

# The ethical credentials of partiality\*

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*ABSTRACT.* Although an impartial perspective is often regarded as integral to the moral outlook, this paper argues that adopting such a perspective is neither (i) sufficient nor (ii) necessary for supporting the principle of respect for all human beings. (i) An impartial spectator aiming to maximize human welfare could well decide that 'low grade' individuals should be eliminated or enslaved; (ii) a theory of virtue based on frankly partialistic principles can find good reasons (based on the interconnectedness of the dispositions required for the exercise of virtue) for cultivating habits of feeling and action that involve respect and concern for all.

## 1. Partiality, specialness and value

From what standpoint is value perceived? In the first place, surely, from the perspective of human beings, going about their particular purposes, with specific aims in mind. Lumps of gold would be worthless on a planet where they were as common as dirt is on earth. And even if rare, they would lack value unless they served some naturally useful or conventionally assigned purpose or goal. Value, in short, requires a context. From the outset we come to learn about value, and to recognise it, in the context of our individual commitments and projects. And the more we abstract from specific contexts of human involvement, the farther removed we get from that involved proximity that Heidegger called *Zuhandenheit*,<sup>1</sup> the fainter our grasp of value seems to become.<sup>2</sup>

Our perception of value is also linked to *specialness*. Not every clod of earth can be special, only those which have some rarity or particular worth from the point of view of our needs, goals or purposes. Certain types of clay are special to the potter; certain minerals, such as radium, are special for the atomic technician. And the same seems to be true of people. A familiar cliché among scriptwriters of soap operas occurs when one character says to another 'You're a very special person'. The remark, for all its popularity among scriptwriters, is often not very easy to decipher. Sometimes it appears to refer to some specific attribute – skill, talent or virtue; more often it is used when there is a particular relationship to the speaker – as lover, as parent, brother, spouse, comrade, friend, neighbour ... Yet could it be the case that every human being, irrespective of particular attributes or relationships, is 'special'? Perhaps yes, because everyone is actually or at least potentially someone's relative, friend, or neighbour; or, at the very worst, even the isolated curmudgeonly scrooge is special to himself. But could everyone be special *simpliciter* – special, as it were, in

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<sup>1</sup> Martin Heidegger, *Being and Time* [*Sein und Zeit*, 1927], §15, trans. J. Macquarrie and E. Robinson (New York: Harper and Row, 1962), p. 98.

<sup>2</sup> Our perceptions of aesthetic value are perhaps an exception, if Kant was right in his famous claim that they involve a 'pure disinterested delight'. See Immanuel Kant, *Critique of Judgement* [*Kritik der Urteilskraft*, 1790], Part I, Book 1, §2. Compare M. Budd, *The Value of Art* (Harmondsworth: Penguin, 1996), ch. 1.

detachment from any particular context?

Some philosophers apparently believe this is so. Of course some things and some people matter to *me*, or to *you*, but Thomas Nagel, in his influential *Equality and Partiality*, argues that the things we care about ‘do not cease to matter when viewed impersonally’. For Nagel, the very acknowledging of personal value leads naturally to the recognition of impersonal value, since the impersonal standpoint ‘does not single me out from anyone else’. So though we may start by seeing value in things and people from a personal standpoint, we are led to acknowledge that at least some things and people ‘have to be regarded as mattering, period’.<sup>3</sup>

The reasoning underlying this claim gets its strength from concentrating on the perspective, hinted at by Francis Hutcheson and made famous by Adam Smith and William Godwin, of the ‘impartial spectator’.<sup>4</sup> Each of us begins with a set of partialistic concerns and interests, but we have the ability to stand back from them, and to recognise that each of us is only one among countless human beings – each of whom, from each individual perspective, is special. And if I am special to me, and you are special to you, and so on, then surely, from an impersonal and impartial perspective, everyone is ‘special, period’. ‘The basic insight’, as Nagel puts it, ‘is that everyone’s life matters, and no one is more important than anyone else.’

But wait: if we imagine the impartial (and even benevolent) spectator looking down on the planet, how is it supposed to be directly obvious that, for such a being, no one is more important than anyone else? Consider the imaginary case of ‘Gerard’,<sup>5</sup> a neo-fascist ‘lager lout’ of the kind who currently causes so much anxiety to the organizers of football matches in Western Europe: let us assume that the summit of his ambition is to drink large quantities of beer each evening, and, on a good night, to follow this by going on the rampage and kicking in some heads. Of course, this may be merely a ‘phase’ in a life destined to improve later on; but to pitch the case as strongly as possible let us assume that Gerard for whatever reasons (whether genetic or environmental) appears, sadly, to be devoid of any talent that might enrich the life of himself or others. Now why, to the impartial spectator, should such a life ‘matter as much’ as that of a brilliant scientist, or a gifted concert pianist? If the lager lout walks under a bus, has any discernible value gone out of the world? If a clod is washed away, John Donne’s famous sermon tells us, Europe is diminished, no less than if a promontory were.<sup>6</sup> But from the impartial perspective, this is surely false, or at least

<sup>3</sup> T. Nagel, *Equality and Partiality* (Oxford: Oxford University Press, 1991), p. 11.

<sup>4</sup> The originator of this phrase appears to have been Adam Smith; see *The Theory of Moral Sentiments* [1759], Part I, Sectn 1, ch. 5; Part II, Sectn 1, ch. 2; Part III, ch. 1. The idea was graphically articulated some thirty years later by William Godwin: ‘The soundest criterion of virtue is to put ourselves in the place of an impartial spectator, of an angelic nature, suppose, beholding us from an elevated station, and uninfluenced by our prejudices, conceiving what would be his estimate of the intrinsic circumstances of our neighbour, and acting accordingly.’ (*An Inquiry concerning Political Justice*, [1793], Book II, ch. 2). For anticipatory hints about the role of the ‘observer’ in defining the notion of merit, see Francis Hutcheson, *Illustrations on the Moral Sense*, Sectn 5, from *An Essay on the Nature and Conduct of the Passions and Affections* [1728].

<sup>5</sup> The name originally meant ‘spear-hard’.

<sup>6</sup> ‘No man is an island, entire of itself; every man is a piece of the continent, a part of the main; if a clod be washed away by the sea, Europe is the less, as well as if a promontory were, as well as if a manor of thy friend’s or of thine own were; any man’s death diminishes me, because I am involved in mankind. And therefore never send to know for whom the bell tolls; it tolls for thee.’ John Donne, *Devotions* [1624], xvii.

questionable. When our scientific or musical genius dies, the obituary writers will say, with some intuitive plausibility, that humanity as a whole is diminished. But when Gerard disappears from the scene, why should the detached contemplator judge that humanity is poorer? From the impartial standpoint, in so far as one can grasp it, why should it not just as well appear that evaluatively speaking nothing much has changed?<sup>7</sup> The washing away of the clod doesn't really matter a jot, unless you happen to be standing on the clod. Though Nagel's strategy is to try to show how the impartial perspective discloses the equal absolute worth of all humans, reflection suggests that if there is any value to be detected in the life of the lager-lout it will be discerned from the perspective of personal involvement. Perhaps Gerard has fellow-thugs who will miss him; perhaps he has relatives for whom he is all they have got; or at the least, his own death is something bad for him. But the further we abstract from these partialities and particularities, the more tenuous becomes our hold on how this wretched life is supposed to 'matter' in itself.

Strikingly, Nagel wants us to admit that from the impersonal perspective, each individual life matters not just a bit, but 'hugely'.<sup>8</sup> To our cosmic observer, such a life is supposed to be seen, in itself, as something of enormous value. A familiar religious theme might seem to support this: to the loving creator of humanity, each one of his creatures, made in his image, is infinitely precious; to your heavenly Father the 'very hairs of your head are numbered'.<sup>9</sup> This is a powerfully moving image which I am very far from wanting to discredit. But what I question is whether a secular analogue of it can be constructed merely from the notion of the impartial – even the impartially benevolent – observer. The idea that every human being, just in virtue of his or her humanity, has equal dignity and worth, that every life is hugely precious – this is an idea of great resonance and nobility; but it seems to me simply a conjuring trick to purport to pull this magnificent rabbit out of the hat of pure detached impartial concern.<sup>10</sup> A parallel problem bedevils Rawls's use of the 'original position':<sup>11</sup> although equal concern for all, even (indeed especially) for the most wretched, is

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<sup>7</sup> It might be said that the impartial perspective will at least allow for legitimate regret that this wretched life has been wasted. I take it that such regret will have to depend on the thought that, under better social and economic conditions, the 'lout' might have realised potentialities for human fulfilment which his actual environment stunted. This, however, does not show that impartially viewed this actual life had great worth, only, at best, that it might have done. And it is in any case compatible with this thought to hold that any such value, had it been achieved, would have to have depended on the particular precious relationships or achievements that might have been attained, not on the supposed 'huge value' of each life as such.

<sup>8</sup> *Equality and Partiality*, p. 19.

<sup>9</sup> Gospel according to Matthew [c. AD 80], 10:30.

<sup>10</sup> The impartialist faces a dilemma here. On the one hand, it might seem that, from a wholly detached perspective nothing at all matters very much; as Hume put it, 'the life of a human being is of no greater importance to the universe than the life of an oyster' ('On Suicide' [1757], in *Selected Essays*, ed. S. Copley and A. Edgar (Oxford: Oxford University Press, 1993), p. 319). On the other hand, if the remote spectator is supposed to have some conception of ethical value that allows the ranking of humans above oysters, then this seems naturally seem to lead not to equal but to differential concern, arising from the observation that the sources of such value are not, as a matter of fact, equally distributed. Compare the unashamed elitism of J. S. Mill: 'A being of higher faculties requires more to make him happy, is capable probably of more acute suffering, and certainly accessible to it at more points, than one of an inferior type' (*Utilitarianism* [1863], ch. 2).

<sup>11</sup> John Rawls, *A Theory of Justice* (Oxford: Oxford University Press, 1972), Ch. 3.

supposed to be the natural starting point for a detached Rawlsian contractor, it is (as many critics have observed) hard to see how reason alone, working from a ‘thin’ theory of the good, will be constrained towards the adoption of any one over a host of possible visions of the good society – radically egalitarian, expensively maximising, crudely utilitarian, perfectionist, even harshly Nietzschean.

The point is an important one because partialist systems of ethics are often criticised for providing inadequate support, or even no support at all, for the central moral notions of equal rights and equality of respect; and conversely, impartialists often write as if they enjoyed exclusive property in these notions. The reality is that adopting the impartialist perspective is neither a sufficient nor a necessary condition for holding that the likes of Gerard should be accorded that basic respect due to them as human beings. It is not sufficient, for the reasons given in the previous paragraph: an impartial spectator of the planet adopting a perfectionist or ‘maximax strategy’ for promoting the good might well decree that the likes of Gerard should be enslaved, or even eliminated. Even the mild-mannered and benevolent pioneer of impartialism, William Godwin, would apparently not have agreed with Nagel that each life, viewed impartially, matters hugely:

In a loose and general view I and my neighbour are both of us men, and of consequence entitled to equal attention. But in reality it is probable that one of us is a being of more worth and importance than the other. A man is of more worth than a beast, because, being possessed of higher faculties, he is capable of a more refined and genuine happiness. In the same manner the illustrious archbishop of Cambrai was of more worth than his chambermaid, and there are few of us that would hesitate to pronounce, if his palace were in flames and the life of only one of them could be preserved, which of the two ought to be preferred.<sup>12</sup>

As for why the adoption of an impartial perspective is not even necessary for recognising the value of equal respect for all persons qua humans, I shall defer the argument for this till the final section of the paper (where I shall suggest that an ethical culture founded entirely on frankly partialistic principles is much better equipped than might at first appear to generate respectful attitudes to the rights of others). For the present, I will content myself with an analogy: rejecting the whole idea of an impartial, external perspective from which our moral outlook may somehow be validated no more need automatically scupper the prospects for justifying our modern liberal values than, in the theory of knowledge, rejecting absolute, Cartesian-style, divine underwriting need destroy all prospects for justifying our modern scientific values.

The discussion so far has been couched (if I may so put it) in the epistemological rather than the metaphysical mode; that is, it has been concerned mainly with how we perceive value, rather than with the nature and basis of value. But the allusion to Descartes in the previous paragraph may serve to remind us that the two domains are by no means always totally separate. The Cartesian God, guarantor of goodness and truth, has a kind of dual role in this respect: he not only

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<sup>12</sup> *Enquiry Concerning the Principles of Political Justice* [1793], Book 11, ch. 2. Famously, Godwin goes on to argue that it makes no difference to this result if the chambermaid happens to be my mother.

provides an epistemic validation of my perceptions, enabling me to know that my ideas conform to the reality of things,<sup>13</sup> but is also the very source from which goodness and truth proceed.<sup>14</sup> I suspect that a residual motivation (certainly not consciously articulated) for the enthusiasm felt by impartialists such as Godwin for the scenario of the ‘detached observer’ was a sense that such an idealised figure, placed high above particular involvements, might somehow discharge, for a secular ethics, the same kind of role that was carried by the Deity in earlier metaphysical systems – the role of a kind of overseer and underwriter of value. Yet if we indeed live in a post-Nietzschean cosmos, with no divine creator looking down on the planet, then the scenario of the impartial cosmic observer becomes entirely hypothetical (indeed, counterfactual), and hence provides no basis for supervising or guaranteeing anything; and it follows, as Nietzsche and his successors argue, that there is a sense in which we need instead to create our own values, from our own resources.<sup>15</sup> From this perspective, the search for detached sources of value is not just a philosophical mistake – a mistake at the level of theory and analysis: it is also a mistake which distorts our everyday understanding of what gives human life worth and meaning.

One way of putting the matter, which I have used elsewhere, is to say that goodness grows from the inside outwards.<sup>16</sup> One does not necessarily have to agree with William Blake’s harsh judgement that the ‘General Good is the plea of the scoundrel, hypocrite and flatterer’, in order to see the force of his insistence that goodness resides the ‘Minute Particulars’ that constitute the daily context of our individual lives.<sup>17</sup> The partialist case which I defend holds that human lives are valuable not primarily in virtue of how far they conform to impersonally defined rules of conduct, or in so far as they contribute to some giant amalgam called ‘the good’, but in so far as they are lived in ways which give richness and meaning to the short journey each of us has to undergo. Here, in a sense, epistemology and metaphysics coincide: the fact that it is from the ‘autocentric’ perspective (as I have elsewhere termed it)<sup>18</sup> that we come to see what has worth and significance in our lives is

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<sup>13</sup> ‘I noticed certain laws which God has so established in nature, and of which he has implanted such notions in our minds, that after adequate reflection we cannot doubt that they are exactly observed in everything that exists or occurs in the world.’ *Discourse on the Method* [*Discours de la méthode*, 1637], part v (AT VI 41: CSM I 131). In this paper, ‘AT’ indicates C. Adam and P. Tannery (eds), *Oeuvres de Descartes* (12 Vols, revised edn, Paris: Vrin/CNRS, 1964-76); ‘CSM’ indicates J. Cottingham, R. Stoothoff and D. Murdoch (eds), *The Philosophical Writings of Descartes*, Vols I and II (Cambridge: Cambridge University Press, 1985); ‘CSMK’ indicates Vol. III, *The Correspondence*, by the same editors and Anthony Kenny (Cambridge: Cambridge University Press, 1991).

<sup>14</sup> Cf. Letter to Mersenne of 15 April 1630: ‘The mathematical truths which you call eternal have been laid down by God and depend on him entirely, no less than the rest of his creatures’ (AT I 145: CSMK 23).

<sup>15</sup> Compare F. Nietzsche, *Beyond Good and Evil* [*Jenseits von Gut und Böse*, 1886] §261.

<sup>16</sup> See J. Cottingham, ‘The Ethics of Self-Concern’, *Ethics* 101 (July 1991), pp. 798-817.

<sup>17</sup> ‘He who would do good to another must do it in Minute Particulars. General Good is the plea of the scoundrel, hypocrite and flatterer.’ William Blake, *Jerusalem* [1805], f. 55 l. 54.

<sup>18</sup> . See Cottingham, ‘The Ethics of Self-Concern’; and ‘Partiality and the virtues’ in R. Crisp (ed.), *How Should One Live? Essays on the Philosophy of Virtue* (Oxford: Oxford University Press, 1996), pp. 57-76. Note that ‘autocentric’ needs to be sharply distinguished from ‘egoistic’ . Many autocentric projects (those involved in family loyalty, for example, or the cultivation of true friendship) involve dispositions of feeling and patterns of conduct that are genuinely, even

ultimately linked to the fact that we realize that worth and significance by the intensely personal commitments and preferential networks of mutual interdependence to which we wholeheartedly devote ourselves. This claim is a complex and controversial one; although its acceptance lies (I believe) at the heart of virtue theory,<sup>19</sup> it seems to be denied both by deontologists who define the domain of the moral in abstraction from the individualities of human desire and affection,<sup>20</sup> and by consequentialists who see the value of individual lives as essentially derivative from their contribution to impersonally defined goodness.<sup>21</sup>

In the remaining two sections of this paper I shall try to do two things. First, I shall attempt to defend the partialist perspective against the charge of ‘ethical taint’ – the widespread criticism that partialists must embrace or at least permit patterns of action that are morally unacceptable. This will lead on the final section where I shall try to deepen our understanding of the dispute between partialists and impartialists by locating it within its historical context; what I hope will emerge is a defence, if only in outline, of the authenticity and integrity of a partialist conception of ethics.

## 2. *Tainted partialisms.*

The very word ‘partial’, in its predominant usage, tends to carry pejorative undertones. The Oxford English Dictionary gives its first meaning as ‘unduly favouring one party or side in a suit or controversy; biased, interested, unfair’. The negative connotations are long established: a seventeenth-century sermon condemns the sins of ‘worldliness, luxury, and sinister partial dealing’. In the past the word could sometimes be used with more neutral or even positive associations; thus Hume speaks (apparently without disapproval or irony) of sexual love as ‘an affection more partial than that of friendship’. But such usage is described by the OED as ‘now rare’.<sup>22</sup>

The reference to lawsuits in our first dictionary quotation is no accident, for the context in which partiality acquires its negative connotation is of course the public arena. In government and the administration of justice, officials are expected to serve the public interest, and bias in favour of personal and sectional interests is the

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paradigmatically, altruistic. See also Cottingham, ‘Partiality, Favouritism and Morality’, *Philosophical Quarterly*, 36 (1986), pp. 357-73.

<sup>19</sup> See J. Cottingham, ‘Partiality and the virtues’.

<sup>20</sup> ‘When disappointments and hopeless misery have quite taken away the taste for life, when a wretched man, strong in soul and more angered at his fate than faint hearted or cast down, longs for death and still preserves his life without loving it-not from inclination or fear but from duty; then indeed his maxim has moral content.’ (Immanuel Kant, *Groundwork of the Metaphysic of Morals* [*Grundlegung zur Metaphysik der Sitten*, 1785], ch. 2, trans. H. J. Paton (London: Hutcheson, 1948)). Kant need not be going so far as to say that the presence of affective inclinations actually vitiates an action’s moral worth; but he does insist that the moral agent must embrace duty alone as a ‘pure’ and all-sufficient reason for action. For a sensitive defence of Kant’s position here, see Marcia Baron, *Kantian Ethics Almost Without Apology* (Ithaca: Cornell University Press, 1995), ch. 6.

<sup>21</sup> Examples in addition to Godwin (see above) would include modern consequentialists such as Peter Singer: see *Practical Ethics* (Cambridge: Cambridge University Press, 1979, 2nd edn. 1993), chs 1 and 8. Whether institutional or ‘rule’ consequentialists can construct a convincing alternative picture is something I cannot discuss here, but which I address in ‘Medicine, Virtues and Consequences’, in J. Laing and D. Oderberg (eds), *Human Lives* (London: Macmillan, 1995).

<sup>22</sup> *The Oxford English Dictionary* (1971), s. v. ‘partial’. Cf. David Hume, *The History of England* [1759], V, lxi.

hallmark of corruption – akin to, and often in fact linked with, bribery. It is interesting to compare bribery with its non-financial analogue, nepotism. When a public official takes a bribe, a financial inducement enters into, and distorts, what should have been an impartial evaluation of the case, based on its merits. Nepotism is free of this financial taint, but is widely felt to be tainted in a parallel way: a personal inducement, in this case desire to give a boost to a relative, distorts what should be an unbiased evaluation of the merits of rival candidates. (Etymologically, the word ‘nepotism’ comes from the classical Latin term for a grandson (*nepos*), though in medieval Latin by a curious shift the word came to mean ‘nephew’; the OED lists the first meaning of ‘nepotism’ as ‘the practice on the part of Popes or other ecclesiastics of showing special favour to nephews’ . Since the rule of priestly celibacy prevented direct-line dynasties, for a Pope to elevate a nephew to the College of Cardinals was the next best thing to elevating a son – and in some cases ‘nephew’ may in fact have been a euphemism for an actual son born out of wedlock.)

Nepotism is a potential stumbling block for the partialist, precisely because of this sort of long-standing taint. An obvious initial line of defence for the partialist is to draw on the distinction just referred to between the public and the private domains. Family preference, the partialist may be inclined to say, is in itself quite ethically respectable, provided it does not ‘spill over’ into the public arena. Thus Nagel is able to describe ‘the rule against nepotism in public and semi-public institutions’ as ‘the best entrenched limitation on the exercise of family preference’.<sup>23</sup> The typical modern liberal is (rightly) committed to the ideal of equal opportunity, which implies equal access to positions of public advancement under conditions of fair and open competition. This will of course mean that one cannot countenance government officials (or, for example, university examiners or admissions officers) giving preference to their relatives in the relevant competitions; the public/private distinction, however, suggests that they may still legitimately favour their offspring ‘at home’ (by arranging for them to have an intellectually and culturally stimulating home environment – buying extra books for them, taking them to the theatre, funding an expensive ‘gap-year’ between school and university – the whole panoply of traditional ‘middle-class’ benefits).

But this line is fraught with problems, since clearly the array of private benefits will carry signal advantages when the beneficiary enters the competitive public arena. The principle that family preference is allowable provided it does not ‘spill over’ into the public domain thus starts to look unstable, precisely because everyone knows full well that the benefits they confer on their offspring will help them generally in the competition for life’s scarce resources. It begins on reflection to look as if there is a radical instability in the Nagelian project of trying simultaneously to uphold two distinct approaches to value – a personal perspective supporting family preference, and an impartial or ‘public’ perspective which frowns on it. Few activities in human life are more precious and rewarding than those associated with the nurturing of families, the fostering of an environment which enables one’s children to fulfil their potentialities and reach the maximum excellence of which they are capable. One might say that this ‘personal core’ lies at the heart of the good life – it is

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<sup>23</sup> *Equality and Partiality*, p. 110 (emphasis supplied).

the very paradigm of a structure that, for millions, makes life worth living.<sup>24</sup> To attempt, now, to isolate that core, to, as it were, prevent the consequences of fostering it from spreading out into the public domain, begins to look radically confused. It is as if a dietary policy were to permit parents to develop a nutritious and healthy regime within the family, with the absurd proviso that none of the goods so conferred were to be allowed to advantage its beneficiaries when they stepped outside the home. What is more, the very idea of special concern, of the preciousness of one's own personal life that of one's loved ones, surely commits us to developing the relevant goods in their fullest and richest dimension; and if the inevitable consequence of that is that we aim for an excellence that not all will succeed in achieving, that is a bullet the partialist must bite, not try to conceal by a spurious appeal to the distinction between the public and the private domains. But does 'biting the bullet' mean there is no alternative to what might be called a rampant partialism – one that embraces even nepotism of the 'Pope's nephew' variety? Clearly any partialism which is not to be hideously counterintuitive must be a constrained partialism – one which makes the pursuit of good for myself and my loved ones stop short of violations of duty, or the misappropriation of resources. There is nothing wrong as such with preference for a nephew, as may be seen from the fact that (except for the most hard-nosed totalitarian) no blame need automatically attach to the entrepreneur who makes his nephew a director of the family firm that he has worked hard to build up. To see the position of any nephew, so preferred, as *eo ipso* 'tainted'<sup>25</sup> is to take a significant step towards arguing that all family firms should be outlawed, or forcibly prevented from surviving the first generation of those who founded them – a conclusion which on reflection is incompatible with even a minimal conception of property rights, let alone fundamental principles of efficiency and incentive.<sup>26</sup> What is wrong with the Pope giving the Red Hat to his nephew, the judge deciding a case in favour of her cousin, the civil servant giving a contract to his pal, the admissions officer reserving a place for her friend's daughter, is that such acts involve disrespect for the resources or rights of others. If I am working for the Church, or the Courts, or the Government, or the University, then the goods in question are not mine, to assign at will: I control the relevant goods in trust for the institution that employs me, and I am no more justified in bestowing them on my favourites than I am justified in dishing out someone else's cream to my cat, or 'giving' someone else's bicycle to my child.

Clearly, however, partialists cannot just help themselves to the notions of rights and respect for others; indeed, serious trouble looms for the partialist should it turn out that these notions are accessible only from an impartial perspective. Nagel, for one, appears to think they are; and as a result when he considers the inequalities produced by social groupings (such as the family) and by innate differences (e.g. of talent), he identifies an irreducible fracture in our ethical consciousness produced by the simultaneous pull of the committed and the detached perspectives respectively. The latter, he argues, inclines us towards radical measures of institutional control – for example 'making privately purchased education illegal', or 'severing the connection between talent and income'. But the first option would (regrettably, from

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<sup>24</sup> Though, of course, there are plenty of other valid projects than can constitute the enriching personal 'core' of a worthwhile life.

<sup>25</sup> For the alleged ethical 'taint' attached to advantages deriving from inequalities of talent, see Nagel, *Equality and Partiality*, ch. 10, passim.

<sup>26</sup> Cf. Nagel, *Equality and Partiality*, p. 110.



an impartialist perspective) ‘be likely to generate fierce opposition’, which ‘cannot simply be discounted’; while the second would lead to a kind of schizophrenic confusion, requiring the egalitarian in a competitive economy to ‘strive for precisely those advantages which he simultaneously wants to limit’.<sup>27</sup> Though such a division of motives is not, Nagel believes, actually ‘self-contradictory’, it is nevertheless ‘not strictly intelligible’: ‘we cannot devise a political morality and a personal morality that fit together satisfactorily.’ And so (according to Nagel) we are driven to the pessimistic conclusion of a major fault line running through our modern liberal ethic: ‘the combination of egalitarian public values and inegalitarian personal aims to which we are forced by motivational logic simply lacks the character of an integrated moral outlook’.<sup>28</sup>

The fracture is perhaps not surprising given the Nagelian view that in ethics (as in the philosophy of mind) we have to reason from two places at once – from the individual perspective on the one hand, and the impartial ‘view from nowhere’ on the other. But rather than trying to square the circle, it seems worthwhile to see first whether the results we want can be generated by starting from just one place. This does not mean blinkering ourselves to the demands of fairness, equal opportunity, and the rest; none but a fanatic would try to construct an ethic which jettisons the precious cargo of our painfully acquired liberal heritage. But it may be that ethical partialism will be able to exhibit just these values as natural offshoots from a model of the good life constructed ‘from the inside outwards’. It is to the outlines of such a project that I turn in the remaining section. For reasons which should soon become clear, it will be necessary to approach the task from a historical perspective.

### *3. Morality, cosmology and the outward diffusion of virtue.*

In a diatribe which has some relevance to the aspirations of ethical impartialism, Friedrich Nietzsche scathingly indicted the ‘stiff seriousness that inspires laughter’ of the philosophers who ‘demand something ... exalted, presumptuous and solemn from themselves as soon as they approach the study of morality: to supply a rational foundation for morality’.<sup>29</sup> To avoid being put off by the ranting tone, it is important to understand the background: Nietzsche’s project of unfolding a ‘genealogy of morals’, and his associated unravelling of the metaphysical shift which marks the transition to the modern era. Current analytical philosophy tends to construe ethics as a highly specialised, hermetically sealed discipline where abstract positions (those of ‘partialism’, ‘impartialism’, ‘realism’, ‘non-cognitivism’ and so on) are supposed to be assessed in isolation from the cultural and historical milieu that gives them significance. As a result, the present day project of revamping Aristotelian ethics (highly welcome though it is for supporters of virtue theory, myself included) can sail very close to the wind in blithely attempting to adapt the arguments of the *Nicomachean Ethics* to the context of the modern liberal-democratic state. There is a risk of absurdity in any such attempted adaptation which ignores the gulf that

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<sup>27</sup> *Equality and Partiality*, pp. 112 and 115.

<sup>28</sup> *Equality and Partiality*, p. 117.

<sup>29</sup> Nietzsche, *Beyond Good and Evil*, extracts from §186; trans. W. Kaufmann (New York: Random House, 1966), p. 108.

separates Aristotle's cosmology from our own.<sup>30</sup>

Consider the central concept of 'human nature' which plays such a crucial role in generating the Aristotelian blueprint for *eudaimonia*. An analysis of what it is to be human, how humans can actualise their special potentialities, should certainly inform and constrain our vision of the good life. But this 'human nature' is not a timeless given: to articulate what our nature essentially consists in is to invoke a whole backdrop of metaphysical and cosmological assumptions (and indeed many other kinds as well); and where these assumptions have ceased to be tenable, the whole structure of the resulting ethic will have to be rebuilt. The very fabric of the ethics of the actual, historical Aristotle, like that of his physics, is deeply imbued with a teleological conception of the world, in which each natural thing can be explained in terms of its final cause – the 'that for the sake of which'. Fact and value are inextricably intertwined here: the good for the acorn is to realise its potentialities, to grow into the healthy and flourishing oak tree which represents the end-state towards which its nature tends. And so, *mutatis mutandis*, for human beings. In his *Physics*, Aristotle raises the question of whether nature might work 'not for the sake of something, nor because it is better so, but out of blind necessity'. It is impossible, he bluntly declares, that this could be the case. Teeth (the incisors for tearing, the molars for grinding) cannot be the result of coincidence, and so they must be for an end:

Action for an end is present in all things which come to be, and are, by nature. Further, where a series has a completion, all the previous steps are done for the sake of that. Now surely as in intelligent action, so in nature; and as in nature, so it is in each action.... Now intelligent action is for the sake of an end; therefore the nature of things also is so.... So each step in the series is for the sake of the next.... It is absurd to suppose that the purpose is not present because we do not observe the agent deliberate. Art does not deliberate. If the shipbuilding art were present in the wood, it would produce the same result by nature. Hence if the purpose is present in art it is present in nature also. The best illustration is a doctor doctoring himself: nature is like that. It is plain, then, that nature is a cause, a cause that operates for a purpose.<sup>31</sup>

Our own cosmology is separated by a triple gulf from that of Aristotle. Interposed, first, is the medieval, Judaeo-Christian metaphysic in which the Aristotelian 'good' to which all things naturally tend is hypostatized into the world-order of a benevolent personal creator who ordains the cosmos with a special view to our moral well-being. Interposed, in the second place, is the early-modern revolution inaugurated by Descartes, which proceeded to dismantle the inherited peripatetic-cum-Christian framework. When Descartes banished teleology from his new physics, this implied a conception of the universe in which the deliberative and purposive activities of humankind are separated off from the purely mechanistic operations of the physical world. The vastly expanded size of the post-Copernican universe, the puny status of our planet in comparison with the vastness of the whole, made it

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<sup>30</sup> Compare Martha Nussbaum, 'Aristotle, Nature and Ethics' and Bernard Williams, 'Replies', in J. E. J. Altham and R. Harrison (eds), *World, Mind and Ethics* (Cambridge: Cambridge University Press, 1995), pp. 86ff. and pp. 194ff.

<sup>31</sup> Aristotle, *Physics* [c. 330 BC], Bk. II, ch. 8.

impossible to regard man as ‘the dearest of God’s creatures’,<sup>32</sup> and ‘wholly improbable that all things were created for our benefit’.<sup>33</sup> The general conception of the deity in Descartes is an austere impersonal one (prefiguring the ‘deistic’ outlook of the following century): God’s nature is beyond anything we can grasp, and what purposes he may have are forever ‘locked up in the inscrutable abyss of his wisdom’.<sup>34</sup> There is a clear link here between Descartes’ physics and his ethics. Just as in physics there is no useful mileage to be gained by speculating about the supposed purposes of God, so in ethics we have to come to terms with a universe in which we are in important respects ‘on our own’. We should aim for human fulfilment ‘without external assistance’;<sup>35</sup> to believe that God is disposed to make special providential interventions in his creation is mere superstition, for it is vain to suppose that the eternal and immutable decrees of the creator can be altered in the light of some special human relationship with God.<sup>36</sup> The third ‘moment’ (as Hegel might have styled it) that removes us from the ancient world, is the Darwinian revolution, which gives scientific credibility to the very idea Aristotle so adamantly rejected: that the origin of natural, seemingly ‘purposive’ processes is no more ‘for the sake of’ anything than the fall of rain on the threshing floor is ‘for the sake of’ spoiling the crops.<sup>37</sup> The implications for ethics were tellingly articulated in the mid nineteenth century by the poet Alfred Tennyson, in his anguished attempt to cling to the old certainties:

Oh yet we trust that somehow good  
Will be the final goal of ill,  
To pangs of nature, sins of will,  
Defects of doubt and taints of blood;  
That nothing walks with aimless feet;  
That not one life shall be destroy’d  
And cast as rubbish to the void,  
When God hath made the pile complete.<sup>38</sup>

<sup>32</sup> *Conversation with Burman* [1648] (AT V 168: CSMK 349).

<sup>33</sup> *Principles of Philosophy* [1644] Part III, art. 3.

<sup>34</sup> *Objections and Replies* [1641], Fifth Replies (AT VII 375: CSM 11258). See further J. Cottingham, *The Rationalists* (Oxford: Oxford University Press, 1988), pp. 177ff. As used in the eighteenth century, the term ‘deist’ sometimes referred to those who held the existence of God could be established by reason alone, without recourse to revelation; but it also often implied belief in a God who ‘leaves the universe to its own devices’ without any kind of intervention; hence deism was often stigmatised by orthodox thinkers of the early modern period as the royal road to atheism. For more on Descartes’ position in this respect, see J. Cottingham, *Descartes*, (Oxford: Blackwell, 1986), pp. 100, 106.

<sup>35</sup> Letter to Elizabeth of 4 August 1645 (AT IV 265: CSMK 257).

<sup>36</sup> Letter to Elizabeth of 6 October 1645 (AT IV 316: CSMK 273).

<sup>37</sup> The vividly proleptic image surfaces in the midst of Aristotle’s confident assertion of natural teleology; *Physics*, Bk. II, ch. 8.

<sup>38</sup> *In Memoriam* [1850], liv. Though Charles Darwin’s *The Origin of Species* did not appear until nine years later, Tennyson’s poem clearly anticipates the idea of a struggle for existence in which countless individuals and species perish. Tennyson took a keen interest in the work of many of Darwin’s predecessors, such as Charles Lyell’s *Principles of Geology* (1830-3) and Robert Chambers’ *Vestiges of Creation* (1844).

The hopeless qualifier ‘somehow’ speaks volumes. The ‘trust’ in some final divine validation of every life falters in the face of the blind randomness of the new Darwinian cosmology (‘nature red in tooth and claw’) explored in the rest of the poem.

Let us now bring this back to the hapless life of our ‘lager lout’. In Aristotle’s world, human beings of low intelligence and coarse sensibilities are ‘naturally fitted’ to be slaves. This is the ‘that for the sake of which’ that explains their existence – they are simply there as ‘living tools’,<sup>39</sup> to furnish the necessary material conditions for the flourishing of the Athenian gentlemen for whom the *Nicomachean Ethics* is written. In the Christian cosmology, each human life, of ‘Gentile or Jew, bond or free’,<sup>40</sup> however blighted it may seem, is nonetheless capable of redemption by the supernatural power of a loving father-creator with special concern for His own children. In the post-Darwinian universe, with natural teleology abandoned, and the hope of divine redemption no longer playing any central role in our ethical culture, we seem faced with an alien world, in which the hope that no human will be ‘cast as rubbish to the void’ loses its metaphysical and cosmological credentials and becomes a feeble ‘somehow’. Tennyson can only announce (at the end of the sequence quoted above): ‘I falter where I firmly trod/... And faintly trust the larger hope’.

Among twentieth-century philosophers, it is perhaps the existentialists who have best articulated the most radical response to the predicament just described. The nettle that Heidegger grasps is that we are indeed ‘thrown’ into a world without external significance, and that therefore we have to find value not in appeal to objective essences but in practical involvement in the individual projects which we undertake. Deprived of appeal to natural teleology, or divine guarantees, humankind, to phrase it in the awkward but nonetheless illuminating jargon of the post-modernists, must become ‘autotelic’ – creator of its own goals; and such goals, because they are not laid out externally for us to follow, have to be found from the inside, in that nexus of involved commitments and concerns that Heidegger aptly groups under the term *Sorge* (Caring).<sup>41</sup>

How does this relate to the debate between partialists and impartialists? There are of course many varieties of partialism and of impartialism, and this is not the place to draw any sweeping lessons. But it does appear that at least one argument for impartialism – namely that it alone can claim the high moral terrain on which equality of respect can be grounded – tacitly depends on assumptions that simply fail to cohere with the typical modern grasp of the human ethical predicament. For if there is no external source or guarantor of value, it will have to be generated by the practical involvements of an individual life. Hence, if we want to find value in the life of the hapless lager lout, it must be found in the projects this individual can create for himself. And if there are none such to be found, it is mere sentimentality, like Tennyson’s ‘faint trusting of the larger hope’, to appeal to the ‘huge value’ such a life is supposed to possess if viewed impersonally.

But what protections can the partialist offer for the talentless and the weak? With all the stress on the value of individual projects and commitments, the comforting blankets of partiality and affection with which we clothe ourselves and

<sup>39</sup> *Nicomachean Ethics* and *Politics* [c. 330-325 BC], Bk VIII, ch. 11 and Bk I, chs 3-7 respectively.

<sup>40</sup> Cf. Paul, Epistle to the Colossians [c. AD 50], 3:11.

<sup>41</sup> *Being and Time*, §26.

our loved ones, is there not a danger that those outside the charmed circle may simply be left to go to the wall? In answering, it is best for the partialist to concede at the outset that it will not be possible to produce a watertight argument for universal human respect that will compel the assent of every rational being. But this will not matter as much as may at first appear, provided we are prepared, to put it crudely, to be more Humean, and less Kantian, putting less faith in supposedly coercive rational constraints and relying more on the sentiments that are deeply ingrained in the bulk of humankind.<sup>42</sup>

For Hume, the roots of ethics are unashamedly contingent; morality is founded ultimately on the spontaneous feelings or sentiments we happen to find within us. Thus the social virtues have a ‘natural beauty and amiableness’ which ‘recommends them to the esteem of uninstructed mankind and engages their affections.’ Other things being equal, Hume observes in a vivid example, none of us would chose to tread on another’s ‘gouty toes’, when we could as easily walk on the pavement. Underlying our moral impulses are natural sentiments of benevolence which ‘engage us to pay [regard] to the interests of mankind and society.’ Yet the strength of self-interested motivation is never far from Hume’s mind. He acknowledges that our feelings are often more vividly aroused by concern for ourselves, and those close to us, than they are by the thought of benefiting the world at large. But here evidence culled from ordinary experience enters the picture to suggest how partiality and self-preference can ground a plausible model of moral virtue. Hume suggests, first of all, that some of the virtues, namely the intrapersonal virtues such as temperance, are obviously beneficial to their possessor’s health and well-being; others, the clubbable or ‘companionable’ virtues, like good manners and wit, evidently make our lives with our fellow human beings more agreeable. Finally, even the ‘enlarged virtues’ of humanity, generosity, beneficence and justice are, Hume argues, clear contributors to individual happiness: while dishonest behaviour may seem to produce momentary pleasure or profit, these things are but ‘worthless toys and gewgaws’ compared with the rewards of virtue – ‘inward peace of mind, consciousness of integrity, and a satisfactory review of our own conduct’.<sup>43</sup>

To followers of the long and tedious philosophical wrangle over the question ‘Why be moral?’, none of this may seem to cut much ice. It seems to offer too many hostages to contingency, to be too bland in its optimistic review of the rewards of virtue, too vulnerable to constructed counter-examples showing how one might ‘get away’ with a life of selfishness and vice. But once the unrealistic demand for coercive rational demonstration is abandoned, such objections lose much of their force. What is at stake, after all, is not what some artificial philosophers’ construct called ‘the amoralist’ might ‘logically’ be able to argue, but how human beings, for the most part, are best advised to live, and to organise the social fabric. While Hume’s arguments cannot ‘refute’ the determined amoralist or the defender of ruthless self-

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<sup>42</sup> Compare Annette Baier, *Moral Prejudices* (Cambridge, Mass.: Harvard University Press, 1994), *passim*; see especially ch. 13. Baier’s articulation of the Humean line seems to me to provide some extraordinarily rich insights, though I would not go along with all her strictures against Kant. What I am here calling the Humean line has some affinities with Aristotle’s insistence that ethics is not a strictly demonstrative science (cf. *Nicomachean Ethics*, Book I, ch. 3).

<sup>43</sup> David Hume, *Enquiry concerning the Principles of Morals* [1751], quotations from Section V, parts 1 and 2; Section IX, parts 1 and 2.

interest, they nonetheless provide an engaging picture of the individual and collective advantages of living in a society where naturally based impulses of benevolence, and their associated moral virtues, have firmly taken root. The question is not whether such a picture is logically watertight, but whether it has persuasive force, and whether there is anything better on offer.

Though Hume from time to time seems to waver on this, his empirical case for the virtues is, on the whole, firmly grounded in a partialistic perspective: he is addressing ‘every man, who has any regard for his own happiness and welfare.’<sup>44</sup> Spinoza was even more adamant: ‘the striving to preserve oneself is the first and only foundation of virtue. No other principle of virtue can be conceived prior to this, or apart from it... For us to act out of virtue in the absolute sense is nothing else but acting and living and preserving our existence (these three mean the same) by the guidance of reason, on the basis of seeking what is beneficial to ourselves...’<sup>45</sup> On first hearing, this may sound like raw unrestricted partialism; but to suppose that Spinozan ethics implies or supports rampant selfishness would be to travesty the humane vision of society articulated in the final part of the *Ethics*, and in more detail in the *Tractatus Politicus*. What Spinoza envisages is a world where partialistic motivation is frankly recognised as the source of value, and where the value so realised *diffuses outwards* into a society where all are equally engaged in projects which confer significance on their lives.

The old demand for watertight security will rear up here: could there not be people who find meaning in their lives at the cost of, or (more appalling still) by means of, oppressing others? But to take seriously the points made above about the empirical and contingent nature of ethical thinking involves realising, and accepting, that we cannot rule this out; we cannot construct a categorical imperative or rational contract that compels the assent of all. In the apt phrase of Annette Baier, we need to recognise that morality is most appropriately expressed in the ‘optative’ rather than the imperatival mode.<sup>46</sup> Even the most careful and reflective deliberators may perhaps be tempted by prescriptions for the good society which licence oppression. Aristotle was one, in his notorious acceptance of slavery. But in his more discerning moments Aristotle also argued that the virtues are indivisibly linked; and this suggests he might have been open to an argument that true friendship, for example, cannot best flourish among people habitually disposed to treat others merely as means; that true generosity cannot fully blossom alongside small-minded treatment of those we encounter every day; that true temperance cannot coexist with lazy reliance on comforts provided by the coerced labour of others.<sup>47</sup>

Some may find this wildly implausible. What about that figure beloved of the ‘Why be moral?’ debates, the concentration camp guard who completes his working day at 5pm, and goes home each evening for a fulfilling time among his friends and

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<sup>44</sup> *Enquiry*, Section IX, part 2 (emphasis supplied).

<sup>45</sup> Benedict Spinoza, *Ethics* [c. 1665], Part IV, from Props. 20-24.

<sup>46</sup> A. Baier, ‘Moralism and Cruelty’, in *Moral Prejudices*, p. 289. Baier makes a strong case for arguing that such recognition ‘need not doom [morality] to ineffectiveness’ (ibid.).

<sup>47</sup> For this line of argument to be made persuasive, the schematic outline I offer here would clearly need to be coloured in, and the examples explored in detail – a project for another paper. For the unity of the virtues, see *Nicomachean Ethics*, Book VI, ch. 13. For a less optimistic assessment of the implications of Aristotelian virtue, see my ‘Partiality and the virtues’. As I have made clear, this is an area where there are no watertight arguments.

family, where he is conspicuous for his affection, generosity and temperance? I doubt if it is possible to debate such an example, at the level of abstract philosophical discussion, without the danger of glibness on both sides. But the key point which the virtue theorist will want to stress about this kind of ‘compartmentalised’ life is that a virtue does not simply consist in a series of good actions, but involves a deeply ingrained pattern of complex behavioural and emotional dispositions. The compartmentalised life of the SS guard may ape, after 5pm, the behaviour of the virtuous person, but the relevant habits of action and feeling, and the appropriately developed intuitions and sensibilities, will inevitably be absent, or stunted, with all the resulting costs for human fulfilment. If that were not the case, our guard would find himself saying, with William Blake:

Can I see another’s woe  
And not be in sorrow too  
Can I see another’s grief  
And not seek for kind relief?<sup>48</sup>

Of course it all too possible for there to be people for whom the answer to Blake’s anguished question is, at least in the short term: yes. But those who are at all attracted to the benefits of the life of virtue (so eloquently expounded by Hume) will have good reason to avoid the compartmentalised life, precisely because it is incompatible with the fullest cultivation of the dispositions that constitute virtue, with consequent damage to the prospects for a fulfilled life. Such reasoning aside, our hope must be that for most human beings, for the most part, the construction of meaningful projects of involved concern will lead them, slowly and inexorably, to see, and feel, the importance of allowing each individual the space to do the same. There are hostages to contingency here, but the case for such hope is far better supported than Tennyson’s faint hankering for a lost guarantee. And as the planet grows steadily smaller, the case becomes steadily stronger.<sup>49</sup>

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<sup>48</sup> William Blake, ‘On Another’s Sorrow’, *Songs of Innocence* [1789].

<sup>49</sup> I am grateful to Jonathan Dancy, for detailed scrutiny of an earlier drafts of this paper, and also to other colleagues at the Departmental Research Seminar at Reading, including Max de Gaynesford, Hanjo Glock, Brad Hooker, Andrew Mason, and David Oderberg, for many helpful comments; I should add that for reasons of space I have been unable to develop here many of the important points they have put to me. I am also indebted to Marcia Baron, Lawrence Blum, Robert Johnson, Bruce Landesman, Madison Powers, Wade Robinson, Cynthia Stark, and other participants at the second annual Utah Philosophy Colloquium on ‘Ethics and Impartiality’ in May 1996 for stimulating discussions of many of the issues raised here.