UNIVERSITY OF BIRMINGHAM

THE JUBILEE CENTRE FOR CHARACTER & VIRTUES

Are Public Virtues Global?

Warren von Eschenbach

This is an unpublished conference paper for the 7th Annual Jubilee Centre for Character and Virtues conference at Oriel College, Oxford University, Thursday 3rd – Saturday 5th January 2019.

These papers are works in progress and should not be cited without author's prior permission.

Jubilee Centre for Character and Virtues

University of Birmingham, Edgbaston, Birmingham, B15 2TT United Kingdom

T: +44 (0) 121 414 3602 F: +44 (0) 121 414 4875

E: jubileecentre@contacts.bham.ac.uk W: www.jubileecentre.ac.uk

Are Public Virtues Global?

Warren von Eschenbach

University of Notre Dame, USA

wvonesch@nd.edu

Introduction

An important conceptual issue within the field of global ethics is how moral communities are delineated and the extent or scope of moral obligation or duties. Cosmopolitanism argues that our moral community and obligations are unbounded – we have duties to all human beings by virtue of their humanity, rationality, or some other common attribute – and that neither national borders nor kinships of any kind are relevant to moral considerations or duties. Both deontological and utilitarian theories are understood to be cosmopolitan in this sense. Kant's Kingdom of Ends, for example, is emblematic of a cosmopolitan view in representing a systematic union of rational beings (Kant, Hill, and Zweig 2002). Peter Singer likewise argues for a version of cosmopolitanism when he argues that utility, or one's capacity for pleasure or pain, should be given equal regard independent of geography or relational properties (Singer 1972). The Universal Declaration of Human Rights reflects a cosmopolitan ethic in advocating a common standard for all persons, free and equal (Universal Declation of Human Rights 1948).

Communitarian ethics or ethics based on solidarity, to the contrary, are typically viewed as more limited in scope, or have obligations that are bounded. In other words, one's moral community or scope of obligation is circumscribed – by one's community, national borders, kinship, gender, or some other defining property. Some versions of virtue ethics or feministic ethics, especially those that maintain that communal obligation is identical to or overrides moral obligation understood as impartial or universal, fall within this category and are considered at odds with cosmopolitan views.

Public or collective virtues offer an interesting challenge to this binary way of viewing global ethics and potentially disrupt previous conceptualizations of how obligations become bounded. A public virtue is understood to be either a property or characteristic that communities possess to function well, or a moral excellence or good endorsed by members of a community or group as a good or excellence constitutive of that community. Public or collective virtues help make sense of philosophical and ethical issues associated with collective action and have been discussed primarily within the context of environmental ethics.

Because public or collective virtues are properties of the group or collective, the scope of obligation can be delineated by the bounds of the community. In this sense, public virtues could in principle still be considered communitarian yet be cosmopolitan; communitarian in the sense that obligations are to and among members of a community, but cosmopolitan because the scope of the community is global.

Some traditional theories of ethics of solidarity, for example Christian ethics, delineate the scope of obligation in a similar manner.
Public or collective virtues could also offer a more interesting challenge to the distinction between cosmopolitan and communitarian ethics by positing moral goods or excellences that are constitutive of a community yet global in application. Virtues such as tolerance, charity, moderation, or benevolence might be examples of such goods or excellences endorsed by a community but applied to individuals who are not members of the community, or, as in the case of environmental ethics, even to entities that are not moral agents. Unlike cosmopolitan ethics, the scope of the obligation does not depend on identifying universal properties, such as rationality, human dignity, or utility, but could be defined entirely by and within a community.

Cosmopolitan and Communitarian Ethical Theories

Cosmopolitan ethical theories hold that national or communal boundaries do not have any moral significance and that obligations and responsibilities among individuals exist no matter the particular political or national circumstances. Cosmopolitan theories espouse that we all are in fact members of a global moral community because we have moral relationships with all humans (Dower 2007). Other forms of kinship, such as religion, gender, ethnicity, or sexual identity, are irrelevant as well. What binds cosmopolitan theories is a commitment to moral equality among all persons; in this regard each of us inhabits an ethical *polis* that is universal and so are to consider ourselves as global citizens.

Proponents of cosmopolitan theories argue that by emphasizing the moral status of all persons, the scope of one's duties and moral considerations are universal. Cosmopolitan ethics transcend moral limitations taken to be implicit in communitarian theories in which the moral status of persons is recognized within a community that also gives expression to the moral practices and ideals of its members. A standard objection to communitarianism is that by allowing the community to be the arbiter of moral value, communitarian ethics risk becoming provincial and partial and therefore a threat to a universal ethical framework that upholds the rights and value of every person.

Criticisms of this sort, however, mischaracterize communitarian ethics, at least as it is understood by many moral philosophers. Though nationalists, especially extreme nationalists, would give priority to national interests over extra-national interests, doing so tends to mistake political allegiance for a moral position or to prioritize politics over morality (Audi 2009). Nationalism is distinct from communitarianism in that the former prioritizes nations or national interests over human interests, while communitarian ethics still maintain that human persons are the focus of moral concern.

Communitarians object to liberal theories that undergird some versions of cosmopolitan ethics because by prioritizing the right over the good, liberal theories both falsify the social and empirical realities of moral agents and illicitly presuppose value-neutrality when it comes to adjudicating public disputes. Both objections point to the fact that liberal theories not only give priority to individuals, which itself might not be objectionable, but do so in a way that falsifies or thins the notion of self and its aims, attachments, and goods that form an individual's moral identity. Justice as the exercise of individual choice compatible with the exercise of similar liberty for all can be reduced to the demand for forbearance so that individuals can pursue their own conception of the good. Individualism becomes

valued over other co-operative virtues, such as altruism and benevolence, which are foundational to communal life and reducing conflict among agents (Sandel 1982, 11)

The disagreement between cosmopolitanism and communitarianism highlights a deeper philosophical issue for global ethics however. If particular identities are seen as an impediment to justice from a cosmopolitan perspective and claims to value-neutrality are insufficient for large-scale cooperation from a communitarian perspective, then what is the basis for a global ethical community or global obligations? For the communitarian, global citizenship as construed by cosmopolitans is a theoretical abstraction that cannot sustain the type of identities and relationships necessary for moral obligation given that such obligations are established within and through communal life. Absent a real global community, talk of global citizenship and its attendant ethical obligations are more aspirational than actual or might even be perceived as a threat to communal solidarity. The scope of moral concern delineated by communitarianism, however, is too limited from the perspective of cosmopolitanism to establish a global ethic because such an ethic requires that we transcend the limitations of particular identities and obligations. By emphasizing the real relations among fellow members of one's community, communitarians risk retreating into local or national identities at the expense of recognizing their moral obligations toward all humans.

One attempt at accommodating these two views have focused on assimilating communitarian values into a cosmopolitan ethical framework to justify a "communitarian cosmopolitanism" whereby one's community is the global one. In other words, universal values and obligations just would emerge from and within a global community that reflects modern sensibilities and traditions (Dower 2007, 113). Though this way of resolving the dispute is attractive in that it preserves the motivational force that communal values and relations have for agents while at the same time extending the scope of these relations and obligations, one might still question the extent to which a global community is feasible and perhaps desirable. Skepticism about its feasibility stems from the fact that a true global community does not yet exist nor perhaps would it ever in any meaningful sense. The kinds of relations that are constitutive of the communitarian ideal form of community are more particular than those a cosmopolitan would admit and require some notion of shared identity, usually established through shared, historical narratives. Communitarians of course could adopt an ethical position that requires moral consideration or even obligation toward individuals who are not members of the community, but this would not necessarily entail a cosmopolitan ethic or global community and so would not qualify as the "communitarian cosmopolitanism" described.
A stronger challenge to the "communitarian cosmopolitan" idea of a global community could still be mounted in terms of its desirability based on the fact that moral obligations, according to this theory, are universal. In other words, global citizenship requires that in principle we have duties to all human beings (Dower 2007, 115). As admirable as the notion of universal rights and duties may seem, especially in upholding the equality and dignity of all persons, one has good reason to question its practicability and perhaps desirability in many cases. A recent ethnographic study of perceptions of global ethics reveals that many non-elites, especially those living under oppressive or impoverished conditions, do not recognize the relevancy or even necessity of a universal ethic. For them, particular obligations stemming from their allegiance to their community, families, and friends were morally salient while universal principles had little meaning:

A global ethic, applicable to all mankind, is unimaginable and irrelevant to them. This is not because ordinary people do not reflect deeply about the injustice of the world and imagine a better one. It is because the validity of a moral proposition for them does not turn on whether it can be universalized or generalized. Its validity turns instead on whether it is true for them and their immediate community, and whether it makes sense even provisionally of their specific context and situation (Ignatieff 2017, 8).

Such sensibilities are further reinforced by cosmopolitan claims that obligations are unbounded and that one's duties extend to all human beings. When placed in the context of significant global issues, such as obligations toward refugees and requests for asylum, cosmopolitan ethics can be threatening to social solidarity and self-determination.

From a human rights perspective, provided a stranger meets the criteria for protection set down in international law, there is no upper bound to the number of people citizens are required to receive into their community. From an ordinary virtues perspective, a requirement to receive strangers removes from a political community their very sovereignty (Ignatieff 2017, 11).

Not only are universal rights too general to be recognized as having validity for non-elites struggling for justice and equality within their own context, but they are impracticable in that universal rights often require more of a community than that which is possible. A universal duty toward all human beings requires that a community accept all legitimate appeals for asylum without regard to its impact on that community or its members — a requirement enshrined in Article 14 of the Universal Declaration of Human Rights. The absence of an upper bound to this requirement due to the universality of obligation undermines not only its palatability but also its moral force ("ought implies can"). Unfortunately, some advocates for cosmopolitanism fail to appreciate this complexity and reductively attribute resistance to cosmopolitan ideals to corrosive nationalism or even xenophobia (Vandamme 2018). Undoubtedly recent populist backlash against globalization has unleashed nationalistic and xenophobic undercurrents in many Western liberal democracies but to stress a cosmopolitan ethic as a remedy to this challenge only risks further alienating those for whom globalization has been an economic and social catastrophe.

One response to this criticism is to emphasize that any obligation and duty toward refugees rests with governments, NGOs, or other civil institutions and so would not be borne directly by economically or socially disadvantaged individuals within the state (Pogge 1992). Governments acting on behalf of its citizens surely can find the means to fulfill our universal obligations toward human being and accept a much greater share of asylum seekers than many thus far have seemed willing. Setting aside the issue of whether disadvantaged individuals can be insulated from decisions made on their behalf, this response highlights another limitation of cosmopolitan ethics — that it lacks any theoretical apparatus for deciding among competing goods. The dilemma at the heart of the refugee crisis, and captured in the ethnographic study analyzed by Ignatieff, is that rights of refugees (asylum) conflict with rights of citizens (welfare, economic security, right to work). When duties are unbounded, as they often are in cosmopolitan ethics, there seems no satisfactory way of adjudicating these conflicts, and consequently citizens' right to self-determination is undermined. Anxieties stemming from the loss of self-determination can lead to nationalism and xenophobia, but the latter are not primary explanations for resistance to the claims of refugees, but one of its effect. Cosmopolitan ethics do not allow for what Rorty called "economic triage" by host nations, which is a practical necessity given competing goods and scarce resources. To claim that we have in principle a responsibility for all humans is not a real moral

claim but an aspiration at best and a slogan at worst: “if you cannot render assistance to people in need, your claim that they form part of your moral community is empty” (Rorty 1996, 13).

Claims to value-neutrality limit citizens’ ability to debate how to prioritize among competing goods. Value-neutrality can motivate a general duty of forbearance but offers little guidance when positive duties come into conflict. What is needed for global ethics is an ethical framework that can recognize the dignity of all human persons but allows communities to determine for themselves what values are constitutive of their moral identity. Public virtue understood as a property or characteristic that communities possess to function well, or a moral excellence or good endorsed by members of a community provides such a framework.

Public Virtue and Global Ethics

In comparing the excellence of the individual with that of the state in book 7 of the Politics, Aristotle suggests that the excellence of the *polis* is the same as that of the individual and requires the same virtues: “neither the individual nor state can do right actions without excellence and wisdom. Thus courage, justice, and wisdom of the state have the same form and nature as the qualities [of] the individual” (Aristotle 1984, 1323b25 – 1324a1). Communities, in other words, have aretaic properties that contribute to their well-being and excellence in the same way virtues are understood as characteristics or properties that lead to individual flourishing.

Collective or public virtues are real and thus distinct from civic virtues that apply to primarily to individuals. A civic virtue is a property or disposition that an individual possesses to be a functioning member of a community by meeting some recognized standard of excellence or contributing to the common good. Public virtues, to the contrary, are properties or characteristics of groups that enable them to function well or are moral excellences recognized by members of the community as constitutive of collective identity.

Public virtues are collective in nature and are not always distributed among members of a group. That is, a property can be ascribed to the group as a whole without having any members individually possess this property. For example, a nation might be generous in sharing its resources liberally with other nations while most of its citizens only begrudgingly contribute resources to the public good under penalty of law. Public virtue therefore is not reduced to individual or civic virtue and is properly understood as a property of the collective or group (Beggs 2003; Fricker 2010; Byerly and Byerly 2016). To be sure, individual members of the group typically are required to act or have a disposition to act in ways consistent with the collective attribute in order for the group to possess the characteristic. The important distinction, however, is that not all individuals are required to possess the characteristic in order for the collective to have it, and individuals are acting qua members of the group when they exhibit these virtues (Byerly and Byerly 2016; Clowney 2014).

To return to a previous example, generosity is a virtue that may be ascribed to an entire group collectively and not distributed among each member. But more importantly for the purpose of global ethics, it can also be a moral excellence endorsed by a community as constitutive of its identity and thus impose obligations upon its citizens who identify with or are members of that community. Citizens who

fail to uphold the value of generosity through generous actions compromise the community's identity in the same way as they would compromise their personal integrity if they were to fail to act upon values they hold as constitutive of their personal identity (von Eschenbach 2012).
Christine Korsgaard offers a useful theory for understanding how the self is constituted through action and how this might apply to group identity and constitution. She argues that agents constitute themselves by the ways in which they act, namely those derived from principles that are self-imposed. By conceiving ourselves as acting in ways dictated by principles tied to roles constitutive of our personal identities (e.g. friend, teacher, benefactor, etc.) and by acting accordingly, we constitute ourselves as persons. Practical identity therefore is constituted through actions that have allegiance to principles derived from roles with which one wishes to identify. Constituting ourselves in this way requires that we endorse the reasons for actions and motivations associated with these particular identities: "to say that citizen of a certain nation values himself under that description…is to say that he ratifies and endorses the reasons and obligations that go with being a citizen of that nation" (Korsgaard 2009, 24).

Though Korsgaard seems to take identity-conferring roles as given, the range of options from which an agent would choose particular roles with which to identify, however, do not exist in abstraction but themselves are constituted through social interaction and within a communal context. But more importantly for the purpose of public virtues, group identities are constituted in a similar manner to the way described by Korsgaard. A group's identity will depend in part on the principles by which the community defines itself, and just as the self is constituted through action from these principles, so too are groups constituted by analogous collective action. A group that defines itself as generous by acknowledging generosity as an excellence it wishes to endorse will have to understand the practical implications and demands on actions and impose these standards on itself. Individuals, in virtue of their identity with the group, by extension will impose the demands of generosity on themselves and act accordingly if they are to constitute themselves as members of that group.

Public virtue understood in this sense provides a means whereby a community could meet the demands of the Universal Declaration of Human Rights without a cosmopolitan ethic. Generosity could be extended to strangers as a requirement of the self-constituting public virtue adopted by the community. The crucial difference is that the source of obligation is not external to but comes from within the community, just as the source of obligation is the autonomous self for individuals (Korsgaard 1992). Obligations toward others need not transcend particular communal identities as cosmopolitan ethics would have it, but because our identities provide reasons to act, our obligations stem from solidarity with others that is mediated through allegiance to the demands of public virtue.

Public virtues then might be global to the extent that their application extends in principle to persons who are not members of that community but could be unbounded. But public virtues are not universal because their justification stems from moral excellences that constitute a particular community and not from a universal principle or by reference to a universal quality or attribute. Duties can extend to persons who might not share one's history or identities yet because the duties are imposed internally as an expression of principles derived from a community's identity, preserves a community's self-determination and autonomy while providing reasons or motivation for large-scale cooperation.

To return to a previous example, a nation may fulfill its obligation to asylum seekers not because of an appeal to universal human rights and a cosmopolitan ethic but because this is an obligation that the nation has placed upon itself through its possession of generosity as a public virtue. Though perhaps the obligation is the same, the crucial difference lies in the justification of this obligation. One may adopt a position of generosity because one believes that all people require equal moral regard (due to considerations of rationality, utility, or a notion of rights), or one may adopt the same position because it is an excellence endorsed by one's community. The latter provides a means for adjudicating among conflicting obligations, preserves a community's right to self-determination, and more closely approximates the moral calculations of ordinary people described in the ethnographic study:

> Abstractions like human rights were frequently employed by jurists, professors, and politicians, but featured little, if ever, in the language of their poorer fellow citizens. The very poor assumed that their voices deserved to be heard, but they rarely used human rights to frame this claim. When they did use this language, the rights they invoked were not universal, natural, or human rights, but rather their rights as citizens (Ignatieff 2017, 7).

Conclusion

Cosmopolitan ethics, though commendable for its commitment to the moral equality of persons, is too demanding in pressing for a global ethical community or global citizenship as a basis for moral obligations. Moreover, the overriding nature of universal obligations can be too abstract to sufficiently motivate actions or affect moral judgments of individuals, especially non-elites (Ignatieff 2017) . More importantly, however, cosmopolitanism's claim to a universal domain of moral consideration is insufficient for a robust global ethic. To be sure, cosmopolitan ethics offer a strong foundation to guard against unjust discrimination among moral agents on the basis of factors that seem arbitrary from a moral point of view, but these protections usually are limited to negative rights of forbearance or equal protection under the law. Justifying extending moral entitlement to goods created by and within a particular community to those outside the community does not follow from the universality claim of cosmopolitan ethics. Moral cosmopolitanism, in drawing attention to the fact that we stand in moral relation to one another, provides justification for imposing limitations on what we can do to another moral agent under normal circumstances, but this does not entail that we are required to treat everyone equally.

Those who advocate for cosmopolitan ethics seem to concede this point by either introducing another requirement, such as *generality,* or by appeal to a global moral community (Pogge 1992; Dower 2007). The generality requirement, or the notion that moral status is global in the sense that "persons are the ultimate units of concern *for everyone* – not only for their compatriots, fellow religionists, or such like," is an attempt to establish that all persons are to be treated equally but it is not clear how this claim is justified; it seems to be presumed as a consequence of the universality requirement or its equivalent (Pogge 1992, 48–49). Because the universality requirement is insufficient to justify a global ethic, especially when there is a conflict of duties, the generality requirement does not seem to follow.

Because there is no constitution in reality that defines a global community, especially from the perspective of a communitarian, talk of a global community is at best a call for solidarity based on recognized commonalities among persons that is not mediated through a collective identity necessary to

constitute a community. The notion of a global community is simply shorthand for the requirement of equal moral consideration, which already is embedded in many normative theories. The absence of a global community also limits traditional communitarian claims to a global ethic, for without a real global community, the scope of obligations and moral consideration might still be limited.

Public virtue offers a way for treating others equally that does not rely on claims about universality nor on the existence of a moral community but is derived from excellences endorsed by a community as constitutive of its collective identity. The scope of obligation can extend to others beyond a particular community, providing a basis for a global ethic. Yet because public virtue is not committed to a moral view that prioritizes the right over the good, it does not require a community limit its autonomy or sacrifice its right to self-determination but acknowledges that conflicts of rights ultimately are conflicts of goods.

References

Aristotle. 1984. “The Complete Works of Aristotle-The Revised Oxford Translation II.” *Ed. J. Barnes, Princeton, NJ*. https://doi.org/10.1007/s13398-014-0173-7.2.

Audi, Robert. 2009. “Nationalism, Patriotism, and Cosmopolitanism in an Age of Globalization.” *The Journal of Ethics* 13 (4): 365–81. https://doi.org/10.1007/s10892-009-9068-9.

Beggs, Donald. 2003. “The Idea of Group Moral Virtue.” *Journal of Social Philosophy* 34 (3): 457–74. https://doi.org/10.1111/1467-9833.00194.

Byerly, T. Ryan, and Meghan Byerly. 2016. “Collective Virtue.” *The Journal of Value Inquiry* 50 (1): 33–50. https://doi.org/10.1007/s10790-015-9484-y.

Clowney, David. 2014. “Collective Environmental Virtue.” *Environmental Values* 23 (3): 315–33. https://doi.org/10.3197/096327114X13947900181194.

Dower, Nigel. 2007. *World Ethics : The New Agenda*. Edinburgh University Press. https://global.oup.com/academic/product/world-ethics-9780748632718?cc=us&lang=en&.

Eschenbach, Warren J. von. 2012. “Integrity, Commitment, and a Coherent Self.” *The Journal of Value Inquiry* 46 (3): 369–78. https://doi.org/10.1007/s10790-012-9346-9.

Fricker, Miranda. 2010. “Can There Be Institutional Virtues?” *Oxford Studies in Epistemology*.

Ignatieff, Michael. 2017. “Human Rights, Global Ethics, and the Ordinary Virtues.” *Ethics and International Affairs*. https://doi.org/10.1017/S0892679416000629.

Kant, Immanuel, Thomas E. Hill, and Arnulf. Zweig. 2002. *Groundwork for the Metaphysics of Morals*. Oxford University Press. https://global.oup.com/academic/product/groundwork-forthe-metaphysics-of-morals-9780198751809?cc=us&lang=en&.

Korsgaard, Christine M. 1992. “The Sources of Normativity.” *The Tanner Lectures on Human Values*. Cambridge University Press. https://doi.org/10.2307/2653770.

———. 2009. *Self-Constitution: Agency, Identity, and Integrity*. Oxford : Oxford University Press. https://doi.org/10.1093/acprof:oso/9780199552795.001.0001.

Pogge, Thomas W. 1992. “Cosmopolitanism and Sovereignty.” *Ethics* 103 (1): 48–75. https://doi.org/10.2307/2381495.

Rorty, Richard. 1996. “Who Are We?” *Diogenes* 44 (173): 5–15. https://doi.org/10.1177/039219219604417302.

Sandel, Michael J. 1982. *Liberalism and the Limits of Justice*. 2nd ed. Cambridge University Press.

Singer, Peter. 1972. “Famine, Affluence, and Morality.” *Philosophy & Public Affairs* 1 (3): 229–243. https://doi.org/Journal Article.

Universal Declation of Human Rights. 1948. “The Universal Declaration of Human Rights.” *The Universal Declation of Human Rights*. http://www.ohchr.org/EN/UDHR/Documents/UDHR_Translations/eng.pdf.

Vandamme, Pierre-Étienne. 2018. “Indirect Cosmopolitan Education: On the Contribution of National Education to Attitudes towards Foreigners.” *Journal of Global Ethics* 14 (1): 114–32. https://doi.org/10.1080/17449626.2018.1496351.