are not regarded as being rational *quod* traditional. This represents a substantial break from MacIntyre's earlier treatments of moral principles. To a substantial degree, then, rationality now appears to not be tradition-constituted for MacIntyre.

Moreover, given the considerable shared ground that basic precepts provide to rival traditions, one might question whether the problem of incommensurability remains. MacIntyre himself has come to refer to the problem in a qualified manner, as if it is merely apparent, and not real: "…it may *seem* that here is indeed a case of incommensurability. But such *apparent*

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[221] MacIntyre, *Whose Justice? Which Rationality?*, 369
[222] MacIntyre, "Intractable Moral Disagreements," 23, 24

incommensurability does not leave us resourceless."[223] But inasmuch as incommensurability is not a problem, the *After Virtue* project loses much of its relevance.

The extent to which MacIntyre deviates from a pure tradition-constituted rationality is most evident in arguments he levels against Jean Porter. Porter holds that the natural law is not the same for all. Instead, there are different natural laws in different societies. This is the position of Aquinas as well, according to her interpretation.[224] MacIntyre's reply to her arguments finds fault with her placing too great a role upon tradition:

> Porter seems to believe that what she calls general moral concepts, such as the concepts of murder, are open-textured to such a degree that they are open to development and to application in different and incompatible ways, between which there may be no grounds for rational decision, apart, that is, from the moral and other commitments of some particular community, derived from its particular tradition. So the natural law can function adequately only from the standpoint of some such tradition. Yet, if we examine, for example, how the concept of murder has in fact been developed and applied through a series of arguments within more than one social and moral tradition, this seems to be false. For we are able to arrive at sound conclusions that are as tradition-independent as the primary precepts.[225]

Apparently, then, MacIntyre holds there *are* grounds, apart from tradition, for rational decisions on tertiary matters. He has abandoned a core tenet of the *After Virtue* corpus, but without announcing the fact. Nevertheless, he continues to portray moral disagreement as conflict between traditions. Likewise, moral enquiry is still treated as a tradition-dependent development of tradition.[226] And despite a tampering down of the language of incommensurability, MacIntyre continues to advocate and practice the very form of dialectic he previously justified on the basis of incommensurability.[227]

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[223] Ibid., 32, emphasis added, see also 33
[224] Jean, Porter, "Does the Natural Law Provide a Universally Valid Morality? *Intractable Disputes About the Natural Law*, ed. Lawrence S. Cunningham, (Notre Dame, IN: University of Notre Dame Press 2009), 55-57.
[225] MacIntyre, "From Answers to Questions," 320
[226] Ibid., 334, 340; MacIntyre, "Intractable Moral Disagreements" 34, 35, 37, 42, 48
[227] MacIntyre, "Intractable Moral Disagreements," 38-51

CHAPTER EIGHT: CONCLUSION

There is a common thread running through each of these difficulties in MacIntyre's ethics. Each is founded, in part, upon his treatment of epistemology as "first philosophy."[228] This is ironic, given MacIntyre's sometimes withering critique of modernity. It is characteristically modern to treat epistemology as first philosophy: a legacy beginning with Descartes. For Aristotle and his medieval and modern successors, on the other hand, metaphysics is first philosophy.

The priority MacIntyre places upon "practical reason," that is, upon epistemological matters, and his depreciation of moral ontology and phenomenology, makes it impossible for him to offer a cogent ethics. Likewise, his tendency to treat the natural law as a set of epistemic rules protecting the possibility of deliberation leaves us with little guidance in these deliberations. The decisive conclusions MacIntyre assures us are possible are placed further from our reach by his own theory.

This misplaced priority also heightens the internal tensions in MacIntyre's thought. His historical-dialectical method makes epistemology first philosophy, but the tradition he justifies by this approach is incompatible with epistemology holding this status. Metaphysical notions of "nature" and "natural end" have a significant role in MacIntyre's later writings. But if there is a clear lesson from the history of modern philosophy, it is that, if epistemology dictates metaphysics instead of vice versa, then traditional metaphysics cannot get off the ground. Instead, metaphysics becomes, at most, a matter of "conceptual analysis," with little reason to suppose the contents of our ideas track reality, except in trivial respects. Thomistic ethics cannot survive without Thomistic metaphysics.

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[228] MacIntyre, *Whose Justice? Which Rationality?*, 371

But what is the origin of properly metaphysical notions, and why is it important they be first? Before answering this question, it may be helpful to point to a fundamental incoherence that is too common in analytic philosophy. It is sometimes supposed that the proper objects of philosophic enquiry must be either matters of scientific study or matters of conceptual analysis. This dichotomy is similar to Hume's Fork, which divides all objects of cognition into Matters of Fact (empirically testable truths) and Relations of Ideas (conceptual truths). Like Hume's Fork, this supposition is self-refuting: it does not fit within the dichotomy it poses.[229]

Logical and mathematical truths are the most popularly conceded exceptions to this binary. It is standard to regard such truths as *necessary* in a way scientific truths are not, and *objective* in a way the products of conceptual analysis, as typically understood, are not. Scholasticism, including Thomism, proposes that metaphysical truths also fall between the tines of Hume's Fork for the same reason: their necessity and objectivity.[230]

The dichotomy between scientific truth and conceptual truth has its historical roots in the early modern conflict between rationalists and empiricists: a conflict that arose precisely because epistemology was made prior to metaphysics. For the rationalist, there are metaphysical truths that are innately known. For the empiricist, there is no innate knowledge and thus no assurance that our metaphysical concepts correspond with extra-mental reality. Kant blended these perspectives by holding there are, indeed, innate metaphysical concepts, but these are merely entailed by how the mind *must* organize its experience. There is no basis for supposing these concepts deliver truth. The proponents of naturalized epistemology go still further in their skepticism: our concepts are not entailed by the nature of cognition itself, but are the products of a contingent evolutionary history. In the end, we are left with a "metaphysics" of conceptual

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[229] Edward Feser, *Scholastic Metaphysics: A Contemporary Introduction,* (Piscataway, NJ: Transaction Books 2014), 26.
[230] Ibid., 27

analysis that is about how *we* think about being, and speak about being, but not about being *qua* being.[231]

      The Thomist, of course, rejects the thinking that sets this ball in motion in the first place, since for him metaphysics is prior to epistemology. Hence, the lines of argument that have successively yielded rationalism, empiricism, Kantianism, etc.,– and now naturalized epistemology– may be intelligible, but have no compelling force from his perspective.

      The Scholastic holds, at least in fundamentals, an epistemology that pre-dates the rationalism/empiricism divide. He has common ground with the rationalist in holding there are metaphysical truths that may be known, even with certitude. But these are not innate. He concurs with the empiricist that all knowledge is derived from experience, but rejects the empiricist tendency to collapse ideas into sensations. Rather, by abstracting universals from particulars, and through demonstration, there is metaphysical knowledge that is derivable from our experience of the physical. This is knowledge of being *qua* being.

      A defense of Scholastic metaphysics or epistemology is not the topic at hand.[232] It is within the scope of this thesis, however, to point out the relevance of these matters to ethics. In *After Virtue*, MacIntyre notes that the Enlightenment project was both precipitated by and doomed because of the abandonment of pre-modern metaphysical notions. Aristotelian and Scholastic ethics pertains to three matters: (1) man-as-he-is, (2) a set of ethical rules, and (3) man-as-he-ought-to-be. Each one of the three domains of ethics is only intelligible in relation to the other two. [233] But Scholastic meta-ethics is not explicable apart from Scholastic metaphysics:

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[231] Ibid., 28, 29

[232] Of the recent cases for Scholasticism, perhaps the more poignant are offered by Edward Feser in *Scholastic Metaphysics: A Contemporary Introduction* (2014) and David Oderberg's *Real Essentialism* (2007).

[233] MacIntyre, *After Virtue,* 53

"Ethics…in this view presupposes some account of potentiality and act, some account of the essence of man as rational animal and above all some account of the human *telos*."[234]

When Scholasticism was abandoned, the notions of *telos*, and therefore of man-as-he-ought-to-be, was discarded. Instead, the most fundamental premises of ethical argument made reference merely to man-as-he-is, and from these premises ethical rules were derived. Thus, in Hume's and Diderot's ethics, man is characterized primarily in terms of his passions. Kant, on the other hand, places man's power for universal and categorical acts of reason at the foundation of ethics. The moral rules posited by each thinker are alleged to be just those rules which a being possessing thus-and-such a nature ought to accept.[235]

In the absence of *telos*, however, such rules are arbitrary. Also, the notion of man-as-he-is differs from that held by traditional Aristotelians; it does not include any concept of essential function.[236] For the Thomist, then, modern moralities are capricious injunctions that are based upon a fragmented view of human nature. Nietzsche likewise saw through the charade of Enlightenment morality, but characterized pre-modern ethics as similarly groundless.

MacIntyre, believing the Enlightenment project is discredited, confronts us with a choice: Nietzsche or Aristotle.[237] If Nietzsche is correct in his characterization of ethics– that every justification of morality clearly fails, so that its rules must be explained in terms of a will to power[238]– then we must head down the path of genealogy. If not, then we need to recognize that Aristotelianism was not refuted by modernity, but only abandoned. Aristotelian ethics, MacIntyre argues, is the most philosophically potent of the premodern theories. "If a premodern

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[234] Ibid., 52
[235] Ibid.
[236] Ibid., 58
[237] Ibid., 118, 119
[238] Ibid., 117

view of morals and politics is to be vindicated against modernity, it will be in *something like*

Aristotelian terms or not at all."[239]

Early in the *After Virtue* project, MacIntyre attempts to build an Aristotelian-Thomistic

ethic upon sociological categories alone: practice, narrative, and tradition. Having later

concluded that such an attempt must end up neglecting important factors, he incorporates a

"metaphysical biology" and later still, a richer, more overtly spiritual metaphysics of the human

person. This metaphysics cannot be sustained, however, if epistemology is first philosophy. The

problematic features of MacIntyre's ethics discussed here are symptomatic of this fundamental

problem.

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[239] Ibid., 118

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