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# Public Virtues

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## CHAPTER I

Does it make sense to talk about virtues in the 20th century? At least amongst us, the word “virtue” has become obsolete, as has everything that may remind us of the narrow and shrunk morality of a time that is still very close to us. The process of laicization of Spanish society has taken surprising leaps and has demolished many of the demons of the past. Morality is not called “morality” anymore, but “ethics”, which sounds more universal and less dependent on a religious faith. Nobody talks about “virtues” but of “values”, a word that religion did not make its own with the same passion as it used to appropriate others. Sin does not even exist. Our children have the privilege of not having known the torture of examination of conscience. Neither do they know much about the Ten Commandments; if anything sounds familiar to them in this regard, it is human rights. As a matter of fact, Spanish society has become a lay society and ethics—or morality— has cleansed itself of several anachronistic and anti-modern associations. The “experiment of National Catholicism” —I quote very appositely the title of the important book of Alfonso Álvarez Bolado<sup>1</sup>— generated, as well as a Catholic homeland, a moral system consisting of precepts regarding almost exclusively relationships with the Church and with sex. Clearly a “private” morality, whose core virtues were two: faith and honesty.

Now we profess a lay system of ethics. But, do we know what that means? Could we state without reservations that the secularization of habits has led to a very

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<sup>1</sup> A. Álvarez Bolado. *El experimento del nacionalcatolicismo, 1939-1975*. Editorial Cuadernos para el Diálogo. Madrid, 1976.

different way of understanding life and coexistence? I take for granted that it is not possible to turn one's back on ethics, that is to say, ignore them. Human life is constitutively moral, not only in Aranguren's sense, according to whom we are moral because our life is yet to be built; it is not given to us with a determined path. It is also moral because the life project, both individual and collective, is by necessity shaped around certain ideals, certain values, which in the end are either ethical or not. We can be wrong in our judgments, act in good or ill faith, but whatever we do or intend to do, whatever we decide, when dealing with something really important and not trivial, will be fair or unfair, loyal or disloyal, human or inhuman. The criteria that history has been building up as principles of ethical judgment are as yet quite uncertain and they can have more than one interpretation or application, but it would be wrong to say that we absolutely lack some reference points to assess what we do or what we want. Things being this way, we can ask ourselves what are the current specifics of the morality that should govern our life? In short, what is the morality that we, citizens of a democratic country, require? Under the label of "public virtues", I want to suggest a way to answer such question.

If for that purpose I choose to talk about "virtues" again, it is because I believe that morality is basically what Aristotle thought: a sort of second nature, a series of qualities that provide a unique way of being and of coexisting with others. Etymologically speaking, virtue —or the *arête*— is that which something should have, so as to properly function and to comply satisfactorily with the purpose for which it is destined. Greeks talked about the virtue of a racehorse, of an athlete or a cithara player. Each of them was excellent —"virtuous"— to the extent that they performed their role perfectly. "Virtuosity" consists of the knowledge of how to be capable of expressing all the possibilities of an art form. Thus if everything has its "virtue", according to the purpose it was intended for, also human beings, to the extent that they are persons, should possess certain qualities, certain virtues that express their "humanity." And morality —or ethics— is nothing but the set of virtues or reflections on them: the series of qualities that human beings should possess to actually be such, and to create equally "human" societies.

But not everyone believes that such language makes any sense. I mentioned at the beginning that virtue is devalued, echoing an important theory of contemporary moral philosophy. I am referring to the well known thesis of sociologist and philosopher Alasdair MacIntyre<sup>2</sup>, according to which, not only is the discourse on virtues —or ethical discourse, which are ultimately the same thing— not possible, but it ceased to be possible, at least, a couple of centuries ago. In his opinion, the Enlightenment was an erroneous project that simply confirmed its lack of viability. Because if talking about virtues means referring to those qualities that constitute the excellence of a person, an essential trait for these concepts to take shape is to have a common and shared notion of the goodness of human beings. Without an agreement as to what such goodness is, there is no way of conceiving what the virtue or excellence of a person consists of. The Greeks, apparently, knew such goodness or *telos* of human life. Aristotle says it in his *Ethics*: the purpose is always happiness, which is not an individual

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<sup>2</sup> A. MacIntyre, *Tras la virtud*. Crítica. Barcelona, 1988.

objective but a collective one: my good cannot be antagonistic to yours, because goodness belongs to the entire community. Thus, the sense and unity of life was provided by living according to reason, that is, according to the set of “virtues” that comprised the model of the perfect citizen and which Aristotle details in his treatises on ethics. Later, the Middle Ages goes through more complex political situations that no longer allow that harmonious unity of *polis* which, though surely far from being reality, was at least conceivable as an ideal. In medieval times, virtue consists of other elements —strength acquires another meaning, prudence disappears, self-denial or humility appear, since human beings are a mere image of God—, but there is still something that unifies these elements, that is the divine authority, origin and basis of the law. Virtue is understood less as a disposition towards good, and starts to be seen as a disposition to obey rules. However, there is agreement on those rules because the principle and source of all those is unanimously recognized.

Everything changes in modern times, since the characteristic *ethos* of modernity is *liberal individualism*. As the individual becomes the starting point and at the core of knowledge, disagreement arises and the foundation of obligation is lost. Why should we be moral? Where do duties arise from? What is the purpose of obeying the law? These are questions that are the origin of the different theories of social contract. The central category of ethics is no longer virtue, but duty. What must first be explained is how will may come to desire duty. But the efforts of Hume or Kant to convince us of the usefulness, convenience or rationality of law and virtues are futile, because the concept of human nature, which was the *raison d'être* of Greek virtues, is lacking and, on the other hand, it wants to dispense with transcendental support. In spite of this, the ethical discourse continues and is engaged in the search of a nonexistent foundation.

Finally, the crisis becomes visible and emotivism, the only ethics expressing the feeling of our time, appears. Indeed, our ethical language is composed of mixed and confused concepts, principles, ideas or arguments, whose sense or reason no one clearly understands. They are heterogeneous concepts, ideas from different origins, immense arguments among themselves. Undoubtedly there was an explanation for the origin of the various virtues —women’s chastity, for instance, was justified as reinforcing private property, thus obviating hereditary legitimacy problems. But over time, that source of virtues was forgotten. Certain indigenous values, which supposedly have value in themselves, still remain. This is totally wrong, as Nietzsche tenaciously proved, revealing the hidden genealogy of values. Facing all this, emotivism speaks clearly: morality is nothing more than the expression of certain feelings and attitudes, of our preference for certain modes of behavior and our disapproval of others. There is no rationale for virtues, no ultimate unarguable reason to be. The function of value judgments is, after all, to express certain feelings and to persuade others to see reality as we see it. Individualism and bureaucracy —that is, a freedom consisting of the absence of rules and a sort of collective control that inhibits selfish interests and anarchical impulses—, are the natural space for the emotivist self. This is a self that represents certain roles —not always homogeneous amongst themselves— previously defined by society. There is no identity for the individual other than that of their several roles, while in ancient times virtue meant the excellence of the person as such, not as a representative

of a social role. Even virtue, understood to be a search, to be what encourages the search for unity and the sense of life, seems unreachable. Thus that search presupposes an adequate social tradition: the tradition of virtues as a vehicle to “narrate” life, to make a story with its own unity and coherence. Such unity and coherence, as we have seen, are completely impossible in the culture of bureaucratic individualism.

At this point MacIntyre, in view of the diagnosis, develops —it must be said, without too much enthusiasm or development— a proposal: to reconstruct certain types of communities or associations that might give unity of purpose to the life of human beings so that the corresponding virtues arise again. In his opinion, only in this way is a notion that already seems obsolete, recoverable. If the return to primary communities were not a retrograde, but rather an acceptable option, certain ideas such as justice, that are central to ethics, would rely on more solid criteria than those managed by current contractualist theories, such as those of Rawls. As the unity and virtue of human life are lost, the criterion of *merit*, as a principle of distributive justice, also disappears. Private or corporate interests cannot be unified in a rational agreement. Thus, justice ends up being defined in terms of some legal rights whose “fair” application ultimately depends on the arbitration of a supreme court. To summarize: for MacIntyre, agreement and unity of criteria are a necessary condition for ethics, which would only be a *Sittlichkeit* with no other foundation than the agreement of the parties.

I only partly disagree with MacIntyre’s theory, whose proposition is in no way to be rejected. The question regarding the validity and the meaning of virtue or of ethics itself is a pending question, because it is true that there is considerable confusion today regarding purpose, values, qualities or duties. It is also true that Aristotelianism is now impossible because there is no way to universally qualify a good life. But the reason that there is no way to do it is because the purpose of a good life is happiness, which may be understood in two ways: as individual happiness, in which case there are no general rules to achieve it, or as collective happiness, that is as justice, and it is here where ethics has much to say. In the field of private life, everything is allowed; there are no rules, except to respect and recognize the dignity of others with all the resulting consequences. Within these limits it is fair that each person look for happiness in their own manner, exercising the profession of their choice, starting a family or not, being religious or an atheist, homosexual or heterosexual. On the other hand it is no longer true what, apparently was so for Aristotle, namely that an individual deprived from their public dimension was a nobody, because identity was granted by citizenship. In our world private life is more important which, however, does not prevent the existence of a public space from which it is not possible to disengage. Want it or not, the individual submits to the imperatives of good legislation, to the rules of a public administration, to the decisions of a government, receives the services of the State and, above all, encounters a series of problems, conflicts and shortages that may only be treated and solved collectively. In addition, in democratic societies, all these obligations and services answer to the guidelines of certain universally subscribed fundamental rights, or a voluntarily accepted Constitution. It is true that ethics, or the idea of excellence, should come first, before those rights that supposedly are founded

by legitimate governments. The replacement of “virtue” by “law” is surely related to the transformation of factual equality of Greek citizens, passing through the equality of all men before the Christian God, the formal equality before the law or the equality of rights proclaimed by modernity. Without doubt, this equality is less substantial than the other one, and the right to equality or freedom has been materializing in some laws and customs with notable slowness and imprecision. There are no clear agreements on the way in which human rights should be practiced; neither do we have a precise or shared idea as to what perfect humanity would look like. Due to the lack of a common notion of good or of happiness, ethics has become formal and in fact has ended up being a search; a search for contents, therefore for virtues that lie, as before, within an “us” that is not the “us” of the Greek political community or that of the Christian kingdom of heaven, but rather the “us” of humanity as such. Obviously, from that point we do not derive a model of a human being with the qualities that it should have, but we are in a position to name certain requirements without which coexistence does not deserve the adjective “human”. If fundamental rights are equality and freedom, no matter how each value has been realized, it should be possible to speak of certain practices, attitudes and dispositions that are coherent with the search for equality and freedom for all.

These dispositions are the ones that I call “public virtues”. And I retain the Aristotelian word “dispositions” to highlight the etymological sense of ethics, as the builder of character, of a way of being, of custom, of habit. Ethics, linked to self-education and to a constant effort to achieve excellence in life. I think that the memory of virtue as a core notion of ethics may make us forget that other ethics, understood mainly as duty, code or commandment, finally materialized in a single virtue: obedience. The autonomous or heteronomous law is always that: an obligation, an imposition that is, in principle, contrary to the will. Virtue or disposition, on the other hand, means something acquired to the point where it becomes a habit, something *wanted* by the will and which thus ends up being the object of desire. To define ethics as fidelity to certain principles is as deficient as defining ethics as responsibility for consequences, since principles are not transparent with regard to their application, and consequences are not absolutely foreseeable. Ethical formalism and the complexity of knowledge lead us to search for the substance of moral behavior somewhere else, specifically in that character structure, foreseen by Aristotle. Although our beliefs may be disparate and immeasurable, no matter how plural contemporary society is, if morality has any meaning, it is to share the same point of view regarding the need to defend certain fundamental rights for each and every human being. Thus the assumption of such rights, if authentic, should generate certain attitudes and dispositions which are public virtues.

Why public virtues and not private virtues? At least three fundamental reasons occur to me to refer to them in this way.

First, because morality is public, not private. The scope of morality, where it is necessary and possible to regulate and judge, is one of actions and decisions which have a repercussion on collective behavior or that are of common interest. They are actions that constitute what we may call collective happiness, which is not the same as individual happiness. The space of collective happiness is that of

justice, the core virtue of ethics since Plato. It is necessary to distinguish between those rules that society should accept as common—in the end, law and accepted customs—, and the set of behavioral variables of lifestyle on which society as a whole should not even give an opinion. Obviously, private and public spaces do not have an immutable boundary; different times also produce different customs and laws. But that relativism should not be an obstacle to being able to distinguish between the problems of justice, which relate or should relate to all human beings, and those that are only a question of personal choice or taste. In brief, it must be possible to distinguish between preferences that are general and those that are not. If the word “virtue” is now devalued, it is due to the inflation of minor “bourgeois” virtues, now occupying all morality’s space. Virtues such as saving, punctuality, order, hard work. Virtues that have affected private life—work and family— more than public life, which is considerably unattended from the bourgeois morality viewpoint.

The second reason contextualizes the first. Certain societies—Spanish society is paradigmatic— have a tradition of prim and prudish morality with a clear tendency to forget about public morality to the benefit of private morality, or better, with a temptation to turn the private domain into the public one—a temptation that, by the way, is still being pursued with vigor—. The notion of virtue for us is still associated with the repression of capital sins: anger, envy, greed, laziness, pride. Moderation of real vices such as drinking, fornicating, eating well or simply having fun, everything that threw the established measure off balance. Therefore, precisely because of this, it is necessary to direct ethics to that zone of generality, that which concerns all, to correct a false idea of morality. Our country has had—and I fear it still has— an excess of morality, feeding on judging and correcting private lives, completely forgetting the affairs that compose the presumed common good. Maybe the welcome introduction of the word “ethics” at different levels of our lay culture—for example in school and politics—, is a result of the need to counteract, even only terminologically, the old morality. Old, but not gone.

Last but not least, if it is true that the *ethos* that is characteristic of the modern world is that of liberal individualism, and if it is true that the human being is intrinsically moral, then it would be necessary to search for the type of ethics that fits in with individualism. It is not productive to reject the phenomenon of individualism as being contrary to ethics without any further explanation. It is neither contrary to ethics nor is it desirable to return to those communities that MacIntyre yearns for. Individualism is an achievement of modernity, parallel to the achievement of freedom and the proclamation of human rights, which are definitely individual rights. Virtues are qualities, ways of expressing individuality, necessarily having a public dimension because they are addressed to others. If that which identifies ethics as such, is the virtue of justice, all other virtues should be complementary to the requirements of that first-priority virtue. Although the liberal economic order favors the desire for acquisitiveness and sees market values as supreme values, although democratic societies are a fertile soil for individuals to focus on self contemplation—as Tocqueville already saw—, in spite of all, the individualism of our time does not necessarily have to be antithetical to the discovery and flourishing of that of other times. It is symptomatic that the overarching subject of modern philosophy and science has

given way to inter-subjectivity. Current discourses are not enunciated in the first person: “I” has been replaced by “we”. The only solid foundation that contemporary moral philosophy has found for ethics is, precisely, language, communication, the need that we feel for one another. Paradoxically, the main defense of the freedom that today’s world lives in seems to translate into an obvious homogeneity of habits: the same fashions, the same foods, the same houses, the same entertainment in the entire civilized world, that is to say in the entire world that can entertain such possibilities. It is, therefore, a freedom with very few positive traits. That is why, far from denying individualism, what should be done is to transform it in the sense that, for example, Fernando Savater<sup>3</sup> proposes: fostering a society that favors the development of individuals.

Democracy is supposedly a government by the people and for the people, in search of a common good or interest. Even though values are plural, the search for a general interest should mold the notion of virtue so that —as Adam Smith wanted— the virtue of the individual is nothing more than allowing the public good to provide the standard for individual behavior. There should be cohesion around the ideal of justice, or around certain fundamental principles that define it and from where emanate attitudes which simultaneously recognize those principles and provide the conditions for their possible existence. This is what Rawls acknowledges to a certain extent when he writes that “even when political liberalism is seen as neutral in procedure and purpose, it is important to highlight that it may affirm the superiority of certain forms of moral character and encourage certain virtues. Thus justice, to be fair, includes a linkage of certain political virtues —the virtues of social cooperation, such as civility and tolerance, reasonableness and a sense of equity”.<sup>4</sup> The common notion of good life is a complement to the ethical and political conception of justice. It is not necessary that the State keep a substantive doctrine on the subject of good, it is enough that its goal be social justice so that virtues that are complementary to justice are promoted and approved.

My personal investment in virtues is, among others, motivated by the change in moral sense in our time, especially in our society. I seek to highlight the autonomy of morality, seeing it as generated by the democratic process itself. The search for a common interest should produce favorable attitudes towards that search. This theory is not new at all. At least since Stuart Mill, the idea has been repeated that the purpose of politics is the education of its participants and that democracy should create behavioral habits, comprehensive, responsible and supportive attitudes and mentalities. Stuart Mill thinks that the objective of a representative government should be to “promote the people’s virtue and intelligence”. Want it or not, the governmental process “is moralized” with democracy.<sup>5</sup> However, it is more complicated than that and the roads to democracy do not always run in a straight line. Jon Elster is right in warning

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<sup>3</sup> Specially in *Ética como amor propio*, Mondadori, Madrid, 1989.

<sup>4</sup> John Rawls, “The Priority of Right and Ideas of the Good”, in magazine *Philosophy and Public Affairs*, Fall, 1988, pp. 263.

<sup>5</sup> Cf. William N. Nelson, *La justificación de la democracia*, Ariel, Barcelona, 1986, pp. 151 on.

that this moralizing duty is a “secondary product” of democracy, not something that it may intentionally propose. According to his theses on the mechanisms of rational action, Elster thinks that a democratic government cannot and certainly should not have a program for the production of certain effects such as citizenship education. Having such a thing would imply the immediate evaporation of the effects, which indeed do appear, but for other reasons such as setting an example, common tasks, customs, which all bring them about. Politics is not *the agonistic display of excellence* as is commonly believed. On the contrary, quoting Tocqueville, “democracy does not provide people with the most able of governments, but it does what the most able of governments would never do: it issues, through the social body, an unceasing activity, an overflowing force and an energy that is not found anywhere else, which even if poorly favored by circumstances, can perform wonders.” Indeed, as Elster mimics, politics is very pragmatic and not a good thing in itself, it is an instrument to settle conflicts and take preemptory and, in the end, economic decisions; “the political debate takes care of *what* to do, not of what should be.” What is important in politics, as in a game, is to win, not to participate.<sup>6</sup>

However, no matter how real and pragmatic politics are, no matter how imperfect, the simple will to improve should have certain secondary effects, such as education regarding certain virtues, the possession of which is the recognition of the concomitant obligations to fundamental rights. It is fine to argue rights as individual rights facing possible aggression and intervention by the State or by society, but it would be appropriate to clarify at the same time that those rights will be empty words if they do not imply certain obligations affecting not only the State and different institutions, but also individuals. What can the so-called social rights mean and how can they be realized if adequate attitudes to them are not generated? To do this, ethics are required, so as to remember that there are certain rights that will not become real without a good dose of personal, social and political will.

Hobbes theory of social contract tried to answer the question “how is social order possible?” Put in another way, what forces the individual to submit to the power of the State? Today the question is a different one. Liberal economics and politics fertilize the land for individuals to take care only of themselves. What ethics should explain to individuals is “why should they also take care of others?” Explain it to them by pointing out that the other is part of my being because the frontiers of personal identity are overly diffused. The ecology movement, feminism and pacifism are examples of the direction taken by humanity’s emancipating role in favor of more than one good, unimaginable in other times. These different aspects of good broaden the horizon of what Rorty calls “common humanity”,<sup>7</sup> which is clearly what one is trying to discover and conquer. To do this it is important to highlight the positive or affirmative nature that virtues should have. Reference to the ‘other’, and one’s disposition towards

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<sup>6</sup> Jon Elster, “The market and the forum: three varieties of political theory”, in Jon Elster and Aanund Hylland, Editors, *Foundations of Social Choice Theory*, Cambridge University Press, 1987, pp. 103-132.

<sup>7</sup> Richard Rorty, *Contingency, Irony and Solidarity*. Cambridge University Press, 1989.

it, should be translated into an expressed and explicit will to approach its problems and conflicts with *active* recognition that the life of the 'other' also "interests me". Agnes Heller, in a splendid text on "civic virtues" has especially stressed that affirmative aspect that should characterize virtues.<sup>8</sup>

What is left to do is to enumerate the list of those public virtues that I have been defending. The first is justice of course, but its very priority eliminates it from this study. Due to its importance, justice is more than a simple virtue, since it has to materialize in legislation and in certain institutions to become effective and operational. Justice —the rights to equality and freedom— is that *telos* or ultimate purpose towards which democratic society should tend, and it cannot be reduced to a quality or way-of-being of individuals. On the contrary, their way of being fair will consist of fighting for fair laws and institutions; for this it is necessary that they possess those other virtues to which I refer here. Of justice we only know slight and sporadic sparkles. We do not know what a fair society is, although we *want* ours to be one. That wish implies a predisposition that may and should be made concrete through a series of dispositions. Maybe we understand their negative meaning better, that is to say what they are not, but that is also a way to define them. Let us say it once and for all: the members of a society that seeks and claims justice should be supportive, responsible and tolerant. These virtues or attitudes are inseparable from democracy and a necessary condition for it. In addition, today we find another virtue which qualifies the most human of works or activities: professionalism. A good professional is precisely a "virtuoso" of work, and not only is a virtuoso but also receives social recognition for it. But something similar to what happened with courage among the Greeks may happen to this particular virtue: it may turn against the others and negate them. This is why I subscribe to it here, but with reservations.

MacIntyre points out different meanings of virtue, according to the times. For Homer virtue is a quality with which individuals play their social role well; for Aristotle or Thomas Aquinas virtue is the quality that allows the individual to progress towards the achievement of specifically human ends; for Benjamin Franklin virtue is a useful quality to achieve earthly and heavenly success. Today we would have to say that virtue is a quality —or a series of qualities— that is favorable to the exercise and improvement of representative democracy. In spite of Musil and post-modern prophets, we cannot accept the idea of a man "without qualities".

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<sup>8</sup> Agnes Heller and Ferenc Feher, *Políticas de la postmodernidad*, Península, Barcelona, 1989, pp. 214-231.