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**Testing the sufficiency of virtue ethics as theistic theory  
through a reading of the book of Amos**

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### **Abstract**

The ancient theory of virtue ethics has been rejuvenated in recent years, and many believe that this 'new' approach to ethical theory might not only revitalise the sometimes stale and often intractable nature of contemporary moral debate, but also serve as a viable alternative to traditional normative theories. This thesis aimed firstly to test this claim, and secondly, to construct a modified version which would not only be useful for the theist, but could also serve as a heuristic device for reading the text of the Old Testament. The method employed to conduct this investigation was to identify and critique the essential features of a virtue-based theory, and then suggest theological interpretations of each based on the text of the OT. These interpretations would be subsequently tested through a canonical reading of the Book of Amos. It was found that an Aristotelian form of virtue ethics admitted the closest parallels with the biblical text, and provided the best framework for the construction of a theistic version. But it was also found that virtue ethics, in all its contemporary forms, was unable to justify an account of right action, and so explain the source of normativity. We concluded that, while a theistic version of virtue ethical theory could indeed provide a useful heuristic device for reading the biblical text, virtue ethics alone could not provide a viable alternative to traditional normative theories. However, it was suggested that this shortcoming could be rectified through a partnership with a modified natural law theory.

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## Abbreviations

AB	Anchor Bible
<i>AJS Review</i>	<i>Association for Jewish Studies Review</i>
<i>ANET</i>	<i>Ancient Near Eastern Texts Relating to the Old Testament.</i> J. B. Pritchard ed., 3rd ed., Princeton University Press: Princeton, 1969.
BZAW	Beihefte zur Zeitschrift für die alttestamentliche Wissenschaft
CUP	Cambridge University Press
CVE	Contemporary virtue ethics
<i>EE</i>	<i>Eudemian Ethics</i>
<i>EPM</i>	<i>Enquiries Concerning Human Understanding and Concerning the Principles of Morals</i>
<i>GML</i>	<i>God and Moral Law</i>
IBC	Interpretation Bible Commentary
ITC	International Theological Commentary
IVP	InterVarsity Press
<i>JSOT</i>	<i>Journal for the Study of the Old Testament</i>
JSOTSup	Journal for the Study of the Old Testament Supplement Series
<i>JTS</i>	<i>The Journal of Theological Studies</i>
LCL	Loeb Classical Library
LXX	The Septuagint
<i>MH</i>	<i>The Morality of Happiness</i>
MT	Masoretic Text
<i>NE</i>	<i>Nicomachean Ethics</i>
<i>NIDOTTE</i>	<i>New International Dictionary of Old Testament Theology and Exegesis</i>
<i>NLPR</i>	<i>Natural Law and Practical Rationality</i>

NRSV	New Revised Standard Version
NT	New Testament
OBT	Overtures to Biblical Theology Series
OT	Old Testament
OUP	Oxford University Press
<i>OVE</i>	<i>On Virtue Ethics</i>
<i>SCG</i>	<i>Summa contra Gentiles</i>
<i>SEP</i>	<i>The Stanford Encyclopedia of Philosophy</i> . Edward N. Zalta ed.
<i>ST</i>	<i>Summa Theologiae</i>
<i>T</i>	<i>A Treatise on Human Nature</i>
<i>TBA</i>	<i>The Theology of the Book of Amos</i>
<i>TDOT</i>	<i>Theological Dictionary of the Old Testament</i>
TOTC	Tyndale Old Testament Commentary
VE	Virtue ethics
<i>VT</i>	<i>Vetus Testamentum</i>

## Introduction

The most conspicuous development in contemporary ethics is the growing interest in virtue ethics (VE). While only several years ago it seemed as though VE would not manage to get off the ground, it is now recognised almost everywhere as a serious rival to traditional theories, utilitarianism and deontology.<sup>1</sup>

Ethics is an inescapable part of human life in community. We may not all think in terms of the often highly abstract and technical arguments which fill contemporary journals of moral philosophy, but we do all think about the way we should live our lives. And as rational beings, we seek a reasoned explanation of the moral norms by which our community lives. Moral theories attempt to formulate such explanations. And the moral theory we ultimately endorse must cohere with the worldview which we presuppose and by which we make sense of our lives. The study of moral theories is often referred to as normative ethics. Implicit in the above quotation is the fact that the theoretical landscape of normative ethics has been dominated, since the Enlightenment, by consequentialism, usually some form of utilitarianism, and the deontology of Immanuel Kant, the goal of both types of theory being to specify moral action as good or bad, right or wrong. However, this domination has been challenged in recent decades by the renewed interest in the ancient theory of virtue ethics. For the Greeks, the goal of ethics was virtue or virtuous character, and insofar as moral theory existed at all, its purpose was to teach us how to be, rather than teach us how to act. The phenomenon of contemporary virtue ethics (CVE) continues in this line of thought: virtue and matters of character are central and matters of moral action are derivative.<sup>2</sup> This thesis will test the claims of VE to be an independent normative theory and therefore ‘a serious rival to traditional theories’.

One major advantage of a return to the Greek notion of ethics is the possibility of a solution to the intractability of much contemporary moral debate. As Alasdair MacIntyre has observed, there is currently no rational way of attaining consensus, not because of a failure in the internal logic of the arguments, but because the claims in the starting premises are not of

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<sup>1</sup> Daniel Statman, “Introduction”, Daniel Statman (ed.), *Virtue Ethics* (Edinburgh: Edinburgh University Press, 1997), 2.

<sup>2</sup> While it is true that most theories give some place to character, that place is most often *a posteriori* rather than *a priori*.

the same kind, and so there is no way of deciding between them.<sup>3</sup> However, through its shifting of the focus of ethical reflection from the determination of right action to the cultivation of virtuous character, VE can supply the much-needed common ground for initiating meaningful debate. Moreover, the idea of the ancients that virtue and integrity were essential components of flourishing communities is as true today as it was then. As M. Daniel Carroll R points out, the mere changing of political structures does not change a country's 'moral climate'; what this requires is the inculcation of 'a culture of virtue'.<sup>4</sup> From the above reasons, an ethical theory based on character and virtue would seem preferable to one based on rules or consequences.<sup>5</sup>

But, while a return to virtue may be welcome, the question which is of particular interest to the current project is whether the 'new' theory of virtue ethics is robust enough to provide an adequate alternative to deontological or consequentialist theories of moral reasoning. And it is this question which provides the starting point for our investigation. But since this thesis is a study in theistic ethics, its aim is not only to critique CVE and assess its ability to function as an independent normative theory, but also to construct a theistic version, which might be capable not only of meeting any objections to which secular versions of CVE are vulnerable, but which also is consistent with the biblical text. The end product of that construction phase, a specifically theistic version of CVE theory, will therefore be tested through a reading of the biblical text. The text chosen for this testing is the book of the prophet Amos. At the heart of this project, then, is the initiation of a conversation between the theoretical concerns of the philosophers and the textual concerns of the biblical scholars.

## **1. Locating the current project in the theoretical landscape**

This thesis begins with the assumption that the phenomenon of CVE is a good thing for ethical theory: not only are the virtues made central aspects of the moral life, but it enables a broad vision of ethics, one concerned with the whole of life, in contrast to the traditional

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<sup>3</sup> In the abortion debate, for example, premises involving individual rights and situational factors conflict with premises involving universal principles. Alasdair MacIntyre, *After Virtue: A Study in Moral Theory* (2nd ed.; London: Duckworth, 1985), 6-8. MacIntyre detects a paradox in contemporary moral debate: the deep human need for our ethical reflection to be rational, and our current inability to fulfil this need. *Ibid.*, 9-10.

<sup>4</sup> M. Daniel Carroll R, "Seeking the Virtues among the Prophets: The Book of Amos as a Test Case." *Ex Auditu* 17 (2001): 77-96, 79-80. In a similar plea for a return to virtue, Tom Wright cites the words of a banker in the wake of the financial crash of 2008: 'The system is only really healthy when the people who are running it are people you can trust to do the right thing, not because there are rules but because that's the sort of people they are'. Tom Wright, *Virtue Reborn* (London: SPCK, 2010), 21.

<sup>5</sup> For further discussion about the attractiveness of VE compared to Kantian and utilitarian theories, see Chapter One.

ethical theories, which are largely preoccupied with the resolving of ethical quandaries.<sup>6</sup> But while this assumption may well be valid, the claim which rides on its back is that CVE has sufficient explanatory power to stand alone as a normative theory, and provide an alternative to deontological or consequentialist approaches. When this claim is subject to critical analysis, certain difficulties arise. For example, the current CVE movement contains a mix of theoretical positions, making it very difficult to define: some of its proponents want to distance themselves entirely from the traditional theories, while others come very close to them indeed. For the purposes of this thesis, we will be focusing on those theorists, such as Rosalind Hursthouse and Michael Slote, whose claims are the most distinct, since it is the distinctiveness of VE theory which grounds the claims that it is a viable alternative to the dominant theories.

The primary task of this thesis, then, is to subject CVE theory to critical analysis and assess whether it has sufficient explanatory power to function as an independent normative theory, and so provide an alternative to deontological or consequentialist approaches. A point which should be made clear at the outset, but will be reinforced throughout, is that this project is a study of the theory of VE and is not concerned with the place that virtue concepts might have in other theories, such as those with roots in Kant for example. The secondary task is to see whether VE can be adapted to provide a useful normative theory for theistic ethics, in particular where the *theos* is the God of the Bible. If VE is to help the interpretation of biblical ethics, then it must make sense of the biblical text. The current project, therefore, has a constructive as well as a critical aspect. It is critical with regard to VE itself, and yet also constructive; it aims not only to construct a workable theistic version, but also to construct a bridge between contemporary ethical theory and life in ancient Israel.

While a large body of philosophical literature has built up around CVE over recent years, there has been relatively little discussion of its normative sufficiency from theologians. Christian ethics from a NT as well as an OT perspective, has, for the most part, been regarded as a deontological exercise: that is, it consisted in a duty to obey the Law.<sup>7</sup> And so, despite

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<sup>6</sup> Another positive benefit to ethical theory is that Kantians and utilitarians have been prompted to reassess their own theories to take more account of virtue, a point made by Nafsika Athanassoulis in *Virtue Ethics* (London: Bloomsbury, 2013).

<sup>7</sup> For examples of advocates of this law-based perspective, see Chapter One, n. 15. In recent years this monopoly has been challenged not only by utilitarian thinkers such as Joseph Fletcher, but also by theologians such as Stanley Hauerwas, who has long advocated the retrieval of the idea of virtue in Christian ethics, emphasising the role of communities and their narratives in the formation of character. See, for example, Stanley Hauerwas, *The Peaceable Kingdom: A Primer in Christian Ethics* (Notre Dame, Indiana: University of

the long history of Christian discussion of the virtues, and of moral character in general, these discussions have generally taken place within a deontological framework.<sup>8</sup> What is being attempted here, by contrast, is not simply a discussion of how an ethics focussed on character could enrich Christian ethical discourse, but rather an assessment of the distinctive claims of VE in the search for a specifically theistic version. And it is this theoretical focus which has arguably been lacking in the theological discussions of virtue and character. The exploratory work which has been carried out has most often adopted a largely uncritical stance towards the theory, assuming the soundness of its arguments, rather than engaging in their critique.<sup>9</sup> Moreover, those explorations have been largely based on the NT.<sup>10</sup> And so, on both these counts, the present project has something to offer: it aims not only to critique the theory of VE, but also to construct a bridge between the theory and the OT text. Ultimately, we want a moral theory which can be put to work. The hope is that we can construct a bridge not only to take us, in Christopher Wright's words, from 'here to there',<sup>11</sup> but also to take us back again. So, this investigation is not simply a reading of the text in the light of VE, but aims to let the text speak to, and assess the normative usefulness of, the theory. It will be argued that the bridge is built on a common humanity and a shared conception of God. By this bridge, it

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Notre Dame Press, 1983). Hauerwas, however, does not consider himself a virtue ethicist, and indeed is uncomfortable with the very classification. Stanley Hauerwas and Charles Pinches, *Christians among the Virtues: Theological Conversations with Ancient and Modern Ethics* (Notre Dame, Indiana: University of Notre Dame Press, 1997), ix.

<sup>8</sup> One might think immediately of Thomas Aquinas and his appropriation of Aristotle's thought in which virtue was fundamental. But although virtue was conceptually central for Aquinas, law was equally central. The virtues are linked to actions which are the subject of moral rules. See Jean Porter, "Virtues and Vices", in Brian Davies and Eleonore Stump (eds.), *The Oxford Handbook of Aquinas* (Oxford: OUP, 2012). Bruce Birch follows Hauerwas in his interest in character formation, but sees the shaping of the community as the role of the law. Bruce C. Birch, *Let Justice Roll Down: The Old Testament, Ethics and the Christian Life*. (Louisville, Ky: Westminster John Knox Press, 1991), 192-3, n. 72.

<sup>9</sup> One might level such a criticism at Joseph J. Kotva's *The Christian Case for Virtue Ethics* (Washington, D.C: Georgetown University Press, 1996). Carroll R also takes as givens what we are subjecting to critical analysis in "Seeking the Virtues". So too, in large part, does John Barton: his examination of the place of virtue in the Bible concludes that the concept is more implicit than explicit, and that while an ethics of virtue may have something to contribute to our understanding of OT ethics, such as the provision of 'a moral vision', other theoretical explanations are needed too. John Barton, "Virtue in the Bible". An exception is Jonathan Sanford, who does critique the theory, concluding ultimately that it cannot work unaided. Jonathan J. Sanford, *Before Virtue: Assessing Contemporary Virtue Ethics* (Washington, D.C: The Catholic University of America Press, 1996).

<sup>10</sup> In addition to Kotva's contribution, which concludes that a VE approach has much to offer Christian ethics, see also Tom Wright's *Virtue Reborn*, where the author's aim is to encourage Christians to pursue virtue in its "specifically Christian form" (p. xi). The NT focus is perhaps not surprising since it is the Greek language and not the Hebrew one which has a word for virtue.

<sup>11</sup> The 'here' being our contemporary world, and the 'there' the world of ancient Israel. Christopher J. H. Wright, *Old Testament Ethics for the People of God* (Nottingham: Inter-Varsity Press, 2004), 441 ff.

should be possible to have a conversation between philosophical ethical theory and the biblical text.

## 2. Methodology

Before we can bring the philosophical theory of virtue ethics into conversation with the biblical text, two things must be done. Firstly, a point of clarification must be made. And secondly, a declaration of presuppositions.

### 2.1. A point of clarification

Prior to proceeding with a critical analysis of the theory, we must specify the parameters of our investigation. The more one becomes familiar with the literature surrounding CVE, the more one realises that the field is far from homogeneous. In anthologies of VE articles we find scholars as diverse as Alasdair MacIntyre, Martha Nussbaum, Bernard Williams, Annette Baier and Michael Slote, and it is very difficult to summarise or neatly classify in any meaningful way the developing thought of a highly original thinker such as a Williams or a MacIntyre or a Nussbaum. To say ‘well, they are all interested in virtue ethics,’ begs a very important question. What exactly is CVE?<sup>12</sup> Seeking a common denominator for these thinkers necessarily generates a thin description.<sup>13</sup> And as we thicken the description, in whatever direction, we will inevitably lose some thinkers along the way. Not all, for example, acknowledge Aristotle, or indeed the Stoics, as Kantians and utilitarians might readily acknowledge their philosophical forebears.<sup>14</sup> And yet the thinner our specifications become, the less useful is the concept. Therefore, if we are to assess whether CVE can indeed serve as an alternative to consequentialism or deontology, we must dare to fix the parameters for our

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<sup>12</sup> An interesting fact is that few of those usually credited with founding CVE, such as G.E.M. Anscombe or Philippa Foot, actually claimed to be virtue ethicists. MacIntyre does not consider himself part of the CVE movement (see Sanford, *Before Virtue*, 10, n. 18), and Martha Nussbaum has even argued that the very category of ‘virtue ethics’ is a misleading one. Martha C. Nussbaum, “Virtue Ethics: A Misleading Category?”. *The Journal of Ethics* 3, no. 3 (1999): 163-201.

<sup>13</sup> There is lively debate between those who freely confess to be virtue ethicists over such crucial matters as how virtues function in the theory, how they are to be grounded, and their relation to practical wisdom. Christine Swanton, for example, is an advocate of a particularly wide conception: for her, ‘virtue ethics’ signifies any theory which incorporates the idea of virtue. See Christine Swanton, *Virtue Ethics: A Pluralistic View*. Oxford: OUP, 2005. As suggested already, this wide conception might be better termed ‘virtue theory’. At the other end of the scale, Daniel Russell argues that ‘real virtue ethics’ requires that *phronesis* be a part of every virtue for virtue must involve excellence in deliberation. *Practical Intelligence and the Virtues* (Oxford: OUP, 2009), 71.

<sup>14</sup> Even the so-called ‘neo-Aristotelians’ may be more ‘neo’ than Aristotelian, as Peter Simpson has wryly commented. While accepting the central idea of *eudaimonia*, they often ignore his methodology, in particular his connecting ethics to politics. Peter Simpson, “Contemporary Virtue Ethics and Aristotle.” *The Review of Metaphysics* 45, no. 3 (1992): 503-24, 504.

discussion and list the features which would be acceptable to most advocates of CVE. After all, we must begin somewhere. And so, we might acknowledge, in the first place, that the theory is fundamentally teleological, that is, ‘the good’, the end of all ethical reflection, is prior to ‘the right’. Secondly, virtue, however defined, is central to the theory. So too is the concept of the virtuous person as moral exemplar, since we do need to know what virtue looks like in practice. And lastly, reason surely requires that our ethical theory is consistent with an account of the source of normativity. Each of these factors will be discussed in turn in the chapters to follow, and an attempt made to give each one a theological interpretation in order to provide a framework for the construction of a theistic version of VE.

## **2.2. A declaration of presuppositions**

Before proceeding further, we must declare what is being presupposed in this thesis. No one has the vantage point of perfect objectivity. Our journeys as rational moral agents have already begun: we have our luggage with us. Many of our presuppositions are deeply ingrained and have become part of us, bound up with our identity and not so easily laid aside. Yet, we should travel as lightly as we possibly can, declare what we need to declare, and press on towards our destination.

This ethical study assumes a theistic story, one based on the biblical record. But our presuppositions transcend the acknowledging of this fact; they also determine how we read the biblical text, in this case the text of the OT. As Wright has noted, we do not enter the terrain of the biblical world as ‘neutral observers’,<sup>15</sup> nor do we return from our exploration as such. The findings of our exploration and the uses to which we put them are very much determined by the ideological convictions which we take with us and the methodologies we employ to get there. Furthermore, if our objective is the development of a normative ethics, we must explain why the text, or at least certain parts of it,<sup>16</sup> should be normative at all: what is the source of its authority? Therefore, before we proceed we must be clear about the identity of our *theos*. God is the central character in the Bible, and the text declares him not only to exist, but also to be essentially knowable. Character traits are ascribed to him in addition to a record of his actions. Moreover, a God who is God in the classical sense, will be the foundation as well as the essential explainer of our morality, as he is of everything else

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<sup>15</sup> Wright, *Old Testament Ethics*, 441.

<sup>16</sup> The common route for a discussion of normative biblical ethics is to search in the legal sections, primarily of course, the Decalogue, from which it is hoped we can extract principles and codes for contemporary moral conduct. This primarily deontological approach is to be contrasted with the current project.

that exists. And so, the general and special revelation of God are not only two sources of our moral knowledge, but also become normative for the people of God. And it is the normative rather than the descriptive aspect of theistic ethics which ultimately concerns us if we are investigating the usefulness of a moral theory.<sup>17</sup> Why and how our ethical theory is normative ultimately reduces to a question of authority, a detailed discussion of which is well beyond the scope of this dissertation. It must suffice to say that if, as Oliver O'Donovan suggests, authority is predicated on reality, and we assume that the ultimate reality is God, then he must be the source of authority.<sup>18</sup> We are assuming, therefore, that as we read the book of Amos, we read it as part of the canon of the church, and therefore as having a legitimate authority for our ethics as the people of God today since this authority is predicated on the ultimate reality, God himself.<sup>19</sup>

In addition to the presupposition that the God we encounter in the pages of scripture is the same sovereign God who exists today, and that the Bible as special revelation of this God has authority for the church today, there is a further presupposition which we must declare. And this is that, due to our being made in the image of this God, there are certain features of our nature which are common to all human beings: the world in which we live has been created by God and human nature is an empirical fact about the created world. In addition to special revelation, our moral knowledge also comes from the world around us, that is, from general revelation.

These two presuppositions, it is suggested, provide our means of bridging the gap between the biblical world and the present day. On both sides of the gap we find a common human nature and the one God, the God of classical theism.

### **3. The structure of the thesis**

This thesis will be divided into two parts. In the first part, Chapters One to Five, we shall investigate the key features of the theory of virtue ethics. The philosophical discussion of CVE theory is largely secular, but we will offer an alternative OT-based interpretation of

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<sup>17</sup> Often the ethics of the OT are studied in a descriptive manner: what were the moral codes which the people were, or should have been, following? This is a useful enterprise, but is distinct from the normative one pursued here.

<sup>18</sup> Oliver O'Donovan, *Resurrection and Moral Order: An Outline for Evangelical Ethics* (Grand Rapids, Mich.: Wm. B. Eerdmans, 1986), 121-139.

<sup>19</sup> The prophets in general, and Amos in particular, are surely making this point in their frequent use of the phrase 'Thus says the LORD'.

each feature as we proceed in order to construct our own theistic version. The second part (Chapter Six) will bring the conclusions drawn from the first part into conversation with the text of the book of Amos as we test the sufficiency of our theistically modified VE as a normative ethical theory.

Chapter One will present a short overview of virtue ethics theory from its classical roots to its contemporary expressions, and a brief survey of its strengths and weaknesses. A working definition of CVE theory will be suggested which will enable the subsequent analysis of its distinguishing features.

Since virtue ethics is a teleological theory, our first task is to arrive at an understanding of ‘the good’ which is the *telos* (end) of all ethical reflection. For Aristotle, this was *eudaimonia* or happiness. But not all versions of CVE are eudaimonistic. Chapter Two will investigate the meaning and uses of ‘good’, survey the principal axiological theories of value and, drawing on the ethics of the ancient philosophers, primarily the Stoics and Aristotle, critique *eudaimonism* as a theory of the good. It will be argued that a neo-Aristotelian form of *eudaimonism* provides the most promising way to understand ‘the good’ in a theistic virtue ethics, since it admits the closest parallels with the ethics of the biblical text. If God is understood to be standing in some relation to the *telos*, then *eudaimonia* can be plausibly interpreted as relationship with God.

All types of VE theory must provide an account, not only of virtue in general, but also of why the individual virtues are virtues at all. Rather than attempt to list and justify the virtues which are arguably found in the biblical text, Chapter Three will consider the concept of virtue with reference to the virtue of justice and explore how justice functions in a virtue ethical context. Not only does justice feature in most virtue lists, it also played a key role in Aristotle’s scheme. Moreover, it is a central theme in Amos. It therefore seems the most interesting virtue to explore in detail. The discussion will focus not only on the thought of Aristotle, but also on that of David Hume, since most CVE theories have their roots in one or other of these thinkers. Finally, the philosophical concerns raised in this discussion will be brought into dialogue with biblical notions of justice and righteousness, and it will be argued that, rather than follow Humean thinkers and attempt to ground ethics in the virtue of justice, a more convincing route is in the Aristotelian direction, which is to regard justice as not only constitutive of, but also contributing to, human flourishing.

It is essential for any moral theory that it has a reliable epistemology. For virtue ethics theory, we need a means of knowing what virtuous activity actually looks like, and how we tell virtue from vice. Chapter Four assesses the doctrine of *imitatio Dei* as a means of understanding moral exemplarism along theistic lines. How plausible is it that God be considered the supreme moral exemplar? This epistemological question is distinct from the metaphysical one which asks the question ‘why should we imitate God?’, and requires an account of the source of normativity. This latter question is addressed in the following chapter.

Chapter Five will evaluate the claim that VE has the resources to explain the source of normativity, and so justify an account of right action. We conclude that CVE theory has insufficient explanatory power to do this and therefore it cannot ultimately function as an independent normative ethical theory. However, we argue that a partnership with a modified natural law theory can make good that deficit.

Finally, in Chapter Six, our theistically modified VE theory will be tested by a canonical reading of the biblical text. To focus the discussion, the testing ground will be the book of the OT prophet Amos. This testing will be a two-way process. Our theistically modified VE theory be used as a heuristic device to read the text of Amos; but the text of Amos will at the same time be used to validate the theory.

It will be concluded that virtue ethics has much to offer, not least in its emphasis on good, or virtuous, character and on the whole of a person’s life. However, in its contemporary expressions it falls short as a complete ethical theory. Its main defect is that in basing ethics on character evaluation, it is unable to explain the source of normativity, and so explain why one trait *is* a virtue and another one a vice, and why we should be virtuous at all. If the theory is modified to incorporate the idea of God, as the God of biblical theism, then it is certainly strengthened; the *telos* becomes a life of seeking God and virtues have their source and example in him. However, even a theistically modified VE cannot answer the normative question. We must look elsewhere for help. And so, it will be suggested that a partnership with a modified natural law theory could restore explanatory power to virtue ethics while retaining a theistic focus.

## Chapter One

### What is virtue ethics?

‘Virtue ethics’ is a term of art, initially introduced to distinguish an approach in normative ethics which emphasizes the virtues, or moral character, in contrast to an approach which emphasizes duties or rules (deontology) or one which emphasizes the consequences of actions (utilitarianism).<sup>20</sup>

Before we proceed to an analysis of the key features of virtue ethics theory, we will provide a short survey of its historical roots as well as its contemporary expressions and summarise the main arguments in favour of as well as against the theory. This chapter will then focus on providing a working definition of contemporary virtue ethics (CVE), which will provide the framework for the subsequent analysis.

#### 1. Introduction

A moral theory might be defined as ‘an abstract structure that aims to simplify, systematise, and justify our moral beliefs and practices’.<sup>21</sup> Construction of theories about moral practice, then, must be an essential part of those practices.<sup>22</sup> Since this thesis is aiming to test CVE as a normative ethical theory, we first need to have a clear conception of the theory. Indeed, without such a conception, it is very hard to see how virtue ethics can ultimately be useful. Following a short overview of the philosophical background, this chapter aims to provide a description of virtue ethics based on conditions of adequacy which the theory must meet in order to be normatively useful. A brief discussion of the most important strengths and weaknesses of CVE will conclude the chapter.

Although the European philosophical tradition was famously described by Alfred North Whitehead as ‘a series of footnotes to Plato’,<sup>23</sup> the tradition of post-Enlightenment moral

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<sup>20</sup> Rosalind Hursthouse, *On Virtue Ethics* (Oxford: OUP, 1999), 1. [hereafter *OVE*]

<sup>21</sup> Linda Zagzebski, “Exemplarist Virtue Theory.” *Metaphilosophy* 41, no. 1-2 (2010): 42.

<sup>22</sup> Not everyone agrees with this, however. Bernard Williams, for example, doubts the existence of either an adequate theory of what morality is, or an empirically informed ethical theory which could yield a decision-making procedure. Bernard Williams, *Moral Luck: Philosophical Papers 1973-1980* (Cambridge: CUP, 1981), ix-x.

<sup>23</sup> By this he meant that Plato was a uniquely gifted thinker at a unique period in history when formal systematising of ideas was unknown, and he refers to his writing as ‘an inexhaustible mine of suggestion’. Alfred North Whitehead, *Process and Reality: An Essay in Cosmology* (New York: Harper & Row, 1960), 63.

philosophy has not reflected this assessment, for, in that domain, Plato's philosophy has often been little more than a footnote.<sup>24</sup> In recent times, however, the philosophy of both Plato and his most famous student, Aristotle, has re-emerged as a force to be reckoned with. For the past two or three centuries until a few decades ago, normative ethics was dominated by two major theories - the deontology of Immanuel Kant and the utilitarianism of Jeremy Bentham and John Stuart Mill.<sup>25</sup> Despite their differences, the central moral question for both these theories is: 'What is the right thing to do?' Yet it was not always this way, for another type of question used to form the heart of ethics: for example, 'What is the right sort of person to be?' or perhaps, 'What constitutes the good life?' This latter type of question was the one with which the ancient Greeks were familiar, and the ethical theory which seeks to answer these very questions is what we now call virtue ethics.

As Christianity gained ground in Western Europe, an ethics of virtue was replaced by an ethics of duty. Due to the considerable influence of Augustine's theology, virtues came to be understood in terms of a duty to obey the divine law. For virtues to be true virtues, according to Augustine, they had to be underpinned by the love of God, and obedience to God was a mark of this love.<sup>26</sup> Reason, which had undergirded the ethics of the ancients, was now considered suspect if detached from the authority of the Bible:<sup>27</sup> and so the virtues were no longer expected to bear the weight of normative theory and were now understood in terms of the law.<sup>28</sup> In the wake of the Renaissance, however, followed by the advances in science, and

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<sup>24</sup> For example, J. L. Mackie, in his classic text, devotes less than four pages to classical virtue. He does not dismiss it as entirely irrelevant and is clearly drawn to Plato, but he certainly does not see virtue ethics as a viable alternative to, Kantianism and consequentialism. J. L. Mackie, *Ethics: Inventing Right and Wrong* (Harmondsworth: Penguin, 1977).

<sup>25</sup> Deontological theories put duty at the centre of morality, whereas in teleological theories this place is held by value. Category distinctions, however, are arguably more porous than they are sometimes portrayed to be. Some revisionist Kantians deny that Kant was a deontologist and Onora O'Neill has even argued that Kant should be reinterpreted as a virtue ethicist. Onora O'Neill, "Kant after Virtue." *Inquiry* 26, no. 4 (1983): 387-405. Robert Louden advocates a more balanced view, finding 'the real Kant' somewhere between the two extremes. Robert B. Louden, "Kant's Virtue Ethics." *Philosophy* 61, no. 238 (1986): 474. For an interesting collection of thoughts on possible links between Kant and ancient Greek thought, see Stephen P. Engstrom and Jennifer Whiting (eds.), *Aristotle, Kant, and the Stoics: Rethinking Happiness and Duty* (Cambridge: CUP, 1996).

<sup>26</sup> Augustine, *Concerning the City of God against the Pagans*. (Translated by Henry Bettenson; Penguin Classics; London: Penguin, 1984), XIX, 25, 891. See also John M. Rist, *Augustine: Ancient thought baptised* (Cambridge: CUP, 1994), 168-185.

<sup>27</sup> Rist, *Augustine*, 56-8.

<sup>28</sup> The most famous of those who adapted the writings of Aristotle for a Christian context was Thomas Aquinas, who added three theological virtues (faith, hope and love) to the 'cardinal' virtues of Plato and Aristotle (wisdom, courage, temperance and justice): these virtues were an integral part of his natural law theory. For his discussion of the virtues see *Summa Theologiae* II, II. [hereafter *ST*]

the turn towards secularism, reason was once more highly favoured, eventually replacing revelation as the basis for a new moral law: questions of duty and notions of rightness and obligation were now paramount. The idea of virtue never completely disappeared; indeed, some of the Enlightenment thinkers, notably Hume and Kant, made considerable use of the concept of virtue in their theories.<sup>29</sup> But there was no virtue ethics as we know it today. At least not until 1958, when Elizabeth Anscombe published ‘Modern Moral Philosophy’.<sup>30</sup> It is generally agreed that this landmark paper marked the beginning of CVE, and virtually every article published since then has noted the author’s indebtedness to Anscombe.<sup>31</sup> She argued that the idea of ‘Law’ without a Lawgiver was incoherent and terms such as duty, obligation and rightness were now, in a moral sense, meaningless. The way out of this moral impasse, she suggested, was to return to Aristotle and to the much-neglected virtues. Alasdair MacIntyre was one of the first to pursue these thoughts with any rigour, and his book, *After Virtue*, is rightly viewed as a classic in the field.<sup>32</sup>

Subsequently, other philosophers who were discontented with the traditional theories and their apparent inability to resolve the moral problems of the day, looked in hope again to the virtues. The virtue ethics movement gained momentum, landmark articles were published and books were written,<sup>33</sup> and the philosophical world witnessed something of a revival of the classical theory, albeit in a contemporary form. And this ‘new’ theory has had a considerable impact, for it is often now regarded as a viable alternative to utilitarianism or Kantianism,<sup>34</sup>

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<sup>29</sup> For the renewed interest in Kant’s discussion of virtue, see refs at n. 4 above. While Hume’s virtues are discussed favourably in the writings of Christine Swanton, Jerome Schneewind regards Hume’s moral philosophy, despite its brilliance, as ‘one of virtue’s misfortunes’. Jerome B. Schneewind, ‘The Misfortunes of Virtue’, in *Virtue Ethics*, eds. Roger Crisp and Michael A. Slote, (Oxford Readings in Philosophy; Oxford: OUP, 1997), 194.

<sup>30</sup> G. E. M. Anscombe, ‘Modern Moral Philosophy.’ *Philosophy* 33, no. 124 (1958): 1-19.

<sup>31</sup> While not endorsing all her ideas, Athanassoulis heartily recommends the reading of this paper because of ‘its veritable revolutionary nature, its passionate and heart-felt arguments against her perception of the status quo in moral debates and for sowing some of the seeds that inspired others to revive Aristotelian ideas that had been largely marginalised up until that time’. Athanassoulis, *Virtue Ethics*, 14. Sanford rather endearingly calls Anscombe ‘the movement’s grandmother’. Sanford, *Before Virtue*, 1.

<sup>32</sup> *After Virtue* is currently in its third edition.

<sup>33</sup> In addition to *After Virtue*, other notable works include Michael A. Slote, *From Morality to Virtue* (New York; OUP, 1995); Idem, *Morals from Motives* (Oxford: OUP, 2001); Rosalind Hursthouse, *OVE*; Swanton, *Virtue Ethics*; and most recently Athanassoulis’s *Virtue Ethics*. For a theological perspective, see Kotva, *The Christian Case for Virtue Ethics* and Sanford, *Before Virtue*. There are also three good collections to date: Daniel C. Russell (ed.), *The Cambridge Companion to Virtue Ethics* (Cambridge Companions to Philosophy; Cambridge: CUP, 2013); Statman (ed.), *Virtue Ethics*; and Crisp and Slote (eds.), *Virtue Ethics*.

<sup>34</sup> This shift can be seen in the changing content of textbooks on ethics and moral philosophy. The *Encyclopedia of Bioethics* provides a good illustration of this. In the first edition (1978) the only mention of virtue was in a two-page summary of ‘Virtue theory’ under ‘Theological Ethics’; by 2004, in its third edition, virtue ethics has

and many of its proponents are confident that it has the potential to solve the problems of modern moral philosophy. However, while the return to an emphasis on virtue and character is to be welcomed, if CVE is to live up to these hopes, and yield a viable, independent, normative ethical theory, there is still much groundwork to be done. As already mentioned, there is currently limited agreement among those working in the field about what exactly virtue ethics consists in, how distinctive it is with regard to other normative theories, its limitations, and its links to metaethical theory. Yet, if one's aim is to critique a theory, and we observed in the Introduction that the neglect of theoretical critique in certain theological applications of VE is a matter of concern, then we must have a clear view of the parameters of the theory; only then is it possible to assess just how distinctive and how substantive it really is.<sup>35</sup> The next section will therefore aim to delineate the fundamental parameters of CVE theory and so provide a framework not only for analysis, but also for the construction and ultimate testing of a theistic alternative in the chapters to come.

## 2. Conditions of adequacy and the search for a definition

Since this thesis is concerned with the appraisal of virtue ethics as a theory in its own right, we need to be clear from the start about terminology: what exactly do we mean by the phrase 'virtue ethics'? A most helpful route to clarification of the conceptual distinctiveness of virtue ethics is via Julia Driver's distinction. Virtue ethics, she suggests, is 'the project of basing ethics on virtue evaluation', whereas virtue theory is an account of 'what virtues are'.<sup>36</sup> This is helpful because much of what has passed for virtue ethics in recent years would, on Driver's definition, be more correctly termed virtue theory. That latter, much wider

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come of age with a six-page section of its own. See Stephen G. Post, *Encyclopedia of Bioethics* (3rd ed. 5 vols. New York: Macmillan Reference, 2004), 2550-2556. Christian textbooks follow the same pattern with most now acknowledging that virtue ethics has a place within normative theory. For example, the third edition of Robin Gill's *A Textbook of Christian Ethics*, contained its first text on virtue ethics, an extract from Jean Porter's *Moral Action and Christian Ethics*. Robin Gill, *A Textbook of Christian Ethics* (3rd ed. Edinburgh: T. & T. Clark, 2006). On the other hand, in the second edition of Norman Geisler's fairly lengthy *Christian Ethics*, there is still no mention of virtue and he states categorically that 'Christian ethics is deontological'. Norman L. Geisler, *Christian Ethics* (2nd ed.; Grand Rapids, MI: Baker Book House, 2010), 17.

<sup>35</sup> Some philosophers, have been particularly aware of the need to address this problem. Gregory Trianosky sees his own survey as taking 'the first steps towards charting this vast and vastly exciting terrain'. Gregory Trianosky, "What Is Virtue Ethics All About?". *American Philosophical Quarterly* 27, no. 4 (1990): 335. See also Slote, *Morals from Motives* and Christine Swanton, "The definition of virtue ethics", in Russell (ed.), *Cambridge Companion*, 315-338.

<sup>36</sup> Julia Driver, "The Virtues and Human Nature", in *How Should One Live? Essays on the Virtues*, ed. Roger Crisp (Oxford: OUP, 1996), 111. n. 1. As a utilitarian, her own project is one in virtue theory, and in *Uneasy Virtue*, (Cambridge Studies in Philosophy; Cambridge: CUP, 2004), she addresses the question of virtue in a consequentialist framework.

conception enables Hume and Kant, for example, to be brought under the ‘virtue ethics’ umbrella.<sup>37</sup> However, as we noted in the Introduction, the wider the specification, the less substantive the theory, and the less useful for normative ethics. Since the objective of the current enquiry is the appraisal of ‘virtue ethics’ as a self-standing theory, we shall be following Driver’s definition of the term. It is this conception which will be tested against the claims of theism.

A snappy definition of virtue ethics may be elusive, but it is possible and certainly beneficial to list some of its distinctive elements. The most basic of these is a concern for character and those character dispositions which are commonly termed virtues. But opinions diverge on the place of virtue in the theory. Often these virtues are construed in an Aristotelian sense where excellence of character is the goal and practical wisdom, or *phronesis*, is necessary for the achieving of this goal: development of the virtues is necessary if a person wants to live the life of flourishing *qua* human, a life often referred to by the Greek term *eudaimonia*.<sup>38</sup> Agent-centred virtue ethics, on the other hand, holds as fundamental either character assessment or the motivational component of action, understood as motives, intentions, or emotions.<sup>39</sup> Michael Slote’s ‘agent-based’ theory is an example of the most radical of these latter theories; he maintains that the evaluation of action is wholly derivable from the evaluation of character, motive, or intention and these categories in turn are wholly reducible to virtue.<sup>40</sup> Common to most CVE theories is the idea that right action is in some sense derivative from the virtues or from the character of the virtuous person who possesses and exercises the virtues.<sup>41</sup> Again it should be emphasised that the project of CVE is distinct from projects which simply aim to characterise the virtues and their inter-relationships:<sup>42</sup> these latter projects are not interested in establishing VE as a normative theory in its own right. But

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<sup>37</sup> See Swanton, “The definition of virtue ethics”, 319ff., as well as her earlier work.

<sup>38</sup> This eudaimonistic version is endorsed by MacIntyre, Hursthouse, Foot, and Julia Annas among others, and is often seen, perhaps unfairly depending on your viewpoint, as *the* paradigmatic account of virtue ethics.

<sup>39</sup> For Zagzebski, emotion is fundamental, and it is the ‘generally trustworthy’ emotion of admiration, which grounds her theory. Zagzebski, “Exemplarist Virtue Theory”, 52.

<sup>40</sup> Slote, *Morals from Motives*, 5.

<sup>41</sup> One might think, for example, of Rosalind Hursthouse’s much-quoted definition of right action: ‘An action is right iff it is what a virtuous agent would characteristically (i.e. acting in character) do in the circumstances’. Hursthouse, *OVE*, 28.

<sup>42</sup> For recent examples of this type of work with a focus on the classification of the virtues see Kevin Timpe and Craig A. Boyd (eds.), *Virtues and Their Vices* (Oxford: OUP), 2014.

unless we can do so, we do not have a theory which can provide an alternative to Kantianism or consequentialism.

To enable clarification of the distinctive nature of CVE, it may be useful to draw up a list of typical Kantian claims and a parallel list from CVE. Followers of Kant generally adhere to the following claims:

A. The central question for morality is: What is the right, or obligatory, thing to do?

Basic moral judgments are judgments about this rightness of actions.

B. These basic moral judgments are formulated as rules or principles of right action.

They are categorical imperatives, universal and impartial.

C. They are autonomous in the sense that they are not derived from some prior account of the human good.

D. Virtue is validated by its relation to right action, primarily by its role in motivation to do what is required by the rules, irrespective of the agent's desire or emotion.

Followers of CVE generally adhere to the following claims:

A' The central question for morality is: What is the right kind of person to be? And basic moral judgments are judgments about character, and, specifically, judgments about virtue.

B' These basic moral judgments are formulated as virtues. They are not categorical imperatives, nor universal and arguably not impartial.

C' They are not autonomous for they *are* derived from some prior account of the human good.

D' Virtues are validated independently of any action.

This type of analysis is helpful in that it delineates the core areas, or perhaps core features, where virtue ethics either stands or falls as a theory. These core features are the conception of the human good or *telos*, the conception of virtue, the idea of the moral exemplar as the embodiment of virtue, and the question of the ground of normativity. This provides us with a framework for discussion. In the subsequent chapters, each of these will be examined, and then the usefulness of virtue ethics as a theory will be tested against a reading of the prophet

Amos. Before we turn to this task, however, we will pause to consider some of the arguments in favour of a return to the ethics of the ancients.<sup>43</sup>

### 3. Some attractions of virtue ethics as a theory

What, then, are the arguments which might persuade us that VE provides an attractive and viable alternative to Kantianism or consequentialism? The starting point for most of the arguments is the premise that character should have priority in ethical theory. Deontological and consequentialist theories are often accused of providing an escape route from moral responsibility: cultivation of character, by contrast, goes hand in hand with individual responsibility.<sup>44</sup> For example, an environmental virtue ethicist, rather than question the rights and wrongs of particular actions, might ask: ‘What sort of *person* would destroy the natural environment?’ or even, ‘What sort of *person* would “carve their initials in 100-year-old Saguaros”?’<sup>45</sup> Virtue ethicists also claim that their approach can accommodate the notion of partiality, towards friends and family for example, which our common-sense intuitions struggle to deny, but which is ruled out in both utilitarianism and Kantianism.<sup>46</sup>

Another argument in favour of virtue ethics is that it provides a better account of moral motivation than either Kantianism, where the ground of the motive is duty itself,<sup>47</sup> or utilitarianism where the motive is to maximize utility. Michael Stocker argues that a good life is one which is marked by ‘a harmony between one’s motives and one’s reasons, values, justifications’ whereas the absence of this harmony leads to the malady of ‘moral schizophrenia’.<sup>48</sup> Where values such as love, friendship, and community are incorporated into the motives of utilitarian and deontological theories, the result is the negating of those very

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<sup>43</sup> Limited space unfortunately precludes any real engagement with the arguments for and against virtue ethics, but excellent discussions of them can be found in all of the works cited in the notes 11-12.

<sup>44</sup> See Robert C. Solomon, “Corporate Roles, Personal Virtues: An Aristotelian Approach to Business Ethics”, in Statman (ed.), *Virtue Ethics*, 211-2. Mill to some extent anticipates this charge in his discussion of the connection between justice and utility in Chapter 5 of *Utilitarianism*. John S. Mill, *On Liberty and Other Essays* (edited and introduction by John Gray; Oxford World’s Classics; Oxford: OUP, 1998), 176-201.

<sup>45</sup> Matt Zwolinski and David Schmidtz, “Environmental virtue ethics: what it is and what it needs to be”, in Russell (ed.), *Cambridge Companion*, 230.

<sup>46</sup> It should, however, be noted that Kant does allow for partiality with respect to imperfect duties. Immanuel Kant, *The Metaphysics of Morals* (trans M. J. Gregor; Cambridge: CUP, 1996).

<sup>47</sup> Immanuel Kant, *The Moral Law: Groundwork of the Metaphysics of Morals* (trans H. J. Paton; Routledge Classics; London: Routledge, 2006), Chapter 1.

<sup>48</sup> Michael Stocker, “The Schizophrenia of Modern Ethical Theories.” *The Journal of Philosophy* 73, no. 14 (1976): 453-4.

values, in treating the other in effect as a means to the end of doing our duty. As an illustration, Stocker offers an example of the friend who visits you in hospital but comments that he is just doing his duty. The virtuous agent, on the other hand, acts, necessarily, out of the virtue itself, out of friendship, and so is free from the malady.

Others argue that virtue ethics provides a way to jettison ‘the moral ought’ which, in the absence of a Lawgiver, has become ‘free floating and unsubscripted’.<sup>49</sup> Crisp and Slote, for example, suggest that the reason for not lying is simply because it is dishonest, and there is no need to introduce the idea of transgressing a moral law or failing to maximize happiness.<sup>50</sup>

Finally, to use a very contemporary term, virtue ethics is sometimes regarded as a ‘holistic’ approach to normative ethics. Morality is seen not just as a series of isolated actions based on individual value judgments according to an external set of rules, but affects the whole of a person, and the whole of that person’s life. As Aristotle said, ‘One swallow does not make a summer; neither does one day’.<sup>51</sup> The development of ethical character is the task of a lifetime.

#### **4. Some weaknesses of virtue ethics as a theory**

The invocation of the old slogan, “‘being” rather than “doing””, summarises the commonest objection to virtue ethics. How exactly can a theory built around the evaluation of character and virtue offer guidance in real-life dilemmas?<sup>52</sup> This objection, of course, rests on the presupposition that the task of ethical theory is to provide a code where one or more universal principles determine right action. And so, it is argued, virtue ethics cannot give the precision needed to count as a normative theory in its own right. At best, it can act as a supplement to the other theories, but could not be worthy of consideration as a rival. But if, following Aristotle, we imagine ethics as the practical science of how one should live, should we expect it to be codifiable? As David Solomon points out, the task of virtue ethics is not to produce a determinate action guide or produce a convenient algorithm; the focus is the whole life as the

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<sup>49</sup> This expression belongs to Philippa Foot: “Morality as a System of Hypothetical Imperatives”: in *Virtues and Vices, and Other Essays in Moral Philosophy*. (Oxford: Basil Blackwell, 1978), 169, n. 15. This argument, of course, was Anscombe’s major thesis. See Anscombe, “Modern Moral Philosophy”, 1.

<sup>50</sup> Crisp and Slote, “Introduction”, *Virtue Ethics*, 3. This does not seem entirely satisfactory, and the question of whether or not virtue alone is capable of supplying the reasons for acting will be further discussed in Chapter Five.

<sup>51</sup> *NE* 1098a19-20

<sup>52</sup> Hursthouse attempts a response to this objection using the case of abortion. Rosalind Hursthouse, “Virtue Theory and Abortion”. *Philosophy & Public Affairs* 20, no. 3 (1991): 223-46.

pursuit of excellence and so bears more of a resemblance to a comprehensive fitness programme designed to prepare an athlete for an endurance race.<sup>53</sup>

Another objection to virtue ethics has emerged from recent studies in social psychology. Gilbert Harman concludes, from a mere two experiments mind you, that ‘there is no empirical basis for the existence of character traits’.<sup>54</sup> The critique is based on the argument that behaviour is due entirely to situational factors, and it is a fallacy to attribute it to certain perceived traits. In response to such claims, Nafsika Athanassoulis makes use of Aristotle’s distinctions between vice and incontinence, virtue and continence. It is not that character traits do not exist; rather it is the case that most people are continent rather than fully virtuous, and do not seem to have the strength of character when under pressure to resist an immoral authority.<sup>55</sup>

## 5. Conclusion

From this short discussion of the roots as well as the contemporary expressions of CVE theory, we might tentatively suggest a description of virtue ethics which, while falling short of a definition, would at least provide a basis for analysis and critique, as well as for construction of a theistic version.

So far, we have specified certain conditions of adequacy which must be met by any proposed theory. It must provide a substantive notion of the good, and define its relation to virtue. It must also be able to give an account of right action, of moral motivation, and a description of the moral exemplar as the embodiment of virtue. And finally, virtue ethics, like any other normative theory, must appeal to some external metaethical conception of the source of moral norms if it is incapable of locating these within its own resources. These conditions of adequacy will be explored in the following four chapters, while also repositioning them in a theological framework, one based primarily on the OT. The overarching aim is to assess whether CVE theory can stand as a normative theory in its own right, and whether it can be

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<sup>53</sup> David Solomon, “Internal Objections to Virtue Ethics”, in Statman (ed.), *Virtue Ethics*, 174.

<sup>54</sup> See Gilbert Harman, “Moral Philosophy Meets Social Psychology: Virtue Ethics and the Fundamental Attribution Error”. *Proceedings of the Aristotelian Society* 99 (1999): 316.

<sup>55</sup> ‘Empirical evidence about outward behavior alone is not sufficient in order to draw inferences about the precise state of character of the agent; we may confuse the continent agent with the virtuous one or the incontinent with the vicious’. Nafsika Athanassoulis, “A Response to Harman: Virtue Ethics and Character Traits”. *Proceedings of the Aristotelian Society* 100 (2000): 218. See also *NE* book VII.

strengthened by a theistic formulation, in particular one which appeals to the God of the Bible.

## Chapter Two

### The Concept of Good in a Teleological Ethic

Seek good and not evil,  
that you may live.  
Amos 5:14 (NRSV)

‘Men always love what is good or what they find good; it is in judging what is good that they go wrong’.  
Rousseau, *The Social Contract*<sup>1</sup>

#### 1. Introduction

In the last chapter, we concluded that there were certain conditions of adequacy which a theory of virtue ethics must meet in order to be normatively useful. Since virtue ethics is a teleological theory,<sup>2</sup> the first stage in its critique will be to examine the concept of the *telos* (end) itself, in order to assess firstly how it can function within the theory and secondly, whether it can be understood along theistic lines. The *telos* of all ethical reflection is ‘The Good’, and so this chapter will begin by investigating the meaning and uses of ‘good’, and how such a concept might underwrite an axiological theory of value, such as an ethics of virtue.<sup>3</sup> Drawing on the insights of the ancient philosophers it will be shown that *eudaimonism* has much to offer as a teleological theory. And, in particular, it will be argued that a neo-Aristotelian form of *eudaimonism* provides the most promising way to understand ‘the good’ in a theistic virtue ethics, since it admits the closest parallels with the ethical thought in the Bible. Understood as a theistic term, ‘the good’ can be thought of as linked at many levels to God himself. Since the remit of this thesis is ethics in the OT, we will be working primarily with that part of the canon and seeking to assess whether a teleological

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<sup>1</sup> Jean-Jacques Rousseau, *The Social Contract; and Discourses* (Trans G.D.H. Cole; London: Dent, 1913), 293.

<sup>2</sup> It should be noted that in certain (mostly older) textbooks on moral philosophy, teleological theories are viewed in the narrow sense of their contrast to deontological ones, and primarily refer to consequentialism in its various forms (utilitarianism etc). See for example William Frankena’s *Ethics* (2nd ed. Englewood Cliffs, N.J.: Prentice-Hall, 1973).

<sup>3</sup> Axiological theories are those value theories which are concerned with the classification and analysis of things which are good, rather than, for example, theories of aesthetic value. They are therefore the very heart of ethics. The aim of a theory of moral value is to establish what it is that is held to be intrinsically good, or the ultimate good. Instrumental goods are less interesting philosophically speaking since all instrumental or extrinsic goods are pursued for the sake of other goods (whether instrumental or intrinsic); only intrinsic goods are pursued for their own sake. An ethical theory must therefore have the explanatory power to justify its choice of intrinsic good (or goods).

conception of ethics can be found there. In the final chapter, this link will be further explored and tested in our reading of the prophet Amos.

Much hangs on our understanding of the concept of ‘good’. Maybe Bernard Williams is right when he comments that ‘it would be a mistake to think that this word, or its approximate equivalents in other languages, could possibly bear by itself the weight of the issues’.<sup>4</sup> Yet, simply because of its centrality, we need to be clear what we mean when we use the word ‘good’ and how it fits into an ethical theory which, as a whole, just might be weight-bearing. Of particular interest to the present enquiry is how ‘the good’ as *telos* can underpin a theistic version of virtue ethics.

Although most people would likely agree that ‘good’ objects are those worthy of pursuit, they would just as likely disagree on the exact content of any list which might be drawn up. We find the adjective ‘good’ in all sorts of places, from objects or people to theories. So how can one ascription cover such a diverse range of ideas? Aristotle, indeed, doubted that it could.<sup>5</sup> And what is distinct about the predicate ‘good’, and indeed the significance of adding the definite article? Aristotle describes ‘the good’ (*to agathon*) as that which stands behind all activity, ‘that for the sake of which everything else is done’:<sup>6</sup> for example, health is the good or end of medicine, buildings the good or end of architecture. But what is it which unites these disparate examples? And, most importantly, how does ‘good’ fit into an ethical theory? The objective in this chapter is to address these questions, and in particular to find answers consistent with a theistic worldview since our aim is to construct a theistic version of virtue ethics. We shall begin by considering what we mean when we call certain things ‘good’.

## 2. The meaning and uses of ‘good’

What do we mean when we call certain things ‘good’? To claim that something is good presupposes a judgment of value and to enable judgment we need to establish criteria of value which are capable of justifying our judgments. Before we proceed to consider the notion of value in ethical theory, we will first note a couple of distinctions which are relevant to this project. The first is the distinction between absolute and relative goodness, and the second is whether goodness is a natural or non-natural property.

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<sup>4</sup> Bernard Williams, *Morality: An Introduction to Ethics* (Canto edition; Cambridge: CUP, 1993), 38.

<sup>5</sup> *NE* 1096a23-29.

<sup>6</sup> *NE* 1097a18.

## 2.1. The ‘good’ and the ‘good for’ or absolute and relative goodness

The majority of CVE theories are naturalistic and the human good is understood in a relative sense; that is, good is what is good for the human *qua* human. The term ‘good for’ is usually thought to have something to do with the welfare or ‘well-being’ of the individual, referring to some aspect of a good or flourishing life.<sup>7</sup> The good here is relative because its value is constituted by its relation to the realisation of that individual’s ends. The charge of relativism is one which has plagued VE theorists from MacIntyre onwards.<sup>8</sup> If, on the other hand, something is thought of as absolutely good, then it is quite simply good, and this idea of value is independent of the notion of being good *for* an individual, or indeed being a good thing of its kind.<sup>9</sup>

It might be noted that, for the theist, there is no need to discard the notion of relative goodness completely in the manner of G.E. Moore.<sup>10</sup> Instead she must show that relative goodness requires a prior concept of absolute goodness to be understandable at all. Moore was no theist. If he had been, he might have considered the statement in Genesis 1:31, where God declares his creation to be ‘very good’, to be an affirmation of the existence of absolute goodness. The absolute goodness of creation is a rich idea, conveying notions of beauty, order, symmetry, completeness. And all of these are aspects of absolute value; their value is not constituted by the realisation of anyone’s ends, even though they can also be understood as good for the life forms which will benefit from them.

## 2.2. Good – natural or non-natural?

The second distinction to consider is that between ‘natural’ and ‘non-natural’ properties. Most theories in CVE are based on philosophical naturalism.<sup>11</sup> If goodness is taken to be a natural property, then it is identifiable on the basis of certain empirical, or metaphysical

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<sup>7</sup> Concepts of well-being aim to provide answers to the question of how to live a fulfilled, meaningful and happy life, though, to the contemporary mind and in contrast to the ancients, this often has more to do with prudential rather than distinctly ethical concerns.

<sup>8</sup> For an excellent response to this charge, see Martha C. Nussbaum, “Non-Relative Virtues: An Aristotelian Approach.” *Midwest Studies in Philosophy* 13, no. 1 (1988): 32-53.

<sup>9</sup> The fascinating debate surrounding this distinction is beyond the scope of this thesis, but an interested reader might consult the work of Richard Kraut, for example, *Against Absolute Goodness* (New York: OUP, 2011), and Michael Campbell’s excellent response to Kraut in Michael Campbell, “Absolute Goodness: In Defence of the Useless and Immoral.” *The Journal of Value Inquiry* 49, no. 1 (2015): 95-112.

<sup>10</sup> G.E. Moore, *Principia Ethica* (Cambridge: CUP, 1903), I §59.

<sup>11</sup> Naturalism holds that moral properties are natural properties: that is, they are reducible to nature.

characteristics, i.e. by certain factual or conceptual truths. Philippa Foot, often considered one of the founders of CVE, provides a contemporary example of philosophical naturalism. What is ‘good’ according to Foot is not ‘good’ according to some abstract standard of goodness, or even some objectively good state of affairs such as the concept of flourishing, but simply what is good ‘naturally’ for that particular thing. For humans, good is possession of the virtues, since the virtues are those dispositions necessary for the achievement of the goods characteristic of the life of our species.<sup>12</sup> Moore, by contrast, argued that moral concepts, such as ‘good’, are distinct from natural properties, such as yellowness, which can be established by empirical observation; to attempt to define ‘good’ in naturalistic terms is to commit an error which he calls ‘the naturalistic fallacy’.<sup>13</sup> Though much of Moore’s philosophy may be forgotten today, the legacy of the ‘fact-value’ distinction continues to be influential. Those who argue for the distinction claim that a factual statement cannot logically entail a statement with a normative or evaluative function, i.e. prescribing or commending. And so, it is thought that we cannot move from ‘that is a good x’ to ‘you ought to do x’ or ‘x is worthy of pursuit’.

Although the ‘naturalistic fallacy’ presents a serious problem for naturalistic theories of morality, it also offers an opportunity for a theistic ethics to provide a solution. The theist can argue that while goodness is not reducible to nature, it is evident in nature as a natural fact, but at the same time as a theistic fact. For the goodness of created goods is derivative from the ultimate good, or source of goodness *simpliciter*, which is God himself.<sup>14</sup> A theistic theory, then, can accommodate the idea that goodness is a natural fact about the goodness of creation, and also the idea that the ultimate ‘Good’ is a non-natural fact, or more specifically a supernatural one. This good, ‘The Good’, can be understood as God Himself. In an attempt to provide an explanation of exactly how God, as the ultimate good, can be understood as the *telos* of all ethical reflection, we will shortly consider the concept of *eudaimonia* or human flourishing, and suggest that this route can be profitably adapted to a theistic framework.

### 2.3. Concluding thoughts

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<sup>12</sup> Philippa Foot, *Natural Goodness* (Oxford: Clarendon Press, 2001). It might be noted that since the virtuous for Foot is defined by the natural, she struggles to resist Nietzsche’s argument that human aggression towards other humans, an unfortunate yet empirical fact about human life, can be a virtue (pp. 110-113).

<sup>13</sup> Moore, *Principia Ethica*, I §10. Williams, however, notes that it was presumably by means of empirical observation that ‘good’ was ascribed to the object in the first place (Williams, *Morality*, 38-39).

<sup>14</sup> These issues will be dealt with in more detail in Chapter 5.

So far, we can say that ‘the good’ as *telos* in a theistic VE theory can be conceived of as having aspects of both a natural and a non-natural (or more correctly supernatural) property, in that the natural supervenes on the supernatural. The theist can also confidently defend the concept of absolute goodness, albeit for different reasons to those of Moore, and with different results. As an atheist and the inspiration for moral subjectivist theories, Moore understood goodness to be not just a non-natural property, but also to be ultimately indefinable.<sup>15</sup> The theist, on the other hand, can offer a strong definition of goodness. If the absolute good is God himself, then he is the source of all relative goods, and the human good or *telos* must be a derivative of this absolute: in some sense, the divine goodness becomes our goodness, in that we are partakers of it through our relationship with God himself. Such a train of thought can make sense of Augustine’s addressing God as his one and only good.<sup>16</sup> We shall return to this idea of the human *telos* as relationship with God in the final section of this chapter.

We shall now consider ways in which ‘the good’ can function in a teleological theory, beginning with a short critique of examples from modernity, and then turning to the ancient theory of eudaimonism, which, it will be argued, provides the best way to construct a theistic version of virtue ethics.

### 3. Value in the modern period

As we have already seen, theories of moral value are of two broad types, naturalistic and non-naturalistic. For naturalistic theories, value is located in the natural world and requires a naturalistic metaphysics for its explanation. Foot’s theory of natural normativity is one such theory; others include hedonism and Aristotle’s eudaimonism.<sup>17</sup> On these accounts, moral properties are natural properties. Alternatively, value can be considered a non-natural property; moral properties are perhaps believed to supervene on natural properties. These theories are metaphysically more complex; value is explained by concepts which go beyond the natural world. Theistic theories fall into this category. According to theism, value is located in the idea of God and, often, the possibility of an eternal soul.

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<sup>15</sup> Moore, *Principia Ethica*, I §10. Moore is using ‘definable’ in the philosophical sense of being analysable.

<sup>16</sup> Augustine, *Confessions* (trans Henry Chadwick; Oxford: OUP, 1991), 5 [I. 5].

<sup>17</sup> Though as we shall see, Aristotle’s theory was not entirely naturalistic, but gave some place to the supernatural.

Philosophers throughout the modern period have endorsed various theories of value. For Nietzsche, good is synonymous with power. The judgment ‘good’ he claims comes from ‘the “good” themselves’, and these are ‘the noble, the powerful, the superior and the high-minded. . .who felt themselves and their actions to be good. . .and posited them as such, in contrast to everything low, low-minded, common and plebeian’.<sup>18</sup> In contrast to Nietzsche’s naturalism, his contemporary, the Idealist Francis Herbert Bradley, believed that the ultimate aim of ethics was self-realisation: ‘Morality is the identification of the individual’s will with his own idea of perfection’.<sup>19</sup> The American philosopher Ralph Barton Perry argued that it was positive interest that invests an object with value, where ‘interest’ is understood as a feeling, desire or disposition towards that object.<sup>20</sup> Another theory which has stood the test of time, and still has its adherents today, is hedonism.<sup>21</sup> Thinkers from Epicurus to John Stuart Mill have held the only intrinsic good to be pleasure (and conversely, the only intrinsically bad thing to be pain). All other goods from money to health and friends are pursued for their consequences, that they might lead to pleasure; pleasure alone is pursued for its own sake. These theories are all monistic; that is, they seek to explain the one ultimate good. But other philosophers, such as William D. Ross argued instead for some version of axiological pluralism, accepting the existence of several irreducible goods. Ross found four things to be intrinsically good: virtue, pleasure, distributive justice (by which pleasure is correctly allocated to the virtuous), and knowledge.<sup>22</sup> While satisfied that his list corresponds to common sense intuition, he admits that these goods are ultimately incommensurable.<sup>23</sup> Since ethics is fundamentally practical, this would appear to be a serious problem for what is to be done when these values conflict? Axiological pluralism, therefore, seems to be defective in its action-guiding capacity. Ideally, then, a moral theory should be monistic (unlike Ross’s),

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<sup>18</sup> Friedrich Nietzsche, *On the Genealogy of Morality* (trans C. Diethe; ed. K. Ansell-Pearson; Cambridge: CUP, 1994), I §2.

<sup>19</sup> F. H. Bradley, *Appearance and Reality: A Metaphysical Essay* (2nd ed. Oxford: Clarendon Press, 1930), 382. See also Essay II, “Why Should I be Moral?”, of his *Ethical Studies*, 65 ff., F. H. Bradley, *Ethical Studies* (2nd ed. Oxford: Clarendon Press), 1927.

<sup>20</sup> Ralph Barton Perry, *General Theory of Value: Its Meaning and Basic Principles Construed in Terms of Interest* (New York: Longmans, Green and Co., 1926), 115. Perry was a major influence on C. L. Stevenson during the latter’s time at Harvard, and the roots of emotivism are clear in his thought.

<sup>21</sup> From ἡδονή (pleasure). An interesting contemporary example is the transhumanist who aims for ‘super-happiness’. See for example David Pearce’s ‘Hedonistic Imperative’, accessed Dec 1, 2017, <https://www.hedweb.com/hedab.htm>.

<sup>22</sup> W. D. Ross, *The Right and the Good* (Indianapolis, Ind.: Hackett, 1988), 134-141.

<sup>23</sup> *Ibid.*, 154.

employ a reasonable metaphysics (unlike Bradley's), and make sense of our common-sense intuitions (unlike Perry's). It should be noted that virtue is not alien to these theories. Ross lists virtue as one of his intrinsic goods, and Nietzsche, as we have seen, has his own ideas of virtue, leading to his being looked on by some as a virtue ethicist himself.<sup>24</sup> But these are exactly the types of theory which we are distinguishing from virtue ethics in this thesis; they may feature virtue, but virtue is incidental rather than fundamental to the main argument.<sup>25</sup> Exactly how and why virtue ethics is distinct from such theories, in its understanding of the relation of virtue to the good, will be considered in the next section. It is with these requirements and thoughts in mind that we now turn to the ancients, the inspiration for many of the CVE theorists.

#### 4. Value in ancient theory

Ancient moral theory was fundamentally teleological; it was accepted that human life had a goal, an end or *telos*. The ancients were less concerned than we are today about providing comprehensive and systematic accounts of morality that explain which actions and reasons are right and why. Rather, their aim was to discover what the human *telos* was and then describe how best to pursue it.<sup>26</sup> Virtue plays a central role in most ancient theory: the pressing issue is exactly what role, and how virtue relates to the good which is at the heart of the theory. Often, the final end was held to be 'happiness' or *eudaimonia*, or 'happiness', although there was considerable variation over its interpretation.<sup>27</sup> It will be argued that construing the *telos* as *eudaimonia* is the most promising route for a theistic virtue ethics since it is more compatible with biblical notions of God and the good.

##### 4.1. Eudaimonism as a theory of the good

*Eudaimonia* is usually translated as 'happiness', but the problem with this particular translation is that, in our contemporary culture, happiness is mostly understood as a mental state which is in some respect experientially satisfying. Essentially, happiness is understood

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<sup>24</sup> See, for example, Swanton, *Virtue Ethics: A Pluralistic View*.

<sup>25</sup> See the discussion of this point in the Introduction.

<sup>26</sup> Julia Annas is one of the foremost contemporary advocates of this view: each of us has a final end which, when we pause to reflect, makes sense of our lives as a whole. See for example Julia Annas, *The Morality of Happiness* (New York: OUP, 1993) [hereafter *MH*]; Julia Annas, *Intelligent Virtue* (Oxford: OUP, 2011).

<sup>27</sup> Although certain ancient theories were not eudaimonist, Aristotle considered it somewhat self-evident that *eudaimonia* was the final end (*NE* 1095a 17-26). It may be worth pointing out that only humans could be *eudaimon*; the root of the word (εὖ + δαίμων) seems to imply favour by the gods, or perhaps fortune, and it would have been absurd to the Greek mind that animals could be so favoured.

as feeling, and measured by happy feelings. We can think of the happiness surveys which are very much in vogue, what type of questions they ask, the happiness indices which are produced and the conclusions which are drawn.<sup>28</sup> Or of certain psychological theories where happiness is measured by some sort of objective list.<sup>29</sup> Martin Seligman, who spearheads the positive psychology movement, endorses this type of theory. He also claims to follow Aristotle, but the Aristotelian parallel seems limited to his acknowledgement that happiness consists in activity. The good life, he says, ‘consists in deriving happiness by using your signature strengths every day in the main realms of living’.<sup>30</sup> However elaborate the means to achieving it, and however extensive the description, happiness to the modern mind is often little more than a contented state or a feeling.

To the ancients, however, the situation was very different. Aristotle captures the idea conveyed by *eudaimonia* with his phrase ‘living well and doing well’.<sup>31</sup> A characteristic feature of eudaimonist theories is their ‘holistic’ nature. The emphasis is not on individual actions but on a whole life well-lived, a life lived with happiness as the aim. Sometimes writers use ‘flourishing’ or ‘well-being’ to try to capture the essence of the Greek word, but it is generally agreed that ‘happiness’ is the best we can do.<sup>32</sup> Whatever word we resort to, it must be stressed that contemporary understanding of happiness, as referring to a psychological state, is not equivalent to the meaning conveyed by the Greek *eudaimonia*. To the ancients, a person may well be considered ‘happy’ or *eudaimon*, even if he did not ‘feel’

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<sup>28</sup> See, for example, Bank of Scotland, “Fife overtakes Highlands to become Scotland’s happiest region,” 24 Aug 2016, accessed Dec 1, 2017, <http://www.lloydsbankinggroup.com/Media/Press-Releases/2016-press-releases/bank-of-scotland/fife-overtakes-highlands-to-become-scotlands-happiest-region/>. Meanwhile, the London School of Economics, as part of its research into happiness, is offering a free ‘Mappiness’ app which beeps you at least once a day to ask how you are feeling. LSE, “Mappiness maps happiness across space in the UK,” accessed Dec 1, 2017, <http://www.mappiness.org.uk/>.

<sup>29</sup> See, for example, David G. Myers, *The Pursuit of Happiness: Discovering the Pathway to Fulfillment, Well-being, and Enduring Personal Joy* (New York: HarperCollins, 1992), 205-6.

<sup>30</sup> Martin E. P. Seligman, *Authentic Happiness: Using the New Positive Psychology to Realize Your Potential for Deep Fulfillment* (London: Nicholas Brealey, 2002), 262. By ‘signature strengths’ he means ‘strengths of character that each person self-consciously owns, celebrates, and (if he or she can arrange life successfully) exercises every day in work, love, play, and parenting’ (p. 160). He distinguishes these strengths from virtues, though his distinction seems less than clear (see pp. 137 ff.). He also seems vague about any overarching *telos*: the ‘meaningful life’ is distinct from the ‘good life’ and the meaningful life where God ‘comes at the end’ is distinct again’ (p. 260).

<sup>31</sup> εὖ ζῆν and εὖ πράττειν. NE 1095a20.

<sup>32</sup> This thesis will follow the example of Nussbaum and John Cooper who simply use the transliteration of εὐδαιμονία (*eudaimonia*). Martha C. Nussbaum *The Fragility of Goodness: Luck and Ethics in Greek Tragedy and Philosophy* (Revised ed. New York: CUP, 2001), 6; John M. Cooper, “Aristotle on the Goods of Fortune.” *The Philosophical Review* 94, no. 2 (1985): 173-96.

happy on our contemporary understanding of the word. Happiness is an active rather than a passive concept; it involves the agent's activity. It is not something located in circumstances or objects, but rather reflects the use to which we put objective goods, and the manner of our acting amid the vicissitudes of life. In short, it is linked to character expressed through activity.

However, even with this clarification in mind, an immediate question arises: how do we pursue an end so thinly specified? To understand this, we must consult the theories themselves.

### 5. Eudaimonism in ancient ethics: the theoretical options

The human *telos* was understood in various ways in ancient philosophy; not all ancient ethical theory was eudaimonistic. For example, the Cyrenaics, the original egoistic hedonists, held the sole value to be pleasure.<sup>33</sup> For the Sceptics, the *telos* of life was 'freedom from disturbance' (*ataraxia*), but, even though the aim of tranquillity of mind is shared with the Epicureans and Stoics, this concept is quite distinct from *eudaimonia*.<sup>34</sup> A theory based on human flourishing would appear to offer a better explanation of human life as a whole than these theories can allow. We intuitively feel that we should have higher goals than food, safety, survival and reproduction, and even pleasure or contentment. Surely, as Annas says repeatedly, it should be the goal of every reflective person to want to flourish. A moral theory which we can live by should incorporate our goals and makes sense of the good life. Happiness, then, is an inner attitude to one's life as a whole. Eudaimonism offers not only a promising framework for constructing a virtue ethical theory, but also, it will be argued, the best explanation of a theistic version of the theory. We shall now consider the ancient theoretical options.

The philosophers who did base their theories on *eudaimonia* were the Epicureans, the Stoics and Aristotle, although they disagreed over the details of exactly what happiness consists in. The Stoics and Aristotle believed that human flourishing must include the moral virtues - typically justice, courage and moderation. What divides their theories is the place given to virtue within them. Epicurus was ambivalent on the status of virtue. At times, he seemed to

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<sup>33</sup> Annas refers to them as 'crude empiricists', and compares them to Jeremy Bentham. *MH* 230. The value of one's life as a whole, according to these philosophers, is equal to the sum of all pleasures experienced.

<sup>34</sup> The sceptics refused to commit to any set of beliefs at all. Life is constant enquiry, and ultimately what is good is unknowable. See A. A. Long, *Hellenistic Philosophy: Stoics, Epicureans, Sceptics* (Classical Life and Letters. 2nd ed. London: Duckworth, 1986), as well as Annas, *MH*.

hold virtue and pleasure as inseparable; at other times, virtue had value only insofar as it contributed to pleasure.<sup>35</sup> For Epicurus and his followers pleasure was *the necessary condition* of happiness. Ultimately, the eudaimonism of the Epicureans cannot serve as a basis for virtue ethics theory on two counts. Firstly, it is fundamentally self-regarding and we intuitively feel that an ethics based on virtue should have an other-regarding as well as a self-regarding focus. Secondly, the final end of *ataraxia* is an internalised mental state where we are detached not only from the idea of the other, but also from the vicissitudes of life. If *eudaimonia* is to be compatible with a theistic version of VE, it must make sense of our lives as a whole, not just in their relational aspects, both towards others and towards God, but also to the circumstances of our lives as lived under the providence of God.

Two theories remain, therefore, for us to consider as a framework for a virtue ethics based on *eudaimonia*: we either follow Aristotle or we follow the Stoics. We shall consider each in turn, and then consider which is better suited to underpin a theistic version of virtue ethics.

### **5.1. On the *eudaimonia* of the Stoics: the sufficiency of virtue**

In contrast to the Epicureans, the Stoics are clear on the relation of virtue to happiness; on their view, virtue is sufficient for happiness. Often, this idea takes the form of an identity claim: the good is simply identified with virtue. Arius Didymus writes:

One's aim, they say, is being happy, for the sake of which everything is done, while it is not done for the sake of anything further, and this consists in living according to virtue, in living in agreement,<sup>36</sup> and further (it is the same thing) in living according to nature. Happiness Zeno defined as follows: happiness is a smooth flow of life.<sup>37</sup>

Happiness for the Stoics, then, is living according to virtue, which meant also conforming our human nature to the nature of the universe.<sup>38</sup> Virtue is the only thing which is good and so only virtue will benefit us. The Stoics claimed that the other things often considered good,

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<sup>35</sup> Epicurean hedonism is much more nuanced than that of the Cyrenaics, being divided into pleasure at the removal of pain (kinetic) and pleasure as the complete absence of pain (the static pleasure of *ataraxia*) which is our final end. See Long, *Hellenistic Philosophy*, and Annas, *MH* for excellent discussions of Stoic ethics.

<sup>36</sup> i.e. not living with internal conflict.

<sup>37</sup> Arius 77.16-19. Quoted in Annas *MH*, 163.

<sup>38</sup> The later Stoics particularly emphasised this latter point. Happiness describes the state where the human will is in agreement with the will of 'the orderer of the universe' (i.e. Zeus). See Diogenes Laertius, *Lives of the Philosophers* II 88. Quoted in Annas *MH*, 160.

such as health or wealth, are not in fact good at all, but ‘indifferent’ since they can harm as well as benefit.<sup>39</sup> These ‘indifferents’ are described by Chrysippus as the mere material of virtue, and their value is not so much a lesser value as value of a different kind altogether. Cicero provides an insight into how highly exalted the concept of virtue was in Stoic thought. In *On Final Ends* III, Cato declares:

If wisdom [here meaning being virtuous] and health are both worth seeking, then the two together are more worth seeking than wisdom alone. But if each commands some value, it does not follow that the two together are worth more than wisdom on its own. In judging that health deserves a certain value, but not deeming it a good, we thereby consider that there is no value great enough to take precedence over virtue. . . It is like the light of a lamp eclipsed and obliterated by the rays of the sun; like a drop of honey lost in the vastness of the Aegean sea; a penny added to the riches of Croesus, or a single step on the road from here to India. Such is the value of bodily goods that is unavoidably eclipsed, overwhelmed and destroyed by the splendour and grandeur of virtue as the Stoic candidate for the highest good.<sup>40</sup>

It should be pointed out that no one is able to grasp this fact immediately since the moral life is one of progression. Our lives begin with an innate self-concern and the pursuit of natural advantages, we later value those natural advantages in a more rational way, and over time we come to value rationality itself. At this point, we realise that the only good is the good of the soul called virtue. Unlike the Aristotelian conception of moral progress, where becoming virtuous is a gradual process, the Stoics attribute moral progress to the preparatory stage where one learns to choose and use indifferents. Virtue is not a matter of degree. When the distinct value of virtue is grasped, one has moved from one state to another, and become a virtuous person, now possessing a steady disposition to perform morally right actions.<sup>41</sup> From that point on there can be no more progress. But this is surely counter-intuitive. Why should there not be an increase (or indeed decrease) in virtue over time? And equally counter-intuitive is the Stoic denial of the value of external ‘goods’.

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<sup>39</sup> Ibid., VII 102-103. Quoted in Annas *MH*, 389.

<sup>40</sup> Cicero, *On Final Ends* III 44-45. For the citations from Cicero see Annas’s translation in *Voices of Ancient Philosophy: An Introductory Reader* (New York: OUP, 2001), 328-337.

<sup>41</sup> Cicero uses some colourful analogies to explain this. ‘When submerged in water one can no more breathe just below the surface and on the verge of getting out than one can in the depths. A puppy that has almost reached the point of opening its eyes can no more see than one newly born’. *On Final Ends* III 48.

When we consider the concept of happiness in ancient moral theory, we notice an implicit tension between our intuitions and our desire for an explanatory theory. Annas calls these competing factors ‘the intuitive requirement’ and ‘the theoretical pull’.<sup>42</sup> We believe happiness should involve enjoyment of the good things in life, and so intuitively accept that it may be affected by external goods and circumstances. However, we also want happiness to embody self-sufficiency and completeness,<sup>43</sup> and so are drawn to a theoretical understanding of happiness in terms of a whole life lived within a moral framework, one ultimately under the agent’s control. For the Stoics, this was ‘living according to virtue’; for Aristotle, it was ‘activity of the soul in accordance with virtue’.<sup>44</sup> While the Stoic understanding satisfies ‘the theoretical pull’ of the idea of completeness and self-sufficiency of the virtuous life, it also raises questions about our intuitive understanding of happiness. Aristotle thought it obviously absurd to call someone on the rack ‘happy’,<sup>45</sup> and our intuitions about the value of external goods must somehow be satisfied. This was the problem which faced Stoic theory and became the main area of debate between the Stoics and the Peripatetic successors of Aristotle.

### 5.1.1. Concluding thoughts

In challenging the view of Aristotle and the later Peripatetics that our common-sense intuitions should be the starting point for ethical theory, the Stoics found themselves in a counter-intuitive position, since their theory advocates, and indeed requires, substantial revision of our intuitions about happiness. But these intuitions cannot be so easily revised. To argue that virtue (or indeed vice) cannot be increased runs counter to the intuition that it takes more virtue to act well in difficult circumstances or that there are varying degrees of vice. By denying that external ‘goods’ are necessary for happiness, we are forced into admitting things which seem absurd; do all external ‘goods’ really exist merely to serve virtue.<sup>46</sup> And ultimately, in extreme circumstances, when all hope of virtuous living is gone,

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<sup>42</sup> Annas, *MH*, 365ff.

<sup>43</sup> As Aristotle states in *NE* I, 7, if happiness is to be our final end, it must be chosen for its own sake and be self-sufficient, a self-sufficient thing being ‘one which by itself makes life desirable and in no way deficient’ (*NE* 1097b15-16). It is an analytic truth that an end which is complete and self-sufficient has no need of any other good.

<sup>44</sup> *NE* 1098a18

<sup>45</sup> *NE* 1153b18-20

<sup>46</sup> Annas asks whether one can really believe that losing one’s child affects one’s happiness only to the extent that one has lost opportunities to be a virtuous parent. *MH*, 384.

and so there is no possibility of happiness, the only rational option left is suicide.<sup>47</sup> It is hardly surprising that the Stoic sage, that paradigm figure for moral expertise, who exemplified moral consistency and mastery of all passions, was in the end nowhere to be found, even from within the ranks of the Stoic philosophers themselves.<sup>48</sup>

Although, as we have already noted, some virtue ethical thinkers do follow Stoic philosophy, as far as the theist is concerned, the Stoic version of *eudaimonia* seems to provide less conceptual space for a theistic interpretation than that of Aristotle. As we noted in the Introduction, one aim of this project is to construct a bridge between the world of the OT and the present, and it was proposed that such a bridge can be constructed in part on the understanding of a common human nature. Ethical theory must make sense of human nature as it is experienced and this includes human intuitions. Stoic theory fails here. Although it has an undeniable theoretical pull, it does not do justice to our intuitions and is not empirically verifiable. Our proposed conversation between theism and CVE must pursue a different route. And so, from the Stoics, we now turn to Aristotle to see whether his theory of *eudaimonia* is better equipped to provide a framework for a theistic virtue ethical theory. Certainly, the historical data might give us cause for optimism since Aristotle's ethical theory has been the inspiration for theistic as well as nontheistic accounts of morality.<sup>49</sup> Since any endorsement of Aristotle's ethical thought must be based on a reflective assessment of it, it is imperative that the would-be neo-Aristotelian be clear about what Aristotle himself actually said, what his theory looks like and what problems as well as advantages are associated with it. We shall now spend some time, therefore, examining his theory and particularly his presentation of *eudaimonia* and two problems in particular which impact the way his thinking can be appropriated by contemporary virtue ethicists, theist and non-theist alike.

## 5.2. Aristotle on *eudaimonia*

Aristotle shares with the Stoics the idea that virtue is necessary for *eudaimonia*, but he held back on claiming its sufficiency. To Plato the happy soul was the one where the parts were in harmony and ruled by justice.<sup>50</sup> Aristotle, similarly, relates happiness to virtue within the

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<sup>47</sup> See for example Clement *Stromateis* IV 6 (*Stoicorum Veterum Fragmenta* III 765), cited in Annas, *MH*, 409.

<sup>48</sup> See Long, *Hellenistic Philosophy*, 205-9.

<sup>49</sup> Probably the most famous Christian follower of Aristotle was Aquinas while in the world of Muslim thought we can think of Maimonides and Averroes. Hursthouse is one example of a nontheistic adherent from the world of CVE.

<sup>50</sup> See the *Republic*.

framework of his account of the soul.<sup>51</sup> But unlike Plato, Aristotle rejects the idea that there are abstract, transcendent, ‘forms’ to appeal to.<sup>52</sup> What he seeks to investigate in the *Ethics* is not the Idea of Good, nor the common good, but that good which is the end of man, because that good alone is attainable by human action. Ethics to Aristotle was a practical matter, grounded in human experience, and he rejected the idea that it was possible, desirable or even necessary to search for any universal good.<sup>53</sup> Happiness, that good which is the end of man, is simply tied to excellent activity of the soul.

Since, according to Aristotle, rationality is the defining feature (‘form’) of human beings, he begins in the *Ethics* by stating the teleological nature of all rational activity: ‘Every art and every investigation, and similarly every action and pursuit, is considered to aim at some good’.<sup>54</sup> But some ends are clearly subordinate to others. There must be one good, the supreme good, which is chosen purely for its own sake and not for the sake of anything else,<sup>55</sup> and his task is to describe it. He claims that it is generally agreed that this good or end is happiness, understood as living well or doing well.<sup>56</sup> However, popular opinion varies on the nature of happiness: for the ‘masses’ it is pleasure; for those in political life it is honour; for the wise it is a life of contemplation.<sup>57</sup> He promptly dismisses pleasure and honour but his own endorsement of the last option, the contemplative life, is merely implicit in Book I, 7, and he intriguingly postpones its discussion.<sup>58</sup> What then, is his preliminary account of happiness, that one good not chosen for the sake of anything else, and how does he justify it?

In Chapter 7, Aristotle provides his preliminary definition of happiness, the supreme good, as ‘the activity of the soul in accordance with virtue’, and later justifies it using his argument from function. He begins by considering that a good flautist or sculptor is one who is

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<sup>51</sup> Moral virtue is excellence of the appetitive part; intellectual virtue excellence of the rational part.

<sup>52</sup> ‘Form’ to Aristotle was the inner essence of a thing, that which provided an answer to the question ‘What is it?’ The human form is rationality.

<sup>53</sup> *NE I*, 6.

<sup>54</sup> *NE* 1094a1-2.

<sup>55</sup> *NE* 1097b5-6. Other objects such as honour, pleasure, intelligence (νοῦς), and all forms of excellence (πᾶσα ἀρετή), we choose both for their own sakes but also for the sake of happiness. *NE* 1097b5-6.

<sup>56</sup> *NE* 1095a18-20.

<sup>57</sup> See *NE I*, 5. Aristotle is clearly dismissive of the life of pleasure: ‘The utter servility of the masses comes out in their preference for a bovine existence’ and even some of those in power ‘share the tastes of Sardanapalus’ (the Assyrian king whose decadent lifestyle was legendary). *NE* 1095b20-22.

<sup>58</sup> He says: ‘this we shall examine later’, and it turns out to be much later, in the final book of the *Ethics*. See *NE X*, chapters 7 and 8.

excellent in the performance of his specific function (*ergon*). By analogy, the supreme good for a human being is excellence of the *characteristic* function, that particular *ergon* by which the excellence of human beings *qua* human beings can be judged. This function will be distinct from the ‘lower’ functions, for example those related to nutrition, health and reproduction which, although essential for human life, are shared with animals and even some plants. Aristotle concludes that the characteristic function or activity of the human soul is reason.<sup>59</sup> If the function of man is to exercise reason, then a good man will exercise reason well.<sup>60</sup> And so Aristotle concludes: ‘the good for man is an activity of the soul in accordance with virtue, or if there are more kinds of virtue than one, in accordance with the best and most perfect kind’.<sup>61</sup> *Eudaimonia*, then, consists in activity and not merely the potential for function. Moreover, this activity must characterise the whole of a person’s life: ‘One swallow does not make a summer; neither does one day. Similarly, neither can one day, or a brief space of time, make a man blessed [μακάριον] and happy [εὐδαίμονα]’.<sup>62</sup>

Aside from objections to Aristotle’s theory on the grounds of its teleological nature,<sup>63</sup> there are two main problems with Aristotle’s views on *eudaimonia* which must be addressed by a would-be follower of Aristotle. This first is what *eudaimonia* consists in. What exactly is the characteristic activity of humans which specifies their good? Aristotle seems to provide two accounts. And the second problem concerns the relation of *eudaimonia* to external goods. Neo-Aristotelians must try to answer the problems in Aristotle’s theory. And the theist who seeks to draw on Aristotle’s theory must hold onto the idea that God is in the picture.

### 5.2.1. The nature of *eudaimonia*

The first problem we encounter in Aristotle’s theory is his apparent uncertainty over the exact nature of the characteristic human activity (*ergon*). Aristotle has defined *eudaimonia* as ‘activity of the soul in accordance with virtue’, but the interpreter of the *Ethics* must decide whether Aristotle offers a single account, or two distinct accounts, for there is an apparent disjunction between the descriptions in the first and last books of the *Ethics*. Can this be

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<sup>59</sup> *NE* 1098a7-8.

<sup>60</sup> The ‘continent’ man, by contrast, is obedient to reason but not without some struggle and the ‘incontinent’ man (who is guided by the irrational part of the soul) is not.

<sup>61</sup> *NE* 1098a17-19. At this point, Aristotle has not yet made explicit the nature of this virtue.

<sup>62</sup> *NE* 1098a20-22.

<sup>63</sup> Crisp, for example, calls Aristotle’s argument from function ‘notorious’. Crisp, “Well-Being”, 15. He also objects to the use of the word ‘flourishing’ because of its teleological implications.

explained or is it evidence of indecision or even confusion on Aristotle's part? Since it is the characteristic human activity which determines and defines the good we must be clear about what Aristotle meant by the activity of the soul.

Beginning in Book I, 7, and indeed for most of the *Ethics*, Aristotle seems to hold that *eudaimonia* consists in a life where actions exhibit moral virtue and are guided by practical wisdom (*phronesis*). However, towards the end of the *Ethics*, Aristotle states: 'If happiness is an activity in accordance with virtue, it is reasonable to assume that it is in accordance with the highest virtue, and this will be the virtue of the best part of us'.<sup>64</sup> The best part of us, he asserts, is the most divine part, and this is the intellect (*nous*). The activity of the intellect is contemplation (*theoria*), and the corresponding virtue is *sophia*. At this point, Aristotle appears to be saying that the happiness associated with moral virtue is of a lesser kind: 'Life in conformity with the other kind of virtue will be happy in a secondary degree, because activities in accordance with it are human'.<sup>65</sup> Why exactly does Aristotle focus on the divine element in our nature at the end of NE?<sup>66</sup> Is there an inconsistency here? Could it be, as Thomas Nagel suggests, that because Aristotle seems uncertain about the relation between *nous* and the rest of the soul, he may be unsure of who we are as human beings, and so unable to state unequivocally what exactly *eudaimonia* consists in?<sup>67</sup> The comprehensive account would certainly reflect Aristotle's view of the composite nature of human beings, the ensouled human body involving interaction between sense-perception, emotion and reason.

Opinion is divided over the interpretation of Aristotle's account. Richard Kraut argues strongly for the view that *eudaimonia* consists in contemplation alone.<sup>68</sup> And this certainly makes sense of Aristotle's qualifier to his initial definition, that if there is more than one kind of virtue, then the good for man will be activity 'in accordance with the best and most perfect

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<sup>64</sup> Book X, 7. Presumably, *theoria* would have been included in the comprehensive account.

<sup>65</sup> NE 1178a9.

<sup>66</sup> NE 1178b7-33. At the end of the *Eudemian Ethics* Aristotle also states that contemplation of God is the best activity, even though for the most part of this work too, *eudaimonia* was more comprehensively portrayed: 'whatever choice or possession of natural goods – bodily goods, wealth, friends, and the like – will most conduce to the contemplation of God is the best; this is the finest criterion. But any choice of living that either through excess or through defect hinders the service and contemplation of God is bad. This applies to the soul: for the soul the ideal standard is to have the minimum awareness of the irrational part of the soul qua irrational'. EE 1249b17-24.

<sup>67</sup> Thomas Nagel, "Aristotle on Eudaimonia." *Phronesis* 17, no. 3 (1972): 252-59, 253. In the *De Anima [DA]*, Aristotle lays out his theory of the human soul ('soul' is the form or essence of thing): it comprises a nutritive faculty (shared with plants and animals), the faculty of sense-perception (shared with animals), and the intellect.

<sup>68</sup> See Richard Kraut, *Aristotle on the Human Good* (Princeton, N.J.: Princeton University Press, 1989).

kind'.<sup>69</sup> Others such as Annas feel, understandably, that this does not adequately explain the substantial discussion of the moral life in the *Ethics*.<sup>70</sup> *Eudaimonia* must surely consist in *both* moral virtue *and* contemplation. Gerard Hughes tentatively adopts this solution:

both *thēoria* and the life of a morally admirable member of the community are explained by the fact that a fulfilled life involves using our minds on both levels, so far as it is possible, and explains why we value using our minds well to think about both practical and theoretical questions.<sup>71</sup>

How do we resolve this seeming paradox? The 'both-and' solution is intuitively plausible but theoretically unsatisfying. If the human *ergon* is a composite, which configuration of parts is the ideal? On what basis are we to judge between the exercise of moral virtue and contemplation? Or does it vary from one individual to another? We noted earlier that the ideal axiological theory is monistic. Is ultimate value or 'The Good' pluralistic for Aristotle after all?

Nagel's proposed resolution of the paradox is to opt for a hierarchical interpretation. *Eudaimoinia* must consist in the excellence of the function of reason. But, while the comprehensive account corresponds to the 'caretaker function' of the rational faculty which is the practical exercise of reason (*phronesis*) needed for ethics, the intellectualist account of Book X corresponds to the supreme function of reason (*theoria*) which is to enable man to concentrate on things higher than himself and so in some way to participate in them.

Human possibilities reveal that reason has a use beyond the ordering of practical life. The circle of mutual support between reason, activity, and nutrition is not completely closed. In fact, all of it, including the practical employment of reason, serves to support the individual for an activity that completely transcends these worldly concerns . . . A person should seek to transcend not only his individual practical concerns, but also those of society or humanity as a whole.<sup>72</sup>

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<sup>69</sup> *NE* 1098a17-19.

<sup>70</sup> See, for example, her comment on *NE* 1098a16-20. *MH*, 367, n. 9.

<sup>71</sup> Gerard J. Hughes, *Routledge Philosophy Guidebook to Aristotle on Ethics* (London: Routledge, 2001), 50.

<sup>72</sup> Nagel, "Aristotle on Eudaimonia", 257. Nagel's hierarchical conception of the *ergon* finds a parallel in Aristotle's hierarchical conception of the faculties of the soul. See *De Anima* II.2-3.

On Nagel's interpretation, the intellectualist account seems to describe a good which, strictly speaking, is not really a human good at all. Moreover, he suggests that the comprehensive human good should not be the sole goal of living.<sup>73</sup> Although Nagel speaks of 'transcending worldly concerns', and even detecting what are 'almost Augustinian sentiments',<sup>74</sup> he is not specifically appealing to theism. Nevertheless, his suggestion may open a promising route for the theist. Rather than see these two interpretations of the human *ergon* as irreconcilable, the biblically minded theist might see them as inter-related in a way which Aristotle could not. Perhaps Nagel is right and Aristotle is ultimately unsure about who we are as human beings. But the theist can answer that our creation in the image of God declares our identity and explains why the contemplation of God might be our chief end, not the God which Aristotle did not know but the God who is knowable.

It will be argued that if the human *telos* is understood as relationship with God, then the virtuous life can be seen as the characteristic activity which initiates and maintains that relationship. Moreover, the life of moral virtue enables us to transcend worldly concerns, and engage in the higher activity of the contemplation of God, understood by the theist as delight in, and worship of, God. In the final section of this chapter, we will consider in more detail how the characteristic activity of the human being can be understood, from a theistic perspective, as pursuing the good of relationship with God.

### 5.2.2. *Eudaimonia* and external goods

Our second problem with Aristotle's position on *eudaimonia* concerns its relation to external goods. In our discussion of the Stoics, we acknowledged the tension between 'the intuitive requirement' that happiness can be affected by external goods and circumstances, and the 'theoretical pull' of the conception of happiness as self-sufficient and complete, and subject to the agent's control. The Stoics, as we have seen, held that virtue was both necessary and sufficient for happiness: they were true to 'the theoretical pull', but neglected 'the intuitive requirement'. Aristotle, on the other hand, while stating at various points that *eudaimonia* did require a sufficient supply of external goods, was ultimately ambivalent over the exact relation between the two, and this ambivalence generated an instability for his theory which fuelled the later debate between his theoretical descendants and the Stoics.

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<sup>73</sup> Ibid., 258.

<sup>74</sup> Ibid., 253.

Admittedly, the conclusion of the argument from function yielded the definition that *eudaimonia* consisted in completely virtuous activity over a whole lifetime (*NE* I, 7).<sup>75</sup> This definition is in line with the theoretical pull, as is his resistance to the idea that that happiness could be the result of chance or a divine gift.<sup>76</sup> Yet in the following chapter he adds that *eudaimonia* also needs a supply of external goods.<sup>77</sup> In contrast to the Stoics, then, Aristotle did acknowledge ‘the intuitive requirement’. He insists that while virtue is necessary for happiness, it is not sufficient;<sup>78</sup> in fact, such a thesis, he claims, is highly counter-intuitive. In addition to seeking virtue for its own sake, we seek it also for the sake of happiness, then happiness is conceptually distinct, and so must include other goods, such as pleasure:

everyone assumes that the happy life is a pleasant life, i.e. makes pleasure a constituent of happiness – with good reason. For no activity is perfect if it is impeded, and happiness is a perfect thing. That is why the happy man needs (beside his other qualifications) physical advantages as well as external goods and the gifts of fortune, so that he may not be hampered by lack of these things. (Those who maintain that, provided he is good, a man is happy on the rack or surrounded by great disasters, are talking nonsense, whether intentionally or not.)<sup>79</sup>

So what was Aristotle’s position on the relation between external goods and happiness?

There seem to be two ways to interpret his thought. The first is that, although external goods may be necessary resources for the production of fine deeds, so that without them virtuous activity may be severely hampered if not impossible, their value is merely instrumental.

Aristotle seems to be of this opinion when he says: ‘it is difficult if not impossible to do fine deeds without any resources’.<sup>80</sup> If not instrumental through being actual resources, external goods may be necessary for the creation of the circumstances where virtuous activity can

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<sup>75</sup> See also *EE* II, 1, 1219a35-39.

<sup>76</sup> *NE* Book I, 9. ‘That the most important and finest thing of all should be left to chance would be a gross disharmony’, *NE* 1099b24. See also Aristotle’s wrestling with the impact of changing fortunes on the virtuous man’s happiness (Book I, 10).

<sup>77</sup> *NE* 1099a31ff. See also *NE* 1101a14-16 (Book I, 10) where Aristotle includes external goods in a revised version of his definition of *eudaimonia* given in I, 7. External goods are all goods external to the soul, i.e. all goods other than the moral and intellectual virtues, the innate features of the mind and personality, pleasure and knowledge.

<sup>78</sup> He first states the idea that external goods are necessary for happiness in Book I of *NE*: For a similar statement see *EE* 1215a12-19, and *The Politics* 1323b24-29.

<sup>79</sup> *NE* 1153b14-25.

<sup>80</sup> *NE* 1099a32-33. For example, inherited wealth and well-placed friends would be necessary to enable a virtuous life according to Aristotle.

occur. In the absence of these circumstances, an individual's opportunity for the exercise of virtue will, conceivably, be restricted.<sup>81</sup> Aristotle believes that a person who is very ugly, of low birth, or whose friends are worthless, or dead is not a happy person.<sup>82</sup> But is this really only because he is deprived of the opportunity for virtuous activity? On this interpretation, external goods are merely means to the intrinsic good of virtue. And this does seem a reasonable interpretation of Aristotle's comment that happiness 'is a kind of virtuous activity of soul . . . whereas all the other goods either are necessary preconditions of happiness or naturally contribute to it and serve as its instruments'.<sup>83</sup>

According to Cooper, who endorses this instrumental view, the reason why Aristotle includes the external goods as 'a *second* component' of *eudaimonia* is 'only because of the effect they have in enabling the virtuous person to live, and go on living, a fully virtuous life'.<sup>84</sup> The virtuous person, therefore, will not be motivated to pursue them for their own sake, but merely for their value to the furthering of virtue. But surely there are situations where a virtue is exercised simply because the good is sought? How could we even make sense of temperance if one of our ends is not the pursuit of health? This view is deeply problematic.

Annas sums up the difficulty:

If only virtuous activity has intrinsic value for the virtuous person, and she is concerned with external goods merely as means to this, it looks as though the virtuous person's activity can never get started. If I act out of temperance, I seem to be aiming at health; but on this view, I am really aiming at health in order to have a decent field of activity for my exercise of temperance. But the exercise of temperance must aim at something beyond itself, or we would never have any independent access to the idea of what the temperate person does. Nor would we ever come to see what we intuitively assume to be the point of being temperate, rather than self-indulgent.<sup>85</sup>

And the question of the loss of external goods is even more difficult to resolve on this interpretation. Can it really be that the only reason why the virtuous man cannot be happy on the rack is because he is deprived of the opportunity for virtuous activity?

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<sup>81</sup> John Cooper suggests that good looks and good birth, for example, or even having good children, will open doors for opportunity for the exercise of virtue. Cooper, "Aristotle on the Goods of Fortune.", 182-4.

<sup>82</sup> *NE* 1099b2-7.

<sup>83</sup> *NE* 1099b26-28.

<sup>84</sup> Cooper, "Aristotle on the Goods of Fortune", 195-6 [original italics].

<sup>85</sup> Annas, *MH*, 379-380.

The alternative interpretation is that external goods do have intrinsic value in addition to any instrumental value with regard to exercising the virtues. On this interpretation, the lack or loss of external goods spoils happiness simply because they are constituent parts of it. But, unlike the first interpretation which leaned in the direction of the Stoics, this second one, which grants external goods intrinsic value, encounters the challenge of completeness and self-sufficiency. Aristotle appears to face a dilemma: either he admits that happiness is not complete, since it can be increased by the supply of other goods, or he allows that additional goods are necessary for happiness and yet do not increase its value. His ambivalence can be seen in the following extract from the *Ethics*:

when a man bears patiently a number of heavy disasters, not because he does not feel them but because he has a high and generous nature, his nobility [*kalon*] shines through. And if, as we said, the quality of a life is determined by its activities, no man who is truly happy can become miserable; because he will never do things that are hateful and mean. For we believe that the truly good and wise man bears all his fortunes with dignity, and always takes the most honourable course that circumstances permit; just as a good general uses his available forces in the most militarily effective way, and a good shoemaker makes the neatest shoe out of the leather supplied to him, and the same with all the other kinds of craftsmen. And if this is so, the happy man [*eudaimōn*] can never become miserable – although he cannot be entirely happy [*makarios*] if he falls in with fortunes like those of Priam.<sup>86</sup>

Aware of the intuitive idea that happiness is affected in cases of severe loss of external goods, is Aristotle being forced to introduce what is essentially a two-tiered structure, where the ‘lower’ tier is the experience of the *eudaimōn*, one resistant to the loss of these goods, and the ‘higher’ one some state which can be affected by loss of goods and which is rendered by *makarios*? Although this was argued by some ancient philosophers, most of Aristotle’s modern commentators doubt that this was his intention.<sup>87</sup>

### Concluding thoughts

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<sup>86</sup> *NE* 1100b33-1101a8.

<sup>87</sup> Although this is the line of reasoning adopted by Antiochus, and Arius Didymus, Annas rejects it, claiming that the two words have been inserted for stylistic rather than substantive reasons. *MH*, 383. Nussbaum argues that Aristotle makes no significant distinction between the two terms. Nussbaum, *Fragility*, 330-334. Anthony Kenny, however, upholds the distinction, claiming that Aristotle seems reluctant to use the word *makarios* to refer to human happiness since it would be ‘presumptuous’ to use the same word which is usually reserved for the happiness of the immortal gods. *EE* 1215 a 9-10. (*EE* Notes, 50).

We have seen how there are problems for Aristotle's conception of *eudaimonia* as the good or *telos* for human beings. The first is his apparent offering of two distinct views of the human function. And the second is his ambivalence over the nature of the relation of *eudaimonia* to external goods. Although his theory is preferable to that of the Stoics, Aristotle's attempt to satisfy the intuitive requirement, while also retaining the theoretical pull is ultimately unsatisfactory and the inherent tension is left unresolved.<sup>88</sup> In addition, and particularly to modern mind, his theory appears elitist, and too narrow; neither the masses nor those engaged in public life, nor women nor slaves can ever achieve *eudaimonia* since they can never be truly virtuous. However, in the final section of this chapter, we will suggest that the problems inherent in Aristotle's theory of *eudaimonia* might be answerable through the adoption of a theistic perspective, one where God is at the centre.

### 5.2.3. Aristotle and the *kalon*

However, before we leave Aristotle's thought on the *telos* of human beings, there is one final concept to consider which may strengthen the argument that a teleological reasoning belongs in the OT, and this is the concept of the *kalon*.<sup>89</sup> According to Aristotle there are three categories of value which form the basis of choice; the fine (*kalon*),<sup>90</sup> the advantageous (*sumpheron*), and the pleasant (*hēdu*). The good man will choose well, and the bad man badly, especially regarding pleasure.<sup>91</sup> The virtuous person pursues virtue not only for its own sake, rather than out of benefit or whim or even duty, but also for the sake of the *kalon*.<sup>92</sup> There is therefore what we might call an internal dimension to virtuous choice. So, while each of the virtues is an end, intrinsically valuable in itself, and at the same time a means to the virtuous activity which is constitutive of *eudaimonia*, the virtuous person must not only possess all the virtues, but also characteristically pursue virtuous acts for the sake of the *kalon*. It is with this aim that the virtuous person will pursue courage, for example, even in the face of wounds or death.<sup>93</sup>

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<sup>88</sup> Aristotle's 'Peripatetic' successors inherit the problem and are forced into sharpening their arguments in the face of the attack from Stoic theory.

<sup>89</sup> We have already met this word in the last quotation from Aristotle.

<sup>90</sup> Since the primary meaning of *καλόν* seems to be aesthetic, it is often simply translated 'beautiful'. Other translations are required to capture the moral sense. Some translations of Aristotle use 'fine' or 'honourable', (e.g. J. A. K. Thomson, *NE*); others use 'noble' (e.g. H. Rackham, *NE, EE*; Anthony Kenny, *EE*.)

<sup>91</sup> While, for Aristotle, what is fine is also pleasant, the reverse is not always true. *NE* 1104b30-1105a1.

<sup>92</sup> 'Virtuous actions are fine and are done for a fine end'. *NE* 1120a23. See also *EE* 1248b34-37.

<sup>93</sup> *NE* 1117b7-9.

The courageous man, however, is undaunted, so far as is humanly possible; he will fear what it is natural for man to fear, but he will face it in the right way and as principle directs, for the sake of what is right and honourable [τοῦ καλοῦ ἔνεκα]; for this is the end of virtue [τοῦτο γὰρ τέλος τῆς ἀρετῆς].<sup>94</sup>

There is an essential difference, then, between what is good (ἀγαθόν), and what is fine or noble (καλόν). For goods to be *kalon* they must be praiseworthy as well as valuable for their own sake.<sup>95</sup> And even those goods which are *kalon* can be pursued in the wrong way; if a person seeks to acquire virtue, but only for the sake of natural goods, then that person may be good, but he is not *kalon*.<sup>96</sup> “Nobility [καλοκάγαθία], then, is complete virtue”.<sup>97</sup> And so there cannot be *eudaimonia* (a life of virtuous activity) unless virtue is pursued for the sake of the *kalon*.

But what exactly is signified by the term *kalon*? The primary meaning of the adjective is beautiful, but in addition to the aesthetic, it can also designate excellence of function. And so, in Aristotle, *kalon* can refer to what is appropriate or useful for things in the natural world,<sup>98</sup> the order and symmetry which abstract objects display,<sup>99</sup> or the appropriate size for an ordered city.<sup>100</sup> *Kalon*, then, refers to a cluster of concepts which include order (τάξις), proportion or symmetry (συμμετρία), equilibrium (ἡρεμία), what is fitting (πρέπον), and what is not subject to chance (μὴ τυχόντως). Terence Irwin argues that, in his ethical works, Aristotle makes a conceptual distinction between moral rightness and beauty on the basis of the notion of praiseworthiness; praise (and blame), after all, can only be apportioned where there is the possibility of voluntary action and corresponding responsibility, and the ethical

<sup>94</sup> *NE* 1115b11-13. See also *NE* 1116a11.

<sup>95</sup> *EE* 1248b17-25. Health and strength, although goods, are not praiseworthy. *EE* 1248b22-25. In fact, they can be harmful if possessed by a vicious person. *EE* 1248b30-31.

<sup>96</sup> Aristotle mentions the Spartans as an example of such men. *EE* 1248b38-39. To the noble person even the useful will be noble since he will have the correct motivation.

<sup>97</sup> *EE* 1249a16.

<sup>98</sup> For examples see T. H. Irwin, “The Sense and Reference of *Kalon* in Aristotle.” *Classical Philology* 105, no. 4 (2010): 381-96, 386-88.

<sup>99</sup> In the *Metaphysics* XII, Aristotle comments that the mathematical sciences provide evidence of the greatest (μέγιστα) forms of the *kalon*, and Rackham has no difficulty in translating *kalon* as beautiful here: ‘the main species of beauty are orderly arrangement [τάξις], proportion [συμμετρία] and definiteness’ [ὀρισμένον] (1078a31-b2).

<sup>100</sup> *Politics* 1326a33.

καλόν fits this criterion.<sup>101</sup> Kelly Rogers, on the other hand, believes that, where virtue is concerned, the aesthetic and the functional are not separable metaphysically. In fact, she finds that the qualities of order and equilibrium which underlie the notion of the *kalon*, are the source of beauty as well as excellence of function.<sup>102</sup> This seems the more plausible idea in view of the prominence of the aesthetic use of *kalon* in the literature from Homer onwards. Whether Aristotle sees beauty in virtue or not, he is clear that a moral exemplar is one who acts not only rightly (ὀρθῶς) but also nobly (καλῶς).<sup>103</sup> His life will then display excellence of function,<sup>104</sup> and appropriate and fitting actions with regard to the mean,<sup>105</sup> all the while guided by fine ideals, heeding the voice of reason (*logos*),<sup>106</sup> and acting from fine motives.<sup>107</sup> Ultimately, virtue is *kalon* because it reflects order and harmony (or equilibrium) in the soul.<sup>108</sup>

So, if the *kalon* is such a crucial concept in Aristotle's discussion of virtue, in that it provides a standard for virtuous activity, (virtuous acts are only virtuous if done for the sake of the *kalon*) what is its metaphysical explanation? Aristotle accepted that people struggle to be virtuous (it is much easier to miss the mean than to hit it),<sup>109</sup> but the best human life will be one lived in the 'service and contemplation' of God, and especially in contemplation, since that best imitates the activity of God.<sup>110</sup> The ultimate standard for the *kalon*, then, and its metaphysical explanation, according to Aristotle, was God 'himself'. However, here we encounter a difficulty. The temptation for the theist is to read into Aristotle ideas which were

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<sup>101</sup> NE 1109b31; EE 1223a9-15. The virtuous person acts for the sake of the καλόν, not for the sake of beauty, though Irwin does concede that certain virtues, e.g. magnificence which aims at the common good, may require an eye for beauty. Irwin, "Sense and Reference", 392. Essentially, Irwin argues for the existence of two homonyms.

<sup>102</sup> Kelly Rogers, "Aristotle's Conception of Τὸ Καλόν", *Ancient Philosophy*, 13 (1993): 355-71, 358. Virtue is functional excellence to Aristotle as we have seen, and the mark of virtue is to have the right feelings at the right times on the right grounds towards the right people for the right motive and in the right way, by conforming to a mean between excess and deficiency. See NE 1106b21-23.

<sup>103</sup> NE 1179a29.

<sup>104</sup> NE 1106a16-24.

<sup>105</sup> Cf NE 1119a18, 1122b23-30; EE 1249a9.

<sup>106</sup> NE 1180a11-12.

<sup>107</sup> NE 1122b6-7.

<sup>108</sup> Cf. Plato's idea that virtue is beauty (κάλλος) of the soul (*Rep.* 444e).

<sup>109</sup> E.g. NE 1106b29-35.

<sup>110</sup> EE 1249b21. It is hard to know what Aristotle meant here by serving God. Kenny suggests that serving (θεραπεύειν) God is the work of the virtue of φρόνησις, while the contemplation (θεωρία) of God is the work of the virtue of (σοφία). Notes to EE, n. 20, p. 188.

foreign to his thought. Aristotle's God is not the Judeo-Christian God. He is neither personal nor a creator.<sup>111</sup> The prime mover is the source of all change and process in the universe, but cannot be subject to process himself. He is pure actuality, and therefore cannot be an efficient cause (which requires potentiality). He is cause only in the sense of final cause and causes process by being an object of desire, or an 'intentional object' to use today's terminology. If the divine life is supremely desirable it must be the best possible life, and since the only activity of the prime mover is thinking about his own thinking, then the best activity for human beings will be contemplation, and in particular contemplation of the divine.<sup>112</sup>

Aristotle clearly did have a conception of some ultimate reality beyond the human soul, and so of some good beyond the human good. But, although he points to God as the ultimate standard for the *kalon*, what can this mean, not just for metaphysics, but also for ethics? How does the *kalon* possess a moral significance? Aristotle's God does not act in the world nor possess any character attributes which might enable imitation.

We shall return to these questions in the next section which considers Aristotle's thoughts on *telos* from an OT perspective, and argue that the God of the OT can shed light on these difficulties in Aristotle's theory.

## 6. *Eudaimonia* in the OT?

Having argued for an Aristotelian understanding of the *telos*, where *eudaimonia* is the good which is the end of all ethical reflection, the next stage in this investigation is to see whether it is possible to interpret Aristotle's views along theistic lines. In particular, can we see a proto-Aristotelian concept of *eudaimonia* in the OT texts, or does the happiness we find there resonate more with contemporary understandings of happiness as a mental state, closer perhaps to hedonism? Can the accusations of ambivalence in Aristotle's theory over the exact nature of the human *ergon* (a life of contemplation or a life of moral virtue?) be resolved by appealing to the OT texts and the God whom they reveal? And how does a theistic worldview shed light on the relationship between *eudaimonia* and external goods? We must always keep in mind that the OT does not naturally lend itself to systematic understanding of either theology or ethics, and that this type of enquiry is always in danger of

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<sup>111</sup> Clearly, there are problems using the pronoun 'he' for Aristotle's God, but 'it' doesn't seem quite right either.

<sup>112</sup> For the primary discussion of Aristotle's theology see Book XII, 7 of the *Metaphysics*, (1072b14-21) where Aristotle seeks to find the source of all substance.

reading in what we desire to find. Hebrew has no direct semantic equivalent to *eudaimonia*, and the word does not appear in the Septuagint, nor indeed is there a Hebrew word for virtue. If we are to make progress, we must search for an OT idea of *telos* in its own terms.

We might expect to find help through exploring the vocabulary of the OT, beginning, perhaps, with the word commonly translated ‘happiness’ (‘*ašrê*). In the Psalms, for example, we find that the happy person is the one who do not follow the advice of the wicked (Ps 1:1), whose transgression is forgiven (Ps 32:1), who makes the LORD his trust (Ps 40:4), whose way is blameless and who walks in the law of the LORD (Ps 119:1). Happiness, then, is found in following Yahweh, obeying his commandments, and experiencing his forgiveness following transgression of those commands and this picture of Torah obedience as the happy life certainly has a moral aspect. We shall return to this idea later. But the root ‘*šr* only appears twice in the Pentateuch,<sup>113</sup> and a mere five times in the whole prophetic corpus. The investigation could be widened to include other words in the semantic field which evoke displays of happiness, such as rejoicing and delighting, as Jaqueline Lapsley has done in her study of happiness in Isaiah.<sup>114</sup> But these are in large part mere expressions of a mental state and do not convey what Aristotle meant by *eudaimonia*. Even if we accept that word studies have their limitations, and that the lack of a specific word does not necessarily mean the lack of the underlying concept, we get no further unless we are clear about what it is we are searching for. Terence Fretheim, for example, suggests we search for OT accounts of experiences of joy, but here again we see a departure from Aristotle.<sup>115</sup> Experiences are short lived, and rejoicing is short lived; even the rejoicing over the deliverance from Egypt was quickly followed by grumbling.<sup>116</sup> Happiness to Aristotle, we might remember, was an activity and concerned the whole of a life.

Often scholars writing on the good or the flourishing life in the OT merely list the things which might be thought to make the people’s lives happy (in the contemporary sense).<sup>117</sup> For

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<sup>113</sup> Gen 30:13; Deut 33:29.

<sup>114</sup> In addition to ‘*šr*, Lapsley examines other roots such as *šmh*, *twb*, *šlm*, *hps*, *rnn*. Jacqueline Lapsley, “A Happy Blend: Isaiah’s Vision of Happiness” in Brent A. Strawn (ed.), *The Bible and the Pursuit of Happiness: What the Old and New Testaments Teach Us About the Good Life*. Oxford: OUP, 2012.

<sup>115</sup> Terence E. Fretheim, “God, Creation, and the Pursuit of Happiness” in Strawn (ed.), *The Bible and the Pursuit of Happiness*.

<sup>116</sup> See Exod 15.

<sup>117</sup> Very often, of course, the OT text presents the opposite picture and attributes the people’s unhappy lives to their breaking of God’s commands. For example, God’s withholding the good of rain leads to poverty and famine.

example, Norman Whybray suggests that the good life in Israel, is a life of ‘entire contentment with things as they are’,<sup>118</sup> and comprises twelve features: security, land, power, food, longevity, wealth, family, justice, laws, wisdom, pleasure and trust in God. However, since he is not relating these features to a theory of value, we cannot say whether he regards these as instrumental or intrinsic goods, or whether he is advocating some form of axiological pluralism. This type of description of the good life is more Martin Seligman than Aristotle, and little more than a thick account of what the latter would term ‘external goods’.<sup>119</sup> For Aristotle, it was virtue which was primary, and the goods in some sense secondary: the very definition of *eudaimonia* was framed in terms of virtue. In many discussions of happiness in the OT, virtue does not even get a mention, and where it does it is not central enough to correspond to Aristotle’s idea. Nathan MacDonald, for example, does acknowledge the significance of virtue, but places it alongside other goods, such as wealth, friendships, (good) children, honour and good luck, which he calls ‘constituent parts’ of happiness. When combined, these goods provide ‘a rich vision of the happy life’.<sup>120</sup> However, as we have seen, it is not perfectly clear how Aristotle envisaged the relation between external goods and *eudaimonia*, and a ‘parts’ conception of *eudaimonia* is only one interpretation.<sup>121</sup> In any case, MacDonald does not specify that virtue is a *necessary* constituent, but merely one constituent alongside others. Ultimately, MacDonald’s claim for a parallel between *eudaimonia* as construed by Aristotle, and the Torah goods of wealth, children, property, and land is more optimistic than substantive.

Lapsley also argues for a parallel between Aristotelian *eudaimonia* and the OT. She believes the Isaianic vision of happiness to be ‘fundamentally eudaimonic’, since it portrays happiness as a life of virtuous activity, even though there is an essential difference in the details of that

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<sup>118</sup> R. N. Whybray, *The Good Life in the Old Testament* (London: T. & T. Clark, 2002), 4.

<sup>119</sup> The good life for Seligman contains ‘positive emotion, engagement, relationships, meaning and accomplishment’ [PERMA]. Martin E. P. Seligman, *Flourish: A New Understanding of Happiness and Well-Being - and How to Achieve Them* (London: Nicholas Brealey, 2011). See n. 38 above.

<sup>120</sup> Nathan MacDonald, “Is There Happiness in the Torah?” in Strawn (ed.), *The Bible and the Pursuit of Happiness*, 59, 67.

<sup>121</sup> MacDonald’s description of *eudaimonia* is taken not from Aristotle’s ethical works but from the *Rhetoric* (I.5, 1360b). But, since the *Rhetoric* was written as a manual for training public speakers, and not as a course on ethics, it ignores the complexity as well as the ambivalence of Aristotle’s thought on virtue and the good life. Moreover, since this description is given during Aristotle’s discussion of the *endoxa* (the prevailing popular opinion), it is not necessarily a reliable source for Aristotle’s ethical thought. Rogers cautions against this assumption: “Τὸ Καλόν”, 362.

activity.<sup>122</sup> However, she also finds what she terms ‘hedonic’ elements in the text: ‘for Isaiah, true human flourishing is not possible without the consistent pleasure of a good meal and a fine glass of wine’.<sup>123</sup> Such an assessment of *eudaimonia* leans more towards Epicurus than Aristotle.

The studies mentioned so far are certainly useful to the general discussion of happiness as an OT concept. But because they are, to a greater or lesser degree, importing our contemporary notions of happiness as a mental state, and because the happy life is not identified with the moral life (that is, a life lived according to virtue), they are of limited use to the present enquiry.<sup>124</sup> Such general and pluralist conceptions of the good life in the OT cannot further our search for the *telos* which could undergird a theistic virtue ethics understood along Aristotelian lines.

### 6.1. Virtue as Torah obedience? Answering the deontological objection

How then do we proceed? One plausible route might be to construe virtue as obedience to Torah, however understood. Although we have noted that MacDonald’s understanding of *eudaimonia* was not strictly speaking an Aristotelian one, he does take virtue, construed as Torah obedience, to be an important constituent of happiness, and believes that a relationship between obedience and happiness is grounded in the covenant: ‘If Israel obeys Torah, it will be blessed by YHWH in all it does (Deut 28:1-14). Israel will enjoy agricultural prosperity, large families and international repute’.<sup>125</sup> However, there seems to be an immediate objection to the understanding of virtue as Torah obedience from an Aristotelian perspective. This might be called a deontological objection. We shall first deal with this objection and then return to the two problems we detected in Aristotle’s account of *eudaimonia*. It will be suggested that a theistic version of *telos* can provide a solution to these problems.

If virtue is construed as Torah obedience, it is not clear whether the relationship is between virtue and happiness, or between obedience and happiness. The idea that if the people lead virtuous lives through Torah obedience then happiness will follow, is not an Aristotelian one.

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<sup>122</sup> Lapsley, “A Happy Blend”, 77-78.

<sup>123</sup> Ibid., 78. See also p. 84.

<sup>124</sup> That Lapsley does not presume an identity relation between the happy and the moral life is clear from the telling remark: ‘Human beings model their happiness on God’s happiness: as in the moral life (e.g. loving the stranger, Deut 10:18-19), so also in the happy life, it is a matter of *imitatio dei*’. Lapsley, “A Happy Blend”, 80.

<sup>125</sup> MacDonald, “Happiness in the Torah”, 71. Lapsley argues that the prophets also construe the virtuous life as a life of Torah obedience. Lapsley, “A Happy Blend”, 77.

A fundamental criterion of teleological ethics, as we have seen, is that the good is prior to the right. On this reading however, the inverse is true: obedience is prior to happiness. This is a deontological and not a teleological conception of ethics. As noted in the Introduction, it is the deontological conception which has dominated discussion of OT ethics. And much of the OT seems most naturally to read that way, even to those outside a theistic worldview. Peace, for example, comes to those who heed God's commandments (Is 48:18); there is, therefore, no peace for the wicked (Is 48:22). Isaiah makes the relation between righteousness and peace quite clear:

17 The effect of righteousness will be peace,  
and the result of righteousness, quietness and trust forever.  
18 My people will abide in a peaceful habitation,  
in secure dwellings, and in quiet resting places. (Is 32:17-18)

Righteousness is the cause of peace. A community characterised by justice and righteousness, that is a community living according to Torah, is a happy and peaceful community in the prophetic corpus. Although this seems to refer to the external good of peace, the Hebrew conception of peace (*šālôm*) is not delimited by its external aspect. *Shalom* is much more nuanced than that.<sup>126</sup> It can convey the idea of flourishing, both at the level of the individual, and of the community; where *shalom* is present, justice and peace will reign and relationships will flourish. A people living in accordance with the Torah will maintain a good relationship with God, and peace will be an evident effect.

But this is not necessarily to say that the Torah is prior to 'the Good'. If it is accepted that a life lived according to Torah is a life lived reflecting the character and holiness of God, then it is ultimately not the Torah but God who is the ground of ethics. The good life does not flow from Torah obedience, and cannot be reduced to it. The good life is a life of virtuous activity, and conformity to Torah might be seen as a measure of such a life, rather than the source of it. The life of the virtuous person is a life where there is internal harmony between character dispositions, motives and actions.

As we noted at the start, the secondary aim of this chapter, following the analysis of the concept of *telos*, was to see whether a teleological conception of ethics can be found in the

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<sup>126</sup> See, for example, Philip J. Nel, "שָׁלוֹם" *NIDOTTE*, 4:130-5.

OT. We therefore need a coherent conception of the *telos*, of the ultimate good for human beings, which could underpin a theological ethic. To this end we shall return to our previous discussion of the *kalon*. According to Aristotle, the life of the good man is a higher life, a life where virtue is consistently chosen *for the sake of the kalon*. Interestingly, the LXX translates the multiple occurrences of *tôb* (good) in the creation account of Genesis 1, with *kalon* rather than *agathon*.<sup>127</sup> *Kalon*, we noted, was linked to order, and the notion of order pervades the OT. There was order in the beginning. Torah observance is the right ordering of Israelite life and the detailed instructions concerning the construction of the Tabernacle and correct worship practice, as well as the day to day life in the community, had the purpose of reflecting God's original design for the world at creation. But this order was not simply a cold, abstract idea. Interpreting the *kalon* in its widest sense, enables one to see, in addition to right ordering, the beauty, symmetry, and excellence of function in God's creative design for the world. And looking still further, one might see in the creation and in the instructions for its maintenance, a reflection of the character of God himself. When God creates according to the *kalon*, he creates according to his very nature.

An OT parallel here might run as follows. The theistic equivalent of Aristotle's *kalon*, that which is most noble and most fine, is God himself. Contrary to the idea that Torah obedience leads to, or is a part of, happiness, it is a life according to virtue (as depicted in Torah) which is both a means to it, and a necessary constituent of it. The Torah points us to virtue, just as it points us to the character of God. But if the aim of virtue, the *kalon*, is ultimately God himself, how can we conceive of the human *telos*? One plausible suggestion is that the *telos* of all ethical reflection, the good or flourishing human life, is a life in relationship with God.<sup>128</sup> The concept of relationship is a rich one, taking in the whole of a person, and since the well-being of the self is inextricably tied to the well-being of others, a flourishing individual life will be a flourishing life in community. A life lived in relationship with God will be a life lived according to virtue, and so true to Aristotle's definition of *eudaimonia*. The ultimate *telos* of the human being, on this understanding, is an unbroken fellowship or friendship with God. A teleological conception of ethics remains a viable one.

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<sup>127</sup> 'And God saw that it was good [καλόν]' appears five times in Genesis 1, and 'very good' (καλὰ λίαν) once.

<sup>128</sup> In contrast to what is suggested here, that a close relationship with God *is* the *telos* for the people of God, Lapsley suggests that it is just one aspect of the happy life, alongside 'a secure, prosperous, and joyous home life, including robust eating and drinking; a peaceful and just community in which to live; and hope for the future (preservation in the memory)'. Lapsley, "A Happy Blend", 79.

## 6.2. Revisiting Aristotle's *eudaimonia*

### On function

The first problem that we noted in Aristotle's account of *eudaimonia* concerned the nature of the characteristic human function. Was it simply a life of moral virtue combined with *phronesis*, or was it a life of contemplation according to *sophia*, or was it a combination of both? If it is accepted that relationship with God *is* the human *telos* understood along theistic lines, then that relationship will be constituted and maintained not only by virtuous activity but also, supremely, by worshipping and glorifying God through meditation on his person and acts, which we could understand as an extension of the Aristotelian idea of contemplation. This proposed understanding of the human *telos* seems to fit best with Nagel's interpretation of Aristotle; excellence of function is a hierarchical concept; moral virtue is necessary but of secondary importance to the life of contemplation. We can see how this conception of the human *telos* aligns itself with the answer to the opening question of the Shorter Catechism of the Westminster Confession: 'What is the chief end of man? Man's chief end is to glorify God and enjoy him forever'. Contemplation of God and his acts of mercy will lead to praise (Ps 86), and 'fullness of joy' (Ps 16:11).

Theistic parallels with secular philosophers can only ever take us so far. The God revealed in the OT is not an unknown, and unknowable prime mover, but a God who can be known. Nevertheless, Aristotle's theory can provide us with a conceptual framework for understanding the human *telos* as relationship with God, a relationship built and maintained not only by the moral virtues, but also by the intellectual virtues of practical and theoretical wisdom. The biblical revelation partially tracks, but ultimately surpasses, the thought of Aristotle.

### On external goods

The second problem we encountered in Aristotle's theory was his ambivalence over the relation between *eudaimonia* and external goods. While he is clear that virtue is central, he is less clear about the nature of the value of other goods to human flourishing. Completeness and self-sufficiency were the two goals for a concept of *eudaimonia*. And Aristotle's initial definition of happiness, as an activity of the soul according to virtue, satisfies these requirements. However, we also saw that Aristotle acknowledged that our intuitions were not satisfied with this, and so he amended his initial definition to include external goods.

We have noticed that some OT scholars adhere to the objective list conception of happiness, and virtue, if listed at all, is merely one among many parts of happiness. Such a view is a clear departure from Aristotle and of no use to the construction of a virtue ethical theory. A virtue ethical theory, after all, must be centred on virtue. For Aristotle, virtue was not simply one among many goods, but a necessary good, and arguably, the only good of intrinsic value.

So how might we understand the relation between *eudaimonia* and external goods from the evidence of the OT text? We might think, for example, of the goods of peace and security which Whybray and Lapsley cite as constituents of the happy life. On one interpretation of Aristotle, the virtuous person could be *eudaimon* in the absence of such goods; that is, he did not consider them to have intrinsic value; their value was instrumental or non-essential. On the other interpretation of Aristotle, the virtuous person could only be *eudaimon* if certain conditions obtained, or at least if certain conditions, such as the fortunes of Priam, did not obtain. Does the OT lean towards one particular interpretation? Did times of international peace and security create the conditions where *eudaimonia* was more achievable? Or could a person flourish even in times of war, or exile, when he was not enjoying the happy life described by Whybray and Lapsley?

At this point we may appeal to Aristotle's apparent distinction between *eudaimon* and *makarios*. He seems willing to admit that it was possible for a person to be virtuous even if he was not blessed in his circumstances. In the OT, from Abraham onwards, God's blessings on the people (goods as land, security, peace, children etc.) were a sign of his favour. If we call the person in receipt of such blessings *makarios*, the question we must ask is whether that person can still be *eudaimon* if those blessings are withdrawn. Construing *eudaimonia* as relationship with God, as we have done, we might find the answer to be 'yes'. Job, for example, is portrayed as upright and just, even in terrible circumstances, and so can maintain his relationship with God. The idea of *shalom* which is at the heart of the relationship, overcomes, in a sense, the lack of external peace and security. We might see a similar story in the lives of those prophets of the exile, Daniel or Ezekiel. Moreover, for the people of God, there is an additional factor to be considered, that is the future dimension of their existence as the people of God.

### **6.3. A future aspect to *eudaimonia***

One final aspect to this discussion, which Aristotle could not have envisaged, is what we might term the 'future aspect' to *eudaimonia*. That the perfection of human flourishing will

not be experienced in this life.<sup>129</sup> Throughout the OT, a repeated theme is that certain goods are always in the future, the subjects of hope. During the wilderness wanderings, hope rested in the actual possession of the promised land with its associations of rest and peace and the self-identity of a covenant community living in relationship with Yahweh. When the people were dispossessed of the land following their breaking of the covenant, they lost not only their land and their peace, but also their identity. When the people are urged to ‘seek the Lord and live’,<sup>130</sup> the prophet is not speaking of the physical death of individuals, but rather the spiritual death of the people whose removal from the land meant separation from their covenantal life-giving God, and the death of the nation of Israel. Yet even in the shadow of imminent judgment, the prophets could still convey a message of hope. They could see a future beyond the judgment, not just a hope of a return to the land, with all that entailed, but also the hope of a time of future peace not just for mankind, but peace in nature itself.<sup>131</sup> The psalms also contain visions of a coming age of salvation, characterised not only by the fruitfulness of the land but also by steadfast love (*hesed*), faithfulness (*’emet*), righteousness (*šedeq*) and peace (*šālôm*).<sup>132</sup> Judgment was not the end of the story. A time of renewal would follow: a new covenant would replace the old one,<sup>133</sup> a new heart and a new spirit,<sup>134</sup> a new heavens and new earth,<sup>135</sup> and a new temple.<sup>136</sup> The prophets and psalmists, then, look forward to a future when mankind will truly flourish. The contrast between the future picture of renewal and the message of the coming judgment is always stark, perhaps almost unbelievable, but nevertheless it *is* there.

How might we think of this overarching hope as an aspect of *eudaimonia*? Because the peace which will come is inseparable from righteousness. When the people are living according to virtue, the habits of covenant obedience, justice and righteousness will reign, and peace will result. But we have suggested that *eudaimonia* on a theistic conception is not only a life of

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<sup>129</sup> We might think of Aquinas’s description of the final end of humans, the perfection of happiness, as the ‘beatific vision’, where there will be perfect union with God and a perfect vision of him. *ST Supp* to third part. Q 94. Or Augustine before him, who thought along similar lines. See *City of God*, XX11, 29.

<sup>130</sup> Amos 5:6.

<sup>131</sup> Isa 11:6-9; 65:25.

<sup>132</sup> For example, Ps 85:11(10): Steadfast love and faithfulness will meet; righteousness and peace will kiss each other (תִּסְדָּד־וְיִאֱמָת נִפְגְּשׁוּ צְדָק וְשָׁלוֹם וְנֶשְׂקוּ). See also Micah and Isaiah.

<sup>133</sup> Jer 31: 31-33.

<sup>134</sup> Ezek 18:31; 36:26.

<sup>135</sup> Isa 65:17ff.

<sup>136</sup> Ezek 40-43.

moral virtue but above all one of relationship with Yahweh, and this would incorporate the idea of imitation of God. This future aspect of *eudaimonia*, then, could be thought of as a life of perfect relationship with God, or perfect imitation, manifesting itself in perfected relationships with fellow human beings and with nature itself;<sup>137</sup> a time when the human good or *telos* is at last fully realised.

#### 6.4. Concluding thoughts

We have argued in this section that Aristotle's teleology can be successfully reworked as a theistic ethical theory, where the idea of the OT God replaces Aristotle's prime mover. The ultimate *telos* or function of human beings can still be conceived of as *eudaimonia*, but the theistic version is best construed as relationship with God. We have also seen that there are two aspects to peace, peace as an external good, dependent on circumstances, and peace as an internal good, which flows from a relationship with God. This is not peace in the abstract; this peace is tangible. The fruit of righteousness is peace. Righteousness leads us to the correct relationship with God and righteousness ensures the continuing of that relationship. In line with the thought of Aristotle, the virtues of justice and righteousness are therefore both the means to and constitutive of *eudaimonia*. Finally, we have seen that theism allows a future aspect to *eudaimonia*, the perfection of relationships between man and God, between human beings themselves, and between human beings and their environment.

### 7. Conclusion

This chapter began with a discussion of the good, which, according to Aristotle, is 'that for the sake of which everything else is done'.<sup>138</sup> In a teleological ethics, it is the good which grounds the theory and forms the basis of moral judgments. Our survey of some examples of theories of value in modern philosophy showed them to be deficient in one way or another in terms of their ability to provide practical guidance for moral action. Ideally, a moral theory should be monistic, reasonable in its metaphysical assumptions, and in line with our common sense intuitions. And so, we turned to the ancients and the conception of the good as *eudaimonia*, and we saw that two versions of eudaimonistic virtue ethics have stood the test of time: that of the Stoics, and that of Aristotle. Both theories accept that human flourishing must include the moral virtues, but they differ in their understanding of the sufficiency of

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<sup>137</sup> See Job 5:23; Isa 2:4; Hos 2:18.

<sup>138</sup> NE 1097a18.

virtue for happiness. While the Stoic claim that virtue is sufficient for happiness is theoretically appealing, it fails to satisfy the intuition that external goods are also necessary. On the other hand, Aristotle's attempts to account for the value of external goods generate an instability in his theory and are ultimately unsuccessful. Virtue ethical theories based on a naturalistic metaphysics seem powerless to resolve the debate over the nature of the final *telos*. Finally, we have argued that if we allow conceptual space for a supernatural metaphysics, where God is acknowledged as supreme good, then we can satisfy the criterion of absolute value and successfully ground a theological conception of *eudaimonia*. In our discussion of Amos in Chapter 6, these thoughts will be tested against the biblical text.

## Chapter Three

### The virtue of Justice

For I will proclaim the name of the LORD;  
 ascribe greatness to our God!  
 The Rock, his work is perfect,  
 and all his ways are just.  
 A faithful God, without deceit,  
 just and upright is he;

Deut 32:3-4

Justice in this sense, then, is complete virtue; virtue, however, not unqualified but in relation to someone else. Hence it is often regarded as the sovereign virtue, and ‘neither evening nor morning star is such a wonder’.

Aristotle, *Nicomachean Ethics*<sup>1</sup>

I take it as obvious that justice is a personal virtue, and am happy to use it as an occasional illustration, but I usually find any of the other virtues more hospitable to the detailed elaboration of points.

Rosalind Hursthouse, *On Virtue Ethics*<sup>2</sup>

In the previous chapter we examined the idea of *telos*, arguing that an Aristotelian conception could satisfy that particular condition of adequacy required by a virtue ethical theory and could also be successfully adapted to a theistic framework. The next step in our critical analysis of the features of CVE theory, will be to examine the fundamental concept of virtue. We have already discussed how virtue was regarded by Aristotle as both an end in itself, and also as constitutive of *eudaimonia*. We now need to clarify what we mean by the term virtue and how it functions in the theory. Instead of conducting a taxonomic survey of virtues in general, it is proposed to restrict the investigation to the virtue of justice. There are three main reasons for this. Firstly, the virtue of justice had pride of place in the classical system; to Aristotle it was ‘complete virtue’ as the above quotation makes clear. Secondly, and perhaps surprisingly in view of the first reason, the virtue of justice is the most troublesome of virtues

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<sup>1</sup> *NE* 1129b26-29.

<sup>2</sup> Hursthouse, *OVE*, 5.

to situate in a virtue ethical theory. And lastly, justice is the primary moral concept in the book of Amos, and if it can be shown that justice can be understood as a virtue, and even complete virtue, then we may be nearer our ultimate goal which is to argue that it is possible to read Amos in the light of virtue ethics.

This chapter, then, will investigate the concept of justice as a virtue, and assess whether this virtue can indeed underpin a theory of virtue ethics as the ancients believed. Since most CVE theories have their roots in either Aristotle or Hume, we will first consider how each of these thinkers conceived of the virtue of justice. On the basis of this discussion, it will be suggested that a theory based on Aristotle's conception of justice is a more promising route to the understanding of justice as a virtue, and to the construction of a theistic virtue ethical theory. It will then be argued that an Aristotelian conception of justice is more compatible with the concept of justice found in the OT. In the final chapter, these insights will be applied to the book of Amos.

## **1. Introduction**

Of all the terms in ethics, justice seems one of the most difficult to pin down, and certainly one of the most controversial. Justice means different things to different people, and as it does in ordinary conversation, so it does in philosophical thought. And these different conceptions of justice are most often incompatible.<sup>3</sup> Nevertheless, the fundamental idea behind justice in all its manifestations is that each person receives what is due to her. Where 'justice' is demanded by campaigners, the underlying complaint is that certain people are not receiving what they or others imagine is their due. The presuppositions underlying these types of complaint, however, are often more intuitive than cognitive. The fundamental questions are: what exactly is due and to whom and why? And, crucially for the present inquiry: what is the relation between the concept of justice and the concept of virtue?

### **1.1. Justice: Changing conceptions**

In ancient thought justice was understood primarily as a virtue; today, however, it is more often understood as a principle, due no doubt in part to the profoundly influential theories of Immanuel Kant and John Rawls. For Kant, justice (*Recht*) was a universal principle based on freedom, derived by and grounded in reason alone, and able, therefore, to escape both the

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<sup>3</sup> For a thorough engagement with this problem, see Alasdair MacIntyre, *Whose Justice? Which Rationality?* (London: Duckworth, 1988).

tyranny of church or king and also the conflict of contingent interests or feelings.<sup>4</sup> Rawls put a similar emphasis on rationality, and on the rejection of teleological theories: how could the good be prior to the right if people have differing conceptions of the good life?<sup>5</sup> Although he begins *A Theory of Justice* with the statement that justice is ‘the first virtue of social institutions’, he clearly does not mean to use the term in a virtue-ethical way. Justice, to Rawls, was a foundational principle,<sup>6</sup> and he argued that the only way to guarantee basic rights and liberties, would be for society to formulate the norms of justice from an ‘original position’ of equality. Behind their ‘veil of ignorance’, the framers of justice would be free from biased presuppositions about the good inherited from their communities as well as from the effects of the contingencies of life.<sup>7</sup>

## 1.2. The virtue of justice in ancient theory

The ancients had a very different conception of justice. It was not just the basis of a legal claim in the Kantian sense, or a hypothetical principle abstracted from the realities of life as Rawls proposed. It was much more widely conceived. Justice was not just a part of ethics, but, in a sense, oversees the whole of it. It was a virtue, and not just any virtue, but the overarching virtue.

This can be seen, for example, in Plato’s *Republic*. When Thrasymachus suggests that justice is simply that which the strong establish by convention to make the weak serve their interests,<sup>8</sup> Socrates replies with an argument from function: the function of the soul is to live, and justice, as the virtue of the soul, enables the soul to perform that function well and so to live well. If justice is a soul’s virtue, a just person will live well, and anyone who lives well is ‘blessed and happy’.<sup>9</sup> Here Socrates is making a strong claim, and one which reminds us of the Stoic position on virtue which we considered in the previous chapter. The claim is that

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<sup>4</sup> See Roger J. Sullivan, *An Introduction to Kant's Ethics* (Cambridge: CUP, 1994). Sullivan advocates translating *Recht* as ‘justice’ which is nearer to Kant’s meaning than contemporary notions of ‘right’: for Kant, to possess a *Recht* meant to possess a legally enforceable civil claim (p. 26, n. 5).

<sup>5</sup> John Rawls, *A Theory of Justice* (Original ed. Cambridge, Mass.: Belknap Press, 2005), 142.ff.; 560.

<sup>6</sup> This seems plain from his analogy with truth: ‘Justice is the first virtue of social institutions, as truth is of systems of thought’. *Ibid.*, 3.

<sup>7</sup> *Ibid.*, 136ff.

<sup>8</sup> Plato, *Republic* (translated and introduction by G. M. A. Grube, revised by C. D. C. Reeve; Indianapolis, Indiana: Hackett, 1992), 338d-341a, 343c-344c.

<sup>9</sup> *Ibid.*, 352d-354a.

justice, as the overarching virtue of the soul, is both necessary and sufficient for happiness.<sup>10</sup> Justice has intrinsic value, and should be chosen for its own sake. Later, in Book II, Socrates shifts the debate from individual justice to political justice. By this move he hopes to show that since justice is required for happiness, it is in everyone's interests, not just those of the strong, that the city is just: everyone would be happy in a perfectly just *polis*. Ethics for Plato is inseparable from politics and so he sees justice as the overarching virtue of both state and individual: like the individual, the ideal city will be completely just when it is completely virtuous.<sup>11</sup>

While there are many CVE theorists who follow Aristotle, few of them claim to follow Plato. And yet Plato's theory in some ways would appear to be equally attractive. His ethics is grounded in virtue, and the virtuous (or just) person is not the one who conforms to rules or laws but rather the person whose soul is guided by the good, and whose life achieves its *telos* of *eudaimonia*, that state of being 'blessed and happy'. Indeed, Plato's concept of individual justice might be thought to lead to a purer form of virtue ethics than that of Aristotle.<sup>12</sup> The harmonious soul is one where reason (or wisdom) governs the passions, and actions are just if they maintain this harmony. While this observation is arguably true, in the end it is Aristotle, and not Plato, who wrote extensively and specifically on ethics, thinking the subject through in a detailed and systematic manner, and leaving behind a theory substantive enough to be followed and adapted by subsequent generations of ethical thinkers. Moreover, he was practical. We find that, in his ethical writings, Aristotle was not interested primarily in the purely theoretical aspects of knowledge; for him the whole point of the human sciences was not simply to accumulate knowledge but to benefit human life and action (*praxis*).<sup>13</sup> His purpose, well summarised by Michael Sandel, was 'to form good citizens and cultivate good

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<sup>10</sup> Plato's concept of justice is built on his metaphysics: justice was the overarching virtue because it was achieved if and only if the rational, spirited and appetitive parts of the soul (or, by extension, the state) existed in harmony and functioned as they should, ruled by the corresponding virtues of wisdom, courage and temperance. *Ibid.*, 441d-444e.

<sup>11</sup> Building on his argument in Book I (352d-354a), Plato proceeds to construct a picture of this ideal city (*kallipolis*) where justice will reign (Books II-IV).

<sup>12</sup> Michael Slote suggests this because Plato associates justice with a person's internal state, rather than with external situational factors such as rules or good consequences. Michael Slote, "Justice as a Virtue." *The Stanford Encyclopedia of Philosophy* [SEP], 2002, substantive revision 2014. URL = <<https://plato.stanford.edu/archives/fall2014/entries/justice-virtue/>>, 2. However, he also claims that Plato's virtue ethics is not as pure as his own agent-based version, because for Plato, the evaluation of souls is based on the prior concept of the Form of the Good. Slote, *Morals from Motives*, 7-8.

<sup>13</sup> NE 1179a35-1179b2.

character'.<sup>14</sup> In this sense, Aristotle was more of a 'realist' than Plato. His theory of justice in particular was one which, he claimed, could be put into practice. To what extent this is the case will be our next area of investigation. We are looking specifically for an account of justice which satisfies our second condition of adequacy for a VE theory which is a substantive conception of virtue and a plausible explanation of its place in the theory.

## 2. Aristotle's theory of justice

Since Aristotle, like Plato, regarded the virtue of justice as central to the moral life, and devotes a whole book (Book V) in the *Ethics* to its discussion, any virtue ethical theory which claims to follow Aristotle should surely engage with his ideas on justice.<sup>15</sup> So how exactly did Aristotle conceive of this, somewhat different, virtue?<sup>16</sup> He clearly had no intention of producing what we might think of as a systematic theory of justice such as that of Rawls; indeed, he would have probably have doubted the wisdom of such a project since he viewed ethics as an inexact science.<sup>17</sup> However, he certainly gives a very thorough account of what justice is and what constitutes just and unjust human behaviour, analysing both the intentions behind the actions and the consequences of those actions.

We should first outline how virtue operated in general in Aristotle's ethical theory so that the distinctive nature of justice, and the problems which it raises, can be understood. Aristotle divides the virtues into two classes according to the divisions in the soul: wisdom and prudence (or practical rationality) are intellectual virtues and correspond to the rational part, while the moral virtues, which include justice, correspond to the nonrational part.<sup>18</sup> Justice is the last of the moral virtues which Aristotle discusses in the *Ethics*.<sup>19</sup> We have seen that

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<sup>14</sup> Michael J. Sandel, *Justice: What's the Right Thing to Do?* (London: Penguin, 2010), 193. Jonathan Barnes is equally succinct: 'The *Ethics* hopes to make us good'. Barnes, "Introduction" to *NE*, xxv.

<sup>15</sup> A striking feature of the discussion in CVE is that this is rarely the case, even with self-confessed Aristotelian thinkers. For example, see the quotation from Hursthouse at the start of this chapter. Slote is a notable exception.

<sup>16</sup> Justice is different in the sense that it has a clearly social, as well as individual, dimension.

<sup>17</sup> *NE* 1094b11-16, cf. 1103b26-31. According to Aristotle, things which are conceptually prior and simpler allow greater exactness (*ἀκριβεία*) (*Metaphysics* XIII 1078a9-10). While the purely theoretical sciences are in this sense exact, ethics and politics are less simple and so less exact since they are concerned with human conventions and human nature: exceptions will continually arise at the level of the particular which then disprove the universal.

<sup>18</sup> *NE* 1103a4-7. The nonrational part is subdivided into vegetative and appetitive; only the latter is receptive to reason and so can be a part of human goodness. *NE* 1102a27-1103a10.

<sup>19</sup> Virtues such as courage, temperance, liberality, magnificence (*μεγαλοπρεπεία*), and magnanimity or 'greatness of soul' (*μεγαλοψυχία*), have already been discussed in Books III and IV.

virtue is valued both for its own sake and for the sake of the *telos*, which according to Aristotle was the flourishing life or *eudaimonia*, and so when faced with a choice, the virtuous person acts for the sake of virtue and for the sake of the good. This is accomplished by acting in accordance with a mean which lies between two extremes (or vices). Possession of the virtue of practical rationality (*phronēsis*) is essential to discern the mean in particular situations, and this is acquired through education and experience. The practically rational person (*phronimos*) understands the nature of the good (*telos*) which is the best life for human beings and has learned how to identify and order the goods of the good life. When the *phronimos* acts, the partnership of *phronēsis* and moral virtue (for he is also fully virtuous) allows him to discern the relevant aspects of both himself and the particular situation, apply the truths about what is good, discern the actions necessary to achieve the desired end, and so act well, which means acting according to virtue.

At first, Aristotle describes justice (*dikaiosunē*) as a virtue like any other virtue, a character disposition which enables us to act well: ‘when people speak of justice we see that they all mean that kind of state of character that disposes them to perform just acts, and behave in a just manner and wish for what is just’.<sup>20</sup> However, Aristotle then proceeds to make a critical distinction between its two senses. The first of these senses is the general idea of conformity to the law; Aristotle calls this universal justice, and describes it as ‘perfect virtue’,<sup>21</sup> or the ‘chief’ of the virtues.<sup>22</sup> ‘It is complete virtue in the fullest sense, because it is the active exercise of complete virtue; and it is complete because its possessor can exercise it in relation to another person, and not only by himself’.<sup>23</sup> Indeed, justice is the only virtue which is exercised exclusively for the good of someone else.<sup>24</sup> The unjust man according to this sense is the one who breaks the law (*paranomos*). The second and narrower sense is ‘particular justice’.<sup>25</sup> This virtue is exercised both in the distribution of goods and in the correction necessary to restore just order following unjust action. Particular justice, therefore, can be either distributive or corrective. The unjust man according to this sense is the one who acts

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<sup>20</sup> NE 1129a6-9.

<sup>21</sup> τελεία ἀρετή, NE 1129b26.

<sup>22</sup> κρατίστη τῶν ἀρετῶν, NE 1129b28.

<sup>23</sup> NE 1129b30-32.

<sup>24</sup> NE 1130a3-5.

<sup>25</sup> NE 1130b30 ff.

unfairly (*anisos*) by taking more than his due (*pleonektēs*).<sup>26</sup> Distributive justice is concerned with the distribution of political power, honour and wealth among the members of the community, according to a rational principle of distribution which determines what is due on the basis of virtue and in accordance with a geometric proportion.<sup>27</sup> Corrective justice concerns voluntary and involuntary transactions, and here the distribution is ‘arithmetic’.<sup>28</sup>

## 2.1. CVE theory and Aristotle’s justice: some problems

There are a number of problems associated with Aristotle’s conception of the virtue of justice which raise important questions for the neo-Aristotelian virtue ethicist. We shall discuss the implications of these problems, and then see whether satisfactory responses can be found. In the final section of this chapter we will revisit these problems in the light of the OT view of the virtues of justice and righteousness.

### 2.1.1. Problem 1: Inherent injustice?

One of the most obvious difficulties is that Aristotelian justice does not sound particularly just to modern ears. The idea of universal justice, where the just is the legal, might be reasonably questioned on empirical grounds alone, for the law could conceivably be wrongheaded. One can readily think of regimes, both past and present, whose laws do not conform to widely held ideas of justice. And concerning particular justice, one might feel less than happy with Aristotle’s criterion for just distribution. To Aristotle’s mind, equality of justice meant treating like cases alike, but treating unlike cases proportionately according to merit. By contrast, the modern mind, conditioned by Rawls and Kant, more often understands equality of justice as the equal treatment of all human beings simply because they are human beings.<sup>29</sup> Indeed, how can Aristotle’s merit-based system be just if there is no universal

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<sup>26</sup> *NE* 1129a32-34. Thomson translates *πλεονέκτης* as ‘one who takes advantage of another’ (p. 113). Another option would be ‘grasping’. Since the concept is action-based, ‘greedy’ is not a good translation. See MacIntyre, *Whose Justice?*, 111-2.

<sup>27</sup> *NE* Book V, iii. Since goods were distributed according to virtue, Aristotle does not envisage equality in absolute terms. The principle of distribution will vary from *polis* to *polis*, and so justice will be relative to that principle. It is only in the best type of *polis* that the principle of distribution will reflect absolute justice. *Politics* 1328b36-39. For the just distribution of political power see also Book III of *The Politics*, esp. Chapters ix and xii.

<sup>28</sup> *NE* Book V, iv. Involuntary actions are those where one party does not consent, and these include theft adultery and murder (1131a6-9).

<sup>29</sup> Rawls did not advocate strict equality since his ‘difference principle’ biased distribution in favour of the least advantaged in society. Rawls, *A Theory of Justice*, 266.

distribution of the conditions for attaining that merit (virtue)?<sup>30</sup> Certainly, the idea of the intrinsic worth of each human being was quite simply foreign to Aristotle.<sup>31</sup>

In responding to the above problems, Aristotle might well begin by noting that his theory of justice is built on the hypothetical idea of the ideal state, whose principles were formulated by virtuous individuals and accepted by the people, because the citizens of the state with the finest constitution will be people of virtue.<sup>32</sup> Even though Aristotle admits that this ideal state, and indeed perfect justice, are nowhere to be found, he does believe that a study of what is best in existing constitutions, could produce a paradigm example of an ideal state: since there are glimpses of perfect justice in every constitution, every effort should be made to attempt to reach the ideal.<sup>33</sup> A biblical theist might hope to argue that when a state conforms its laws to principles of biblical justice, then this problem dissolves. But to track down the exact nature of ‘biblical justice’ is far from easy,<sup>34</sup> and even if the neo-Aristotelian theist were to accept the place of *phronēsis* and a reasonable interpretation of the law,<sup>35</sup> she might still wish to distinguish the overarching principles of biblical justice from the details found in many OT texts.

Attempting to address the question of the seeming injustice in Aristotle’s criterion of distribution is really a matter for political and economic theory, and well beyond the scope of this thesis. It must suffice to say that one can still agree with the underlying principle that the virtue of justice is the disposition to think and act justly by giving each his due without accepting Aristotle’s details. The idea of the intrinsic worth of each human being was not only foreign to Aristotle, but is also problematic for many contemporary secular thinkers who may well be attracted to the notion but struggle to justify it.<sup>36</sup> Any naturalistic metaphysics

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<sup>30</sup> William Frankena argues strongly against Aristotelian justice for this very reason. *Ethics*, 49-50.

<sup>31</sup> For example, Aristotle famously excludes women and slaves from citizenship.

<sup>32</sup> *Politics*, 1328b33-39. See n. 27.

<sup>33</sup> Aristotle discusses the ideal state in detail in Books VII and VIII of *The Politics*. Although he begins with a philosophical assessment of the best life (as the life which the ideal state would create for its citizens), from VII, iv onwards his discussion is extremely practical, and so he clearly envisages the ideal state as a possibility. He apparently formed a collection of 158 existing constitutions, although his Constitution of Athens is the only survivor. Sinclair, “Translator’s Introduction” to *The Politics*, 23.

<sup>34</sup> This particular problem will be discussed further in Chapters 4 and 6, but for a useful and accessible overview see H. G. M. Williamson, *He Has Shown You What is Good* (Cambridge: Lutterworth Press, 2012).

<sup>35</sup> The term Aristotle uses for the idea of reasonable interpretation of the law in particular cases is *ἐπιείκεια*: it is sometimes translated ‘equity’, although note MacIntyre’s objection to this translation in *Whose Justice?*, 119-20. See *NE*, V, 10.

<sup>36</sup> One of the reasons why Nussbaum is drawn to the Stoics is Aristotle’s apparent lack of any conception of the dignity and equal worth of all human beings. *Fragility*, xx-xxi. For her argument that social justice can be

faces a distinct challenge in explaining value, since it is only where one accepts the existence of a creative mind behind nature that the value inherent in nature can be explained. The theist might, therefore, make a case for the equal treatment of all human beings on the reasoning that their intrinsic worth is grounded in their creation in the image of God, and so replace Aristotle's merit-based criterion for just distribution with the criterion of intrinsic worth. This would impact not only particular justice but the idea of universal justice too.

### 2.1.2. Problem 2: Virtue and the state

Another question which the would-be-neo-Aristotelian encounters with Aristotle's theory of justice is a more fundamental one: should it be a function of the state to legislate on matters concerning individual virtue and the common good? Perhaps a reason why justice is so seldom discussed in neo-Aristotelian virtue ethics is because of its communitarian implications, especially regarding the role of the state in the life of the individual. While to modern ears, the idea of the law as the upholder of morality rather than the preserver of individual freedom may sound strange indeed, to Aristotle the purpose of the law was to secure the happiness of the political community so that both state and individual might benefit. Happiness was a life lived according to virtue, and so the law's function was both to prescribe these virtues through codification so that they became part of the social and political system, and also to educate its citizens in virtue.<sup>37</sup> And on this point neo-Aristotelians find themselves divided. Communitarian Aristotelians agree with Aristotle that it is indeed a function of the political community to oversee moral education in an effort to promote the common good: on this understanding, the virtues necessary for individual flourishing are also required for the good of the community.<sup>38</sup> However, many, more liberally minded, students of Aristotle advocate the neutrality of the state, at least concerning moral education.<sup>39</sup> In rejecting the relation between the common good and individual flourishing, these thinkers divide the virtues into two groups, according to which good they promote:

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grounded in the idea of human functioning, see Martha C. Nussbaum, "Human Functioning and Social Justice: In Defense of Aristotelian Essentialism." *Political Theory* 20, no. 2 (1992): 202-46.

<sup>37</sup> *NE* 1094a24-b11, 1102a5-13, 1103b2-6. *Politics*, VII, xiiiiff.

<sup>38</sup> See, for example, Alasdair MacIntyre, *After Virtue*, 195; Alasdair MacIntyre, *Dependent Rational Animals: Why Human Beings Need the Virtues* (London: Duckworth, 1999), chapters 9-11.

<sup>39</sup> See, for example, Nussbaum, *Fragility*, "Preface to the revised edition", xxi-ii. But see also her comment that public education, as well as public debate, is necessary if racial hatred is to be eradicated. *Ibid*, xviii. And in "Human Functioning", she argues that some form of 'Aristotelian' essentialism is still necessary for public policy if it is to operate according to a substantive notion of social justice.

justice, on this reasoning, since its primary focus is the common good, becomes the paradigmatic social virtue, the corresponding vice being selfishness.<sup>40</sup>

As with our previous problem of the establishing of a criterion of just distribution, discussion of the state's role in the life of the individual is more properly the terrain of political theory. As we noted, opinion in CVE is divided although most lean in a libertarian direction. How might the biblically minded theist respond? In support of Aristotle, she might point to many texts which encourage the community to teach their young about how to live the good life, a life of 'walking in the ways of the Lord', which, we are arguing, is a life in relationship with God. But the theist whose interest is in VE theory, is immediately aware of a difficulty here. Many of these texts are simply presented as rules to be followed,<sup>41</sup> and, as we have been stressing throughout, when virtue is conceived to be derived from rules, ethics is deontological rather than teleological. Even if the theist can argue that scripture confirms Aristotle's requirement that the community must legislate on matters of virtue, and that universal justice is law-abidingness, virtue appears, nevertheless, to be reduced to obeying the law, even if the motivation to obedience is often expressed in terms of virtue.<sup>42</sup>

### 2.1.3. Problem 3: Self-other tension

The last point appears to highlight an additional problem. The virtuous person may be caught in a conflict of ends in her pursuit of both civic and individual virtue, the other-regarding end of the common good being in tension with the self-regarding end of her own perfection in virtue.<sup>43</sup> For example, particular justice could clash with liberality, or with magnanimity.

The neo-Aristotelian virtue ethicist might attempt to resolve this problem by considering Alasdair MacIntyre's interpretation of Aristotle.<sup>44</sup> As the ideal citizen moves from one social

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<sup>40</sup> For a clear argument why such a separation was not Aristotle's intention, see David K. O'Connor, "The Aetiology of Justice", in Carnes Lord and David K. O'Connor (eds.), *Essays on the Foundations of Aristotelian Political Science*, 136-64 (Berkeley: University of California Press, 1991). O'Connor rejects the idea, prominent in much contemporary moral philosophy (he specifically mentions the work of Foot and Williams), that Aristotle regarded the vice of injustice as mere selfishness; instead he insists that, like every other Aristotelian vice, it is simply a misorientation of the soul's focus.

<sup>41</sup> For example, Deut 4:9-10, 6:7, 11:19. But cf. Gen 18:19 where 'the way of the Lord' is to do righteousness and justice.

<sup>42</sup> We can think of the many motive clauses in the OT where the people were reminded of God's past mercies to move them to just actions, encouraging the virtue of gratitude.

<sup>43</sup> See, for example Susan D. Collins, "Moral Virtue and the Limits of the Political Community in Aristotle's *Nicomachean Ethics*." *American Journal of Political Science* 48, no. 1 (2004): 47-61.

<sup>44</sup> See MacIntyre, *Whose Justice?*, Chapter VII.

role in the *polis* to the next, from military service to the various public offices, he acquires, through training and habit, a whole range of virtues. By the time he becomes a legislator or judge, he will (ideally) be a fully virtuous person, possessing all the virtues necessary in order to judge justly. Any potential tension can be dissolved through the exercise of the virtue of *phronesis*. Moreover, as we saw in the previous chapter, Aristotle has a higher end in sight than moral virtue. And so MacIntyre can write: ‘The virtue with which the good man discharges his social roles carries him forward finally to the perfecting of his own soul in contemplative activity’.<sup>45</sup> At this point, where a higher level of happiness is experienced, the goods of moral virtue, including justice, and of *phronēsis*, appear secondary.<sup>46</sup> But how useful is this solution for CVE theory? Virtue in general, and justice in particular, are very much culturally embedded concepts in Aristotle’s thought. Those individuals whose souls are guided by the happy combination of justice and *phronesis* belong to a very small subset of human beings; it is only those of good birth and good fortune who have the chance of becoming just persons. Moreover, even from the ranks of these privileged persons, it might be wondered if the *phronimos* was any less rare than he appears to be today. And so, MacIntyre’s answer, while no doubt a good interpretation of Aristotle’s own ideas, seems of limited appeal to the average neo-Aristotelian of today. The question is: can Aristotle’s theoretical framework survive extraction from its cultural embeddedness? We will consider a theistic alternative to the Aristotelian *phronimos* in some detail in the following chapter.

But there is another way to view this notion of potential conflict. Perhaps any tension is in fact illusory. David K. O’Connor has a convincing argument to explain how Aristotle’s account of justice is just as concerned with the orientation of the soul as the other moral virtues. The key lies in a proper understanding of the relationship between justice and the other virtues. In the *Ethics*, Aristotle describes the difference between complete virtue and universal justice: ‘they are the same, except that their essence is not the same; that which, considered in relation to someone else [*pros heteron*], is justice, when considered simply [*haplōs*] as a certain kind of moral state [*hexis*] is virtue’.<sup>47</sup> O’Connor suggests that we think of these two aspects of virtue as two different perspectives: ‘the perspective of simple virtue

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<sup>45</sup> MacIntyre, *Whose Justice?*, 108.

<sup>46</sup> *NE* 1177b32; 1178a9.

<sup>47</sup> *NE* 1130a11-13.

focuses on what sort of psychic state (*hexis*) a particular virtue is,<sup>48</sup> while the perspective of relational virtue focuses on how a given psychic state manifests itself in community life with other people'.<sup>49</sup> Using a medical analogy, he proposes that the perspective of simple virtue be thought of as aetiological, referring to the underlying causes of the illness, whereas the perspective of relational virtue is symptomological, referring to its manifestations. A failure in particular justice can be viewed from an aetiological perspective where it reveals a disordered *hexis*, a misorientation towards wealth and honour;<sup>50</sup> from a symptomological perspective, on the other hand, it is manifested in a breach of the community. Just as the vices corresponding to each of the individual virtues result in a breach of the community, and should therefore be proscribed by the law, so universal justice as law-abidingness can be said to be complete virtue because possession of all the simple virtues are necessary for flourishing community life. There is therefore no conflict between justice and the other virtues: on the contrary, where justice is present, the community remains intact.<sup>51</sup> We shall be returning to this idea that the flourishing community is a whole whose integrity is maintained by justice in the final section of this chapter when we consider a theological interpretation of Aristotle's justice.

#### 2.1.4. Problem 4: The problem of motive

Finally, as we noted in the context of our second problem, the neo-Aristotelian virtue ethicist must explain the fact that, in contrast to the other virtues, justice (in both its senses) has all the appearance of a rule-bound activity. In its universal sense, justice is law-abidingness, and particular justice is activity according to a *principle* of just distribution fixed by the state, so that the mean in the latter case is only a 'sort of a mean'.<sup>52</sup> If the exercise of the virtue of justice is essentially a rule-bound activity, how then can it be situated in a VE theory? In fact, is it really a virtue at all in the Aristotelian sense of the term? And if justice is law-abidingness, and the law is derived from human convention, then how do we make sense of moral motivation? If the laws of a state are not accepted as good in themselves, with their basis in some form of natural law, for example, or in a transcendent reality such as a divine

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<sup>48</sup> This is the perspective taken by Aristotle for all the moral virtues discussed in Books III and IV. O'Connor, *Aetiology*, 142.

<sup>49</sup> O'Connor, *Aetiology*, 138. The law in a good constitution will aim at the common good of the *polis*.

<sup>50</sup> This can explain why *pleonexia* appears to derive from multiple motives.

<sup>51</sup> O'Connor, *Aetiology*, 139-48.

<sup>52</sup> *NE* 1131a15.

being or one of Plato's forms, why should obedience be choice-worthy at all? How could the law move us to action in the moral sense, and not simply through necessity? If Aristotle's justice is to function in a CVE theory, it is essential to formulate some kind of response to this most thorny of problems.

Firstly, we might attempt to understand how Aristotle conceives of the rules of justice. Although Aristotle does seem to believe in a natural justice, as the justice which would characterise the best kind of *polis*,<sup>53</sup> and that there are certain types of actions which are intrinsically bad, and would be prohibited by any virtuous legislator,<sup>54</sup> he admits that, in practice, there is no universally held formulation.<sup>55</sup> Nevertheless, universal justice as conformity with the law was complete virtue to Aristotle, and so the problems the neo-Aristotelian needs to consider are, firstly, how to understand justice as a virtue if it is essentially a matter of adhering to rules, and secondly, how such an understanding of justice generates moral motivation.

In an attempt to solve this problem, we might consider what happens if the law produces conflict at the level of the particular. At this point we again find that the virtue of *phronēsis* is crucial. Even though the *origin* of justice is in rules, *phronēsis* is not a rule-bound activity, but depends on an adequate conception of the good, according to which the *phrominos* will act. For example, the just man, who is also a man of practical rationality, will not agree to return a weapon to a deranged individual, even though he has a legal right to it.<sup>56</sup> This decision is not rule-based, but requires both the virtue of justice and of *phronēsis*, virtues which are acquired in parallel over a lifetime, firstly through education, then by habitual virtuous activity.<sup>57</sup>

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<sup>53</sup> NE 1134b18-1135a5.

<sup>54</sup> Among his examples are adultery, theft and murder; concerning these a mean does not apply (NE 1107a8-14).

<sup>55</sup> NE 1134b29-30. Since ethics, to Aristotle's mind, in an inexact science, the fact that universal justice was law-abidingness does not mean that we should consider the rules of justice to be universals; as already noted, the 'universals' contained in the theoretical sciences could not be expected in the human sciences (ethics and politics). See n. 17.

<sup>56</sup> See Plato, *Republic*, 331c-332a.

<sup>57</sup> One first learns the rules of distribution, and how to apply them in simple cases, then how to determine what is just in more complex situations not covered by the original rules. However, it might be wondered if there is an element of circularity here: no one can be practically rational who is not just, since moral virtue is required to set the end in the first place. Equally, no one can be just who is not practically rational. So how can the procedure get started? Alasdair MacIntyre's explanation is useful: neither justice nor *phronēsis* 'come first'; rather, both are acquired together, the virtuous person gradually learning 'to correct each in the light of the other, moving dialectically between them'. *Whose Justice?*, 118.

But is the argument that justice ultimately depends on *phronesis* rather than on rules convincing enough to substantiate its claim to be a virtue which could underpin a CVE theory? The neo-Aristotelian virtue ethicist might be in a stronger position if she argues that, rather than being grounded in the law, justice is grounded in the teleological framework which circumscribes the good of the community, and the law simply reflects that framework. The good therefore would remain prior to the right, and theory of justice remain compatible with virtue ethics. One promising route to the understanding of the nature of such a teleological framework is via Aristotle's discussion of friendship. It is to that discussion that we shall now turn and it will be suggested that Aristotle conceived of friendship as the ground of the habits and practices required for justice. Moreover, friendship supplies a motive to just acts which justice alone cannot, if justice is understood to be derived from convention.

### **2.1.5. From justice to friendship: a proposed resolution**

We have seen that for Aristotle, justice is the means by which the political community aims at the good of the community. But we also discovered difficulties in the explanation of the ground of, and motive to, justice. How might the concept of friendship allow resolution of these difficulties?

In the *Ethics* Aristotle states: 'Between friends there is no need for justice, but people who are just still need the quality of friendship; and indeed, friendliness is considered to be justice in the fullest sense'.<sup>58</sup> While it is not entirely clear what Aristotle meant by 'justice in the fullest sense', one plausible interpretation is that he viewed friendship as the more fundamental concept. Friendship is usually considered one of the most necessary of life's goods, for no one, whether rich or poor, old or young, would surely choose to live without friends. And the particular conception of friendship which Aristotle had in mind, was not only necessary but also a splendid or noble (*kalos*) thing in itself.<sup>59</sup> Although friendly relationships can be based on advantage or pleasure, the basis of a perfect friendship is admiration of the intrinsic good qualities of the friend. Only friendships based on virtuous character will seek the good of the other for the sake of the other, and not for the sake of

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<sup>58</sup> *NE* 1155a26-29. Aristotle's extended discussion of friendship is found in *NE* Books VIII and IX. The corresponding virtue is friendliness.

<sup>59</sup> *NE* 1155a3-30.

some advantage.<sup>60</sup> And in such friendships, the friends are not only good in themselves but ‘wish good for the other *qua* good’.<sup>61</sup> Perfect friendship requires perfect virtue and so perfect justice. As such friends are bound together in the common pursuit of the good, so too will the citizens of the ideal state, and so Aristotle observes that lawgivers appear to attach more importance to friendship than to justice, presenting it as a model to emulate; indeed, friendship can be regarded as ‘the bond of the state’.<sup>62</sup> To MacIntyre, the reason for this is clear: ‘Justice is the virtue of rewarding desert and of repairing failures in rewarding desert within an already constituted community; friendship is required for that initial constitution’.<sup>63</sup>

Before we can suggest how friendship could ground the habits and practices required for justice, we must try to understand how Aristotle conceived of the relation between the two concepts. In seeking clarification on this, we will draw on an idea of Delba Winthrop. She suggests that while he declares justice to be the overarching virtue, it was Aristotle’s intention to present virtuous friendship as the overarching good of his ethical theory. By grounding justice in virtuous friendship, Aristotle sought to demonstrate that political problems can only be truly solved ‘in the spirit of friendship, trust and goodwill, not in the spirit of punitive justice or even impartiality’.<sup>64</sup> Rather than simply supplement justice, friendship in a sense transcends it and provides a basis to the law.

So how might an appeal to friendship answer the problems we noted with Aristotle’s theory concerning the ground of justice and the lack of a convincing account of moral motivation? If justice is simply derived from convention and not from universal pre-existing principles, what moves us to choose justice apart from fear of the consequences of acting otherwise, or a sense of duty which acknowledges its social necessity? Can friendship supply the missing motive?

As we discussed in the last chapter, Aristotle believed that the human *telos* was *eudaimonia*, or the flourishing life, and that virtue was both instrumental to it and constitutive of it. If

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<sup>60</sup> NE 1156b7-36. Aristotle’s term for friendship here is *φιλία*, but since this term refers to a wide range of relationships, it is sometimes better simply translated ‘relationship’. See Hughes, *Guidebook to Aristotle*, 168.

<sup>61</sup> NE 1156b7-9.

<sup>62</sup> NE 1155a23-26.

<sup>63</sup> MacIntyre, *After Virtue*, 156.

<sup>64</sup> Delba Winthrop, “Aristotle and Theories of Justice.” *The American Political Science Review* 72, no. 4 (1978): 1201-16, 1212. Winthrop believes that Aristotle felt all theories of justice, including his own, to be ultimately unsatisfactory, unable to deliver perfect justice, and possibly even ‘politically harmful’. *Ibid.*, 1215.

friendship, construed as perfect friendship or the friendship of the virtuous, is the overarching good for Aristotle, and justice, as the overarching virtue, is required for the constitution and maintenance of this good, then we have a relation which not only fits in with Aristotle's conception of the *telos*, but we may also have an answer to the question of motivation. As a realisation of the overarching human good, perfect friendship provides a picture of the flourishing life. Human flourishing requires relationships which not only provide pleasure, but also the opportunity for mutual dependence. Moreover, as we saw previously, a virtuous person will not simply aim to be just for the sake of justice alone, but will aim to be just for the sake of the *kalon*. If, following Winthrop, we conceive of the *kalon* as friendship, then justice will aim at friendship. And if, as we are arguing, we conceive of friendship as a picture of the flourishing life, we see that justice as law-abidingness becomes not only instrumental to and constitutive of friendship, but also finds its justification there. This conception of ethics is teleological because the good of friendship is prior to any right stipulated by the rules of justice. There are no rules for friendship. And the motive to be just does not come from justice alone, but from the transcending good of friendship, within which there is a natural motive to seek the good of the other and so act rightly (or justly) towards that other. And so, we have a resolution to the problem of both the ground of and the motivation to justice. The virtue of justice flows from the good of friendship, and so is consistent with how virtue is understood in a virtue ethical theory. Understanding justice along these lines not only allows it to be accepted as a virtue according to CVE theory, but also is substantive enough to satisfy our second condition of adequacy in our critique of CVE.

Although this might seem to be a theoretically satisfying destination, one difficulty remains. While Aristotle does believe perfect friendship to be a real possibility, and not simply a utopian ideal, he also admits that, although one can be friendly towards fellow citizens in general, perfect friendship is rare; it is simply not feasible to be on intimate terms with a large number of people.<sup>65</sup> And since perfect justice is only manifested in perfect friendship, perfect justice is also rare. Where does this leave the neo-Aristotelian virtue ethicist who is now hoping that friendship could ground her theory? Is she in a better position than the Platonist who is searching for the Forms?

## 2.2. Concluding thoughts

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<sup>65</sup> *NE* Book IX, x.

The aim of this chapter was to arrive at a conception of the virtue of justice which is substantive enough to be put to use in a VE theory. Noting that there were two theoretical options on the CVE table, we began with a study of Aristotle. We found that most of the problems inherent in his theory could be answered without damaging the usefulness of his framework for the would-be neo-Aristotelian virtue ethicist. But there was one which was less easy to solve. And that was the difficulty in accounting for the ground of justice and the motivation to justice. Although help was found in the concept of friendship, it was observed that even this answer was not completely satisfactory, since perfect friendship was as rare as perfect justice. To base a theory on such an elusive good seems to contradict Aristotle's own insistence that ethics be practical, and cast doubts on the sufficiency of a neo-Aristotelian VE theory.

Perhaps we should be unsurprised by this. If ethics and politics are limited by imperfect human nature, then any normative theory based in philosophical naturalism seems bound to be inadequate. We shall return to these thoughts in the final section of this chapter, when we consider how Aristotelian ideas of justice and friendship align with theistic conceptions. But we shall now turn from Aristotle to the second theoretical option on the table, to the thought of David Hume, for doubts about the success of Aristotle's theory of justice have led certain CVE thinkers to turn in Hume's direction for theoretical insight.<sup>66</sup> Our next step, therefore, is to assess Hume's attempt to resolve the difficulties inherent in the conception of justice as a virtue.

### 3. David Hume

David Hume's moral philosophy was considerably influenced by the moral sentimentalism of Francis Hutcheson. Like Hutcheson, Hume believed that moral judgements are not formed by reason, as had been argued by Thomas Hobbes for example. On the contrary, reason is, to borrow Alasdair MacIntyre's phrase, 'practically inert',<sup>67</sup> and as such it is neither capable of generating moral ideas nor of providing the motivational force which morality requires.<sup>68</sup>

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<sup>66</sup> The most prominent contemporary virtue ethicist who follows Humean sentimentalism is Michael Slote. But see also the work of Annette Baier.

<sup>67</sup> MacIntyre, *Whose Justice?*, 285.

<sup>68</sup> David Hume, *A Treatise on Human Nature: Being an Attempt to Introduce the Experimental Method of Reasoning into Moral Subjects; and, Dialogues Concerning Natural Religion* (eds. Thomas H. Green, and Thomas H. Grose; 2 vols.; London: Longmans, Green, and Co., 1874 [hereafter *T*]), 3.1.1, 233-246. See also David Hume, *Enquiries Concerning Human Understanding and Concerning the Principles of Morals* (ed. Peter

Since Hume believes that it is only feeling or sentiment which can move us to action, he famously declares that reason ‘is, and ought only to be the slave of the passions’.<sup>69</sup> According to Hume, people are born with a moral sense which both motivates them to benevolent action and also approves of such actions; in this way, morality is grounded in human nature.<sup>70</sup> Hume was less of an optimist about human nature than Hutcheson, for whom the supreme virtue was universal benevolence.<sup>71</sup> But, like Hutcheson, he rejected Hobbes’s claim that every action was performed out of self-interest.<sup>72</sup> It cannot be disputed, he says,

that there is some benevolence, however small, infused into our bosom; some spark of friendship for human kind; some particle of the dove kneaded into our frame, along with the elements of the wolf and the serpent.<sup>73</sup>

Hume describes virtue as that quality of an agent’s action or character which ‘*gives to a spectator the pleasing sentiment of approbation*’.<sup>74</sup> When one person is affected by a passion, say pain or pleasure, an observer can also be affected by the same passion. This transference of sentiment operates through the mechanism of sympathy, and is made possible because of a shared human nature. And so, for Hume the ground of the virtues, and by extension of morality itself, lies in the transference of the sentiment of approbation. And, crucially, this transferal of sentiment supplies moral motivation, so that the merit of a virtuous action lies solely in its virtuous motives.<sup>75</sup> It is this aspect of Hume’s theory which leads to his being

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H. Nidditch, from the Lewis A. Selby-Bigge edition; 3rd ed. Oxford: Clarendon Press, 1975 [hereafter *EPM*]), Appx.1, 285-6.

<sup>69</sup> *T* 2.3.3, 195. Hume did, however, accept that reason had an instrumental use in the guiding of our desires towards their proper goals and in setting those goals in the first place (*T* 3.1.1, 237).

<sup>70</sup> *T* 2.1.7, 93. For a similar statement from Hutcheson, see Francis Hutcheson, Treatise IV. “Illustrations of the Moral Sense”, in Francis Hutcheson, *Philosophical Writings* (ed. R. S. Downie; Everyman's Library; London: Dent, 1994), Section IV, 131 [original italics].

<sup>71</sup> Hutcheson, “Illustrations”, 144: ‘*the most perfect virtue consists in the calm, unpassionate benevolence, rather than in particular affection*’. [Original italics]

<sup>72</sup> *EPM* 5, 1-2, 215-19.

<sup>73</sup> *EPM* 9.1, 271.

<sup>74</sup> *EPM* Appx I. 289 [original italics]. Vice has the contrary effect on the same sensibility; the response is the sentiment of disapprobation. Note that approbation is always ‘suitably qualified by considerations of impartiality, generality, and distance in time and place’. David Fate Norton, “Hume, human nature, and the foundations of morality”, in *The Cambridge Companion to Hume* (Cambridge Companions to Philosophy; Cambridge: CUP, 1993), 165. See *T* 3.3.1.

<sup>75</sup> *T* 3.2.1, 252-3. See *T* 2.1.1 for Hume’s description of the mechanism of sympathy.

described as a virtue ethicist.<sup>76</sup> But our particular interest just now is how justice fits into Hume's scheme: how can he account for justice's status as a virtue if virtuous activity is evaluated on the basis of motives?

### 3.1. Hume's distinction

In Book III of the *Treatise*, Hume draws a distinction between natural and artificial virtues. It is the expression of the natural virtues which give rise to the moral sentiments such as approbation which, as we have seen, Hume holds to be the primary moral judgments. Hume believes that these virtues are innate, and gives examples of love for one's children, meekness, beneficence, charity, generosity, clemency, moderation.<sup>77</sup> The artificial virtues, on the other hand, lead to judgments which are secondary in the sense that they are derived both from primary moral judgments as well as reasoning about matters of fact. These virtues are not innate. Justice according to Hume, belongs to this latter category.<sup>78</sup> Many have argued against Hume's distinction, not least because justice does not seem to be a virtue at all, even in Hume's own terms.

By 'artificial', Hume does not mean that he believed justice to be essentially 'unnatural', since he held that the human conventions or rules which give rise to it have their foundations in nature, and are in that sense discoverable and 'natural'. Rules of justice had not been required when society was composed of simpler family units, but as society became more complex, it became necessary to formulate conventions in order to oversee the possession of external goods and combat man's naturally selfish condition. The idea of justice was therefore invoked to regulate the disposition of property and address the problems which property ownership creates.<sup>79</sup> To Hume's mind, then, the origin of justice can be traced to the origin of property, and the rules governing it can be considered natural in the sense that their discovery is a function of our human nature.<sup>80</sup>

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<sup>76</sup> See, for example, Slote, *Morals from Motives*, vii-ix, 8, 20.

<sup>77</sup> *T* 3.3.1, 338.

<sup>78</sup> *T* 3.2.1, 252. Other examples are fidelity to promises, chastity, modesty and allegiance to one's government.

<sup>79</sup> Hume defines these problems as 'selfishness and limited generosity' along with a scarcity of goods in comparison to the desires of men. *T* 3.2.2, 266-7.

<sup>80</sup> On this point see John P. Wright, *Hume's "Treatise of Human Nature": An Introduction* (Cambridge Introductions to Key Philosophical Texts; Cambridge: CUP, 2009), 265.

Hume's difficulties with the concept of justice as a virtue now become apparent. Central to his theory, as we have already pointed out, is the idea that the moral character of an action is dependent on the motive. And yet the motive behind the establishment of the conventions of justice was self-interest. How, then, can justice be a virtue according to Hume's own requirements? He must prove that justice has a *moral* significance; that is, that the ground of justice lies in sentiment and not in reason. To this end, he argues that over time people came to appreciate the other-regarding aspect of justice and saw that the rules of justice were good for human society just as infringements of the rules were detrimental. In time, sentiments were influenced accordingly and the rules are approved of, even when contrary to self-interest.

'Tis the voluntary convention and artifice of men, which makes the first interest take place; and therefore those laws of justice are so far to be consider'd as *artificial*. After that interest is once establish'd and acknowledg'd, the sense of morality in the observance of these rules follows naturally, and of itself.<sup>81</sup>

Although birthed in pragmatism, justice emerges later as a fully-fledged virtue. Hume believes that sympathy is capable of overriding our selfish interests, which were the original motives for the establishing of justice, causing us to feel approbation towards those actions which are in the public interest just because they maintain the system of justice.<sup>82</sup> Nevertheless, he does admit that there may be occasions when individual acts of justice may be contrary to the public good and it is only the scheme as a whole which must be considered to be advantageous.<sup>83</sup>

The question which interests the virtue ethicist is whether moral sentimentalism has the necessary explanatory power to account for the uniqueness of justice as a virtue. If not, Hume cannot truly be considered the virtue ethicist which Slote, for example, would have him be. So, can his distinction stand? Perhaps the reason why Hume begins his discussion of the virtues with a lengthy account of the artificial ones is an indication that he was aware of the difficulties of situating justice in his sympathy-based account.<sup>84</sup> He admits that we are more

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<sup>81</sup> *T* 3.2.6, 299-300.

<sup>82</sup> *T* 3.3.1, 338.

<sup>83</sup> *T* 3.2.2, 269-70; *T* 3.3.1, 338.

<sup>84</sup> For this suggestion see: Ken O'Day, "Hume's Distinction between the Natural and Artificial Virtues." *Hume Studies* 20, no. 1 (1994): 121-41, 122. Hume's account of the artificial virtues is found in *T* 3.2.

likely to feel pain rather than pleasure if we witness someone repaying a loan to a ‘miser and seditious bigot’, and yet, though contrary to the public interest, we call such an act just, and acknowledge the importance of justice in our morality.<sup>85</sup> Are problematic cases such as these convincingly answered by Hume, or must we abandon the idea that the virtue of justice can be explained and justified by Hume’s moral sentimentalism?

### 3.1.1. Can Hume’s distinction stand?

Ken O’Day believes that Hume’s distinction can stand if it is correctly interpreted and that there are two ways to interpret Hume. Either the conventions influence the evaluating sentiments or they influence the motives. Since the former interpretation cannot account for the opposing sentiments which create the problematic cases, O’Day argues that Hume intended that his distinction be understood in terms of motives:<sup>86</sup> it is the *motives* associated with the artificial virtues, and not the sentiments, which are derived from convention. Justice is not a virtue because it promotes self-interest, as Hobbes believed. Justice is a virtue because a virtuous person will sympathise with the public interest, and so will be motivated to act in accordance with it. These motives will override any opposing sentiments, such as those which appear in the problematic cases. Justice is a virtue because the motive to perform just acts is virtuous, even though, in contradistinction to the natural virtues, there may be no sympathy with the *results* of every individual act.

But, even if we accept that this ‘motive’ interpretation of Hume is helpful in explaining the origin of the motive to justice, does Hume’s sentimentalist account of virtue possess sufficient explanatory power to account for the motive behind justice? Slote is less than convinced; he asks how sentiment alone can produce the sense of duty or obligation or conscience which is usually deemed necessary for the working of justice?<sup>87</sup> Moreover, while sympathy may seem a plausible mechanism for the operation of the natural virtues, it is less clear how it operates through the artificial virtues where the persons involved are unlikely to be known to us personally. So, while Slote approves of Hume’s position on the primacy of motive in the determining of the moral status of an action, he questions whether this is sufficient to explain the artificial virtues where the good motive appears to originate in a

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<sup>85</sup> T 3.2.2, 269.

<sup>86</sup> O’Day, “Hume’s Distinction”, 132.

<sup>87</sup> For example, he asks what stops the person from stealing if he has stronger reasons or motives to steal than not to steal if not a sense of duty or conscience? Slote, “Justice as a Virtue”, 3.

conscientious desire to do what is right in terms of duty or obligation. Slote summarises the problem:

According to Hume, if I return what I owe to the seditious bigot, my only just motive is the desire to do what is right or obligatory, but, in that case the morally good motive that is supposed (according to Hume's virtue ethics) to *explain* the rightness or goodness of returning what I owe to the seditious bigot, *already makes essential reference to the rightness or goodness or obligatoriness of doing so.*<sup>88</sup>

And this seems hopelessly circular: the motive needs an account of rightness but the account of rightness is supposed to be grounded in the motive. In attempt to rescue moral sentimentalism's justification of justice as a virtue, Slote turns to the ethics of care. The next stage of our investigation, then, is to follow Slote down this new route and assess whether his novel combination of virtue and care does enough work to rescue sentimentalist accounts of VE.

### **3.2. The virtue of justice and an ethics of care**

Slote believes that if an ethic of caring, conceived in terms of motivation, is paired with an agent-based virtue-ethical approach,<sup>89</sup> it has sufficient resources not only to explain how justice can be understood as a virtue, but also to provide an account of social justice. When the notion of care is taken to be the standard of moral goodness, the 'fundamental, intuitive judgment from which other moral judgments derive',<sup>90</sup> it is conceptually prior to any deontic notion such as rightness or wrongness, and so becomes compatible with virtue ethics. Care, by definition, seeks to promote the well-being of the other, and few would deny that the act of caring is an admirable act. But Slote is making a much stronger assertion. He claims that the intentionality intrinsic to care overrides any requirement to appeal to 'high-falutin ethical/metaphysical assumptions about whether or when an increase in people's well-being is a good thing from the standpoint of the universe'.<sup>91</sup>

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<sup>88</sup> Slote, "Justice as a Virtue", 5 [original italics]. For the problems facing virtue ethics theory over the justification of right action, see Chapter 5.

<sup>89</sup> An agent-based approach to VE views the moral status of acts as 'entirely derivative from independent and fundamental aretaic (as opposed to deontic) ethical characterizations of motives, character traits, or individuals'. Slote, *Morals from Motives*, 5.

<sup>90</sup> Michael Slote, "The Justice of Caring." *Social Philosophy and Policy* 15, no. 01 (1998): 171-95, 173.

<sup>91</sup> *Ibid.*, 173-4. Slote clearly wishes to maintain his distance from Aristotelian, as well as utilitarian, theories.

Slote draws on the work of Nel Noddings who first began to develop the concept of caring as a normative theory in its own right.<sup>92</sup> Arguing against both the deontologist and the consequentialist, she asserts that: ‘an ethic of caring locates morality primarily in the pre-act consciousness of the one caring’.<sup>93</sup> It is the motive which is all-important for Noddings, and not just any motive, but motive which is grounded in care. However, an obvious objection is that, on such a basis, an act might be deemed morally ‘right’ if the motives are good, and it is surely possible to think of cases where harm may result from misguided ‘good’ motives. A moral framework detached from reason, or at least from *phronesis*, as an ethics of care aims to be, appears to struggle to provide an account of virtue or motives substantive enough to ground a moral theory.<sup>94</sup> Slote admits these problems and proposes that a solution can be found in the combining of an ethic of caring with his own agent-based virtue-ethics.

In his most recent work, Slote maintains his connection with Hume by basing his moral theory on the sentiment of approval, transferred by the mechanism of empathy (his replacement term for Hume’s ‘sympathy’).<sup>95</sup> It is the empathetic experience of warmth or coldness which ‘fixes’ moral terms *a priori*.<sup>96</sup> We approve of ‘fully kind actions’ and so ‘fully kind actions are right or good’,<sup>97</sup> whereas injustice is a result of lack of empathy. Slote claims that even utilitarianism yields intuitively to sentimentalism in certain situations: ‘we tend to feel more empathy and empathetic concern for those whose situation or condition is bad than for those whose situation or condition is merely not wonderful’.<sup>98</sup> And so, even on a utilitarian calculus where more good might be done by helping the latter, we prefer to help the former. What is more, he claims that a sentimentalist account of social justice can be understood in agent-based terms; when individual, moral agents in a society are acting justly,

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<sup>92</sup> Carol Gilligan, however, is often credited with being the originator of the idea of an ethics of care. See Carol Gilligan, *In a Different Voice: Psychological Theory and Women's Development* (Cambridge, Mass.: Harvard University Press, 1982).

<sup>93</sup> Nel Noddings, *Caring: A Feminine Approach to Ethics & Moral Education* (Berkeley: University of California Press, 1984), 24, 28.

<sup>94</sup> Hume, as we saw, did not entirely reject reason, but assigned it an instrumental role. See n. 69.

<sup>95</sup> Michael A. Slote, *Moral Sentimentalism* (New York: OUP, 2009), 4. Unfortunately his notion of empathy seems rather loose, fluctuating between the idea of an involuntary mechanism, as in Hume, and an act of the will. *Ibid.*, 15-17.

<sup>96</sup> *Ibid.*, vii. And see chapter 4. He describes his reference-fixing account of moral terminology as ‘semi-Kripkean’.

<sup>97</sup> Slote, *Moral Sentimentalism*, 75.

<sup>98</sup> Slote, *Moral Sentimentalism*, 131. It might be noted, however, that Slote also suggests that marginal utility could be invoked to justify progressive taxation within a care-ethical theory. *Ibid.*, 129.

that is, grounded in and guided by an ethic of caring, then the ‘ethical soul’ of that society as a whole will be just.<sup>99</sup> And so Slote concludes that, assuming the legislators follow suit, a society operating according to an ethics of care would exhibit a higher degree of social justice than utilitarianism could ever hope to produce.

### 3.3. Concluding thoughts

Slote turned to the ethics of care in the hope of finding an answer to the problems in Hume’s sentimental account of the virtue of justice. He is optimistic that an ethics of care, combined with his own agent-based virtue ethics, can not only ground social justice, but also provide an account of motivation to justice. While one could be convinced by intuition alone that care has a priority over justice in the family situation, it is less obvious that an ethics based on care alone has adequate theoretical resources for grounding a normative theory.<sup>100</sup> In the end it is doubtful that Slote’s sentimental account of the virtue of justice is any better than Hume’s own. His ‘semi-Kripkean’ reference-fixing account of moral terminology via the mechanism of empathy, insofar as it relates to justice, seems merely to land him back in the ‘Humean circle’ from which he was originally trying to break free.<sup>101</sup> He admits that it is easier to empathise with those ‘near and dear to us’, and due to perceptual immediacy, the victim suffering abuse on our doorstep might arouse more empathy than the starving child on the other side of the world, but he offers no solution to this most pressing question of impartiality.<sup>102</sup> His theory relies on a highly optimistic view of human nature, leaning more towards Hutcheson than Hume. And lastly, he seems unsure about the exact relation between justice and care; the virtue of justice seems somehow to emerge spontaneously from caring. It is therefore doubtful that Slote’s sentimental account does enough work to explain why caring can ground a normative virtue ethical theory. A more reasonable conclusion, and perhaps more sustainable position, would seem to be to accept care as a background value within a wider theoretical framework of justice. In the end it seems that Aristotle’s robust

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<sup>99</sup> Slote, “The Justice of Caring”, 193.

<sup>100</sup> For an attempt to advocate the priority of caring without the support of VE theory, see Virginia Held, *The Ethics of Care Personal, Political, and Global* (New York: OUP, 2005).

<sup>101</sup> As we saw the circularity arises because the motive needs an account of rightness but the account of rightness is supposed to be grounded in the motive.

<sup>102</sup> Slote, “Justice as a Virtue”, 9; *Moral Sentimentalism*, 133. It might be noted that television appeals have been hugely successful in closing the gap of perceptual immediacy.

account of friendship does considerably more explanatory work than the rather nebulous notion of care.

From the above discussion, it can be seen that the secular teleological theories which have been examined struggle to generate a substantive account of either the ground of, or the motive behind, the virtue of justice. And so, we will turn now to theological conceptions of justice to see if they might shed light on the place of the virtue of justice in a virtue ethical theory. Can we explain the virtue of justice and its relation to the *telos* within the framework of a theistic virtue ethics?

#### 4. The virtue of justice and theism

##### 4.1. Introduction

Since the aim of this thesis is not simply to conduct a critical analysis of CVE, but also to attempt the construction of a theistic version of VE theory, the objective of this next section will be to bring some theological and biblical reflection to bear on the preceding analysis. How can justice be understood as a virtue theologically speaking? And how might a theological conception of justice be situated in a theistic virtue ethics? We have seen that the idea of justice as a virtue has a long history which can be traced back to Plato's *Republic* and Aristotle's *Ethics*. This notion of justice as the fixed disposition to render to each his due not only became a core feature of Roman Law,<sup>103</sup> but was also accepted by the medieval theologians.<sup>104</sup> But it has also become clear from the preceding discussion that CVE theories, whether they follow Aristotle or Hume, have difficulties explaining not only the foundation of justice, but also how its apparently rule-bound character allows it to be seen as a virtue at all. In the light of our overall aim, then, we shall now consider whether a theological conception of justice, and in particular one consistent with the text of the OT, can address these difficulties. It will be argued that there is a way of interpreting the OT concept of justice alongside the associated concept of righteousness which can do just that, and which offers hope that a theistic VE theory can be successfully constructed on an Aristotelian framework. As with the results from the previous chapter, the theistic version of the virtue of justice will be ultimately tested against the book of Amos in the concluding chapter.

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<sup>103</sup> See for example the *Digest* and *Institutes* of Justinian.

<sup>104</sup> Aquinas, for example, defines justice as 'a habit (*habitus*), whereby a man renders to each one his due (*ius suum*) with constant and perpetual will'. *ST* II-II, 58, 1.

## 4.2. Justice in the OT

What can we understand about the virtue of justice from the OT texts? At first blush, the OT portrayal of justice might seem incompatible with CVE theory. More often than not the term justice appears to refer to a principle or norm of conduct, and not specifically to a virtue.<sup>105</sup> It is worth repeating that according to the conditions of adequacy of a VE theory which we laid out in Chapter 1, the good must be prior to the right, and so morality thus understood is not grounded in rules but in a concept of the good. We have therefore been calling those theories which understand virtues in terms of rules ‘virtue theory’, to distinguish them from the present project which concerns virtue ethics. The challenge before the biblical theist who is drawn to virtue ethics is to explain how biblical justice fits into the teleological framework which we investigated in the previous chapter, and on that basis to decide whether it might still be possible to construct a theistic version of virtue ethics which could stand as an adequate normative theory in its own right.<sup>106</sup>

If we remember our conclusion from the previous chapter that the human *telos* can be understood from a theistic perspective as relationship with God, and that the virtues are both instrumental to and constitutive of that relationship, then we have a framework for understanding the relation between *telos* and virtue. But does this theistic framework work for justice? Rather than abandon the idea of perfect justice, as Aristotle arguably seems to do, the theist can look expectantly to the character of her God, whose justice, according to classical theism, *is* perfect. In the light of perfect justice, human justice can only ever be a pale reflection, but it does have a standard at which to aim.<sup>107</sup> Moreover, if we follow Aristotle’s conception of friendship as ‘justice in the fullest sense’, then we may have a way of understanding justice, as the OT describes it, in a virtue ethical way. For if it can be argued that friendship understood as a relationship with God is more fundamental than the concept of justice, then the theist may have a way to address Aristotle’s problems concerning the ground of, and motive to, the virtue of justice.

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<sup>105</sup> In fact, there is no equivalent to the English word ‘virtue’ or to the Greek *aretē* in the OT.

<sup>106</sup> Whether any virtue ethics, secular or theological, can in fact ‘go it alone’ without recourse to principles of conduct is a moot point to which we will return in Chapter Five.

<sup>107</sup> We shall consider more fully the character of God as it is portrayed in the OT, and the issues it raises in the following chapter.

The OT texts reveal God as not only Lord of creation and Lord of history, but also as one who has entered a covenant relationship with his people. Within this relationship, he is described as faithful, just and righteous.<sup>108</sup> And if the theist has good reason to view justice, not simply as one among many of God's virtues, but as his 'chief attribute',<sup>109</sup> then she might plausibly consider God's justice in Aristotelian terms. Moreover, not only do the Psalms attest to the fact that God both loves<sup>110</sup> and does justice,<sup>111</sup> but they also declare justice to be the foundation of his very throne.<sup>112</sup> And so, if we think of the statement, 'God is just', not simply as a description of his character, or even the fact that justice is rooted in that character, but also that justice is the very ground of God's sovereign reign over his creation, we have the beginnings of a substantive enough conception of the virtue of justice to put to work in an ethical theory. However, we still need an explanation of what justice actually is, and why it is choice-worthy for human beings to be just. Why should one move from the descriptive 'God is just' to the normative 'human beings ought to be just',<sup>113</sup> and why are we motivated to be just and act justly? To investigate this further, our next step will be to consider the relevant Hebrew terms. We shall begin with the word which is usually rendered by 'justice', and then consider the related term 'righteousness'.

#### 4.2.1. Root *špṭ*

The standard Hebrew noun for 'justice' is *mišpāṭ*.<sup>114</sup> The root *špṭ* signifies judicial activity of all types, from law-making to arbitration to the pronouncement and execution of sentence. The idea underlying all these activities is to put right what has gone wrong, and so the *mišpāṭ* of the orphan and the widow is both their rightful case against oppression, and the judgment

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<sup>108</sup> In Chapter 6 we shall contemplate more fully the idea that Yahweh can be considered a God of justice. But we should note here that the very idea that there may be 'a biblical conception' of justice relies on the presupposition that scripture embodies unifying themes. See the Introduction for a statement of methodology for reading and interpreting the biblical text.

<sup>109</sup> Stephen Charles Mott, *Biblical Ethics and Social Change* (New York: OUP, 1982), 60.

<sup>110</sup> Ps 33:5; Is. 61:8; cf. Ps 11:7.

<sup>111</sup> Ps 103:6.

<sup>112</sup> Ps 97:1, 2 cf. 89:14

<sup>113</sup> The question of the relation between the justice of God and human justice will be examined in greater detail in the following chapter where we consider the idea of imitation.

<sup>114</sup> For a useful survey of *mišpāṭ* in the Hebrew Bible, see Bo Johnson, "מִשְׁפָּט" *TDOT*, IX:86-98. See also Peter Enns, "מִשְׁפָּט" *NIDOTTE*, 2:1142-44.

given in their favour.<sup>115</sup> In its theological use, *mišpāṭ* can refer to the process of settling a dispute between God and the people, and also to the final judgment where God acts as *šōpēṭ* (judge).<sup>116</sup>

The idea that *mišpāṭ* is an active concept is often reinforced by the use of metaphors, some of which are very vivid.<sup>117</sup> The Hebrew concept is therefore quite distinct from the notion of an abstract principle which is often associated with the English word ‘justice’. And as Bo Johnson notes, even when *mišpāṭ* does refer to a general sense of what is right, the verbs and metaphors used to express it imply activity.<sup>118</sup> The activity of *mišpāṭ* is connected to the related concept of ‘righteousness’: ‘righteousness’, as we shall see shortly, refers to activity or behaviour conforming to a standard, and *mišpāṭ* refers to the action which is called for in order to restore righteousness in the wake of unrighteous action. *mišpāṭ* functions much like the retributive sense of Aristotle’s particular justice, and, like Aristotle’s justice, it implies and relies on a pre-existing standard.

#### 4.2.2. Root *šdq*

‘Justice’ and ‘righteousness’ in Hebrew refer to related ideas, and are often used in parallel,<sup>119</sup> but the terms are not synonymous. In contrast to the activity inherent in *mišpāṭ*, the Hebrew word for ‘righteousness’ (*šedeq* or *šēdāqâ*)<sup>120</sup>, refers to a more static concept. It is a term which is much used but less easy to define. Where the root is found in Ancient Near Eastern writings, it lacks the forensic sense associated with *špṭ*, and simply conveys the idea of behaviour, action or character in conformity with some standard. This same sense is found in the Hebrew Bible: the *šaddîq* is the person who is righteous or who acts righteously.

<sup>115</sup> In the plural, it can refer to a body of case law, and so The Book of the Covenant (Exod 21-23) is often referred to in Judaism as the *mišpāṭîm*.

<sup>116</sup> It might be noted that the OT judges (such as Samuel) were not just legal or religious figures but also military leaders, since putting right what had gone wrong was often thought to be achieved through battle.

<sup>117</sup> An excellent example of this is Amos 5:24. See also Isa 58; Jer 21:12, 22:3.

<sup>118</sup> Johnson, “שֹׁפֵט”, 93.

<sup>119</sup> When these two terms are found together, they form a hendiadys, and so have a single meaning. The usual translation of *mišpāṭ* *šēdāqâ* is ‘social justice’.

<sup>120</sup> Although some scholars have attempted to make a semantic distinction between the two forms of this noun in the OT, David Reimer feels that any proposed distinction should derive from context rather than morphology, and that the terms are essentially interchangeable. For example, parallel passages in Ps 18 and 2 Sam 22 use different terms. David Reimer, “שֹׁפֵט” *NIDOTTE*, 3:744-69, 746. However, a semantic distinction can be found in the Dead Sea Scrolls where *šedeq* refers to human activity, and *šēdāqâ* to God’s saving acts. *Ibid.*, 767. See also Wright, *Old Testament Ethics*, 255-6.

The nature of the standard or norm to which *šdq* must conform is rarely specified in the OT. Although there are occasions when the standard of righteousness is declared to be the law or commandments of Yahweh,<sup>121</sup> more often it is merely implied and so can perhaps be understood as some type of natural law.<sup>122</sup> Noah was described as a righteous man ( *ʾiṣṣ šaddîq*), and blameless (*tāmîm*), long before the existence of any law or covenant.<sup>123</sup> When Judah declared that Tamar was ‘more righteous’ than he was, he must have been appealing to some common standard of righteousness, albeit implied.<sup>124</sup> Even in the ‘legal’ passages, there is not always a mention of explicit norms.<sup>125</sup>

When the OT speaks of human *šdq*, then, it refers to character or behaviour which is ‘right’ according to some standard set by the community, and so this character or behaviour is that which conforms to the norms inherent in any given relationship. The relationship could be the one between the people of God, when *šdq* will most likely refer to social justice, or it could be between the people and God.<sup>126</sup> When *šdq* is ascribed to God, ‘vindication’ or ‘salvation’ is often a better translation, since, in a theological frame of reference, *šidqôt* are the saving deeds or victories of Yahweh on behalf of an oppressed people with whom he is in a covenant relationship.<sup>127</sup> When Yahweh acts in righteousness, he is not acting in conformity with some standard; his actions as righteous judge are simply a reflection of his just and righteous character. Thus, commenting on Ps 40:9-10, Hans-Joachim Kraus observes that Yahweh’s righteousness was ‘no norm, no principle of justice, but deed, bestowal of salvation, proof of his faithfulness of promise and partnership’.<sup>128</sup> It should be noted that the

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<sup>121</sup> See, for example 2 Sam 22:21-25.

<sup>122</sup> Reimer, “צדק”, 746, 750.

<sup>123</sup> Gen 6:9.

<sup>124</sup> Gen 38:26. See also 1 Sam 24:17.

<sup>125</sup> For example, the prohibitions in Deut 16:19 against judges’ perverting of justice, showing partiality or taking bribes are stated as ‘simple moral principles that everyone should know’. Dale Patrick, *Old Testament Law* (London: SCM Press, 1986), 117.

<sup>126</sup> Amos, for example, uses *šdq* in the former sense, while Hosea leans more towards the latter. See Reimer, “צדק”, 763.

<sup>127</sup> It is in this basis that the Psalmist pleads. e.g. 31:1, 5:8. See also Ps 24:5, 103:6.

<sup>128</sup> Hans-Joachim Kraus, *Psalms 1-59: A Commentary* (Minneapolis, Minn.: Augsburg Publishing House, 1988), 427.

OT does not portray human *šdq* as detached from divine *šdq*. The people will only know *šālôm* when human *šdq* is a reflection of divine *šdq*.<sup>129</sup>

It is clear, then, that whether referring to the human or the divine, the idea behind *šdq* is a relational one, where *šdq* is fundamental to the maintenance of the relationship. But we are still faced with the Aristotelian problem that the virtues of justice and righteousness are essentially rule-bound notions, for even if we accept that these virtues are relational terms, it is norms which define the relationship, and how do norms supply a moral motive? Again, it is helpful to reiterate that this problem would not arise if we were not attempting to construct a virtue ethical theory; those (virtue) theories in which virtue is incidental to, rather than foundational to, the theory can happily accommodate the relation of virtues to rules.

### 4.3. OT justice and VE theory: a potential resolution

In an attempt to resolve this, we shall now turn to the thought of Johannes Pedersen, whose discussion of righteousness and justice in the OT evokes surprising parallels with the thought of Plato and Aristotle.<sup>130</sup> Pedersen understands *šdq* as a description of a healthy soul, meaning one which is in harmony and at peace. The righteous soul is therefore often referred to as *tāmîm* ('whole' or 'blameless'),<sup>131</sup> as well as *yāšār* or *nākōah* ('straight' or 'right'). Actions which proceed from such a soul will be righteous, for, as Pedersen explains: 'to act rightly is not to act according to rules which are forced upon the man from without. The good man acts rightly because he acts in accordance with the nature of his soul'.<sup>132</sup> Such a description might well appeal to a CVE theorist, even if the underlying covenant-based theology may not. Pedersen is committed to the concept of covenant, and he sees all relationships, whether within the family or community, or between God and human beings, as examples of covenant.<sup>133</sup> The life of the soul is only possible within the covenant, within which it forms a link, and that link can only be maintained if the soul acts according to its nature. In words which sound distinctly Aristotelian, Pedersen writes:

<sup>129</sup> We might think of the texts in Isaiah which emphasise the relation between *šdq* and *šālôm*; for example, Isa 9:2-7[1-6]; 32:17-18; 48:18; 60:17.

<sup>130</sup> Johannes Pedersen, *Israel: Its Life and Culture I-II* (London: OUP, 1926).

<sup>131</sup> Since the root *tmm* connotes wholeness or integrity, righteousness can be thought of as signifying a pure or 'undivided' heart, with a single will; that is, a heart free from the 'contaminating influence' of conflicting wills. *Ibid.*, 336-7.

<sup>132</sup> *Ibid.*, 337-8.

<sup>133</sup> *Ibid.*, 285 ff.1.

The common, as well as the individual soul, is a firmly constructed organism, where everyone holds his place. He holds his place according to the honour his soul acquires; and honour is identical with his ability to give and take. Justice consists in maintaining one's own honour and that of others in giving and taking in accordance with the position occupied within the covenant. . . it gives every man his due and exactly as much as he can receive.<sup>134</sup>

The individual soul maintains its integrity, or righteousness, by maintaining its link in the covenant. Justice is the mental disposition by which the peace of both the individual soul and the soul of the community is maintained. On the other hand, the perversion of justice, the bending of *mišpāt*, severs relationships thus disrupting the harmony on which the covenant depends, threatening both righteousness and peace and therefore the very life of the soul itself.<sup>135</sup> Justice can therefore be seen as generating both a privilege and a claim; the weaker will have a claim against the stronger, whose position of privilege (and power) enables him to meet that claim. And so it can be seen that in a monarchy the righteousness and peace of the whole community depends on the righteousness of the king and his acting according to *mišpāt*.

With Pedersen's thought on biblical justice and righteousness in mind, we can return to the problems we discussed concerning Aristotle's theory of justice to see whether a theistic perspective can clarify the notion of justice as a virtue within a VE theory. One problem we noted was that of self-other conflict. The non-communitarian Aristotelian might point to a possible tension between the civic virtue of justice and other, self-regarding, virtues. But, if the individual soul is linked to the covenant community, as Pedersen suggests, then justice maintains the self and the covenant simultaneously: 'He who maintains the covenant maintains himself, because he forms a spiritual totality with those with whom he has a covenant'.<sup>136</sup> This is essentially a theistic version of O'Connor's argument that justice is a relational virtue which links the individual to the whole community and that injustice, as a misorientation of the soul, causes a breach in the community.

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<sup>134</sup> Ibid., 342-3.

<sup>135</sup> See, for example, 1 Sam 8:3 where Samuel's sons perverted justice, and also Exod 23:6; Deut 16:19; 24:17; 27:19.

<sup>136</sup> Ibid., 342.

A second problem was that justice had the appearance of being a rule-bound activity. But this problem is solved if we consider justice as action or character in accordance with the nature of a righteous soul, and the good of the righteous soul as the prior notion. We can also see parallels between Aristotle's two senses of justice and that which we find in the OT.

Particular justice finds a natural parallel in the concept of social justice (*mišpāṭ ûṣ<sup>e</sup>dāqâ*), while the idea that the role of *mišpāṭ* is to maintain the integrity of the community is reflected in Aristotle's notion that universal justice is complete virtue.

And lastly, this line of thinking may enable us to understand moral motivation. At this point it is useful to remember Aristotle's conception of the relation between friendship and justice.

While we argued that Aristotle sought to ground the (overarching) virtue of justice in the overarching good of friendship, we also saw that he acknowledged that perfect friendship was rare. Aristotle intended his ethical theory to be practical, and yet there appears to be a tension between his idea that friendship, conceived as 'justice in the fullest sense', is the overarching good in his ethical theory, and the empirical data that this good is rarely obtainable. Aristotle faces the problem common to any normative theory based in philosophical naturalism: ethics and politics are limited by imperfect human nature. However, if the theist can substitute the OT conception of the covenant relationship for Aristotle's conception of friendship, it could be argued that the covenant relationship is more fundamental than the concept of justice, and indeed is 'justice in the fullest sense'; the theist may then have a way to address Aristotle's problem of the motive behind the virtue of justice.<sup>137</sup>

We concluded in the last chapter that the human *telos*, or *eudaimonia*, could be understood from a theistic point of view as a relationship with God. We now question whether it is possible to substitute the Aristotelian conception of perfect friendship with the idea of relationship with God as the OT reveals him. A virtue ethicist might point out that the motivation to virtuous action in Aristotelian friendship can be explained by the fact that the friend will naturally seek the good of the other, and so will act rightly (or justly) towards that

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<sup>137</sup> Admittedly, the substitution does not involve equivalent ideas, for the covenant relationship between God and his people is conceived in the OT as one between Lord and vassal and therefore is fundamentally hierarchical: Aristotle's idea of friendship, on the other hand, is a relationship between two perfectly virtuous persons, between two equals. Although Abraham is described twice in the OT as God's friend (Isa 41:8; 2 Chron 20:7), any human 'friendship' with God is clearly not a relationship between equals, nor a mutual dependence, for the perfect virtue and perfect justice in this relationship flows in one direction only. However, this admission does not seem to damage the metaethical argument that, in a theistic VE theory, justice can be grounded in the covenant relationship with God in a way which is similar to Aristotle's apparent grounding of justice in perfect friendship.

other: such friendship has no place for rules. However, in a covenant relationship with God, we encounter norms and covenant obligations, so has moral motivation been reduced to obedience to those rules and obligations? A biblically minded virtue ethicist might then reply that if human justice is conceived of as a reflection of the justice of God, it is not just instrumental for the covenant relationship, but is also integral to it. The motive to pursue justice and righteousness is not a motive to obey the rules or norms of the covenant relationship, but the motive to maintain its harmony. The internal aim of the virtue of justice is not the *kalon* of Aristotelian friendship, but the *kalon* of the harmony of the covenant relationship, and it is this good which does the work of motivation. On this understanding, the place of the virtue of justice in a teleological ethical framework can be preserved.

The notion of the covenant relationship with God also provides us with a model to follow, for even though our human friendships are less than perfect, if we base our friendships on the relationship which the biblical God has for his people, a relationship based on the bonds of *chesed*, then our friendships will be of the right type, reflecting the perfectly just and perfectly virtuous character of God, and not based on advantage, or pleasure.<sup>138</sup> Our substitution of Aristotle's conception of friendship with the OT conception of covenant relationship provides the theist with a much richer paradigm, not only for relationships between the human and God, but also for those between human beings.<sup>139</sup>

## 5. Conclusion

The aim of this chapter has been to search for an account of justice which can satisfy the second of our conditions of adequacy which are required by a VE theory if it to be normatively useful, and then to suggest a theistic version which can later be tested against the Book of Amos. This condition specifies that the theory must contain a satisfactory conception of virtue, its role in the theory, and its relation to the *telos*. Our discussion focussed on the virtue of justice and, since most CVE theories have their roots in either Aristotle or Hume, we began by considering how each of these thinkers conceived of this particular virtue.

We saw how Aristotle discerned that there are two senses according to which we refer to justice: particular justice was an individual moral virtue, while universal justice was

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<sup>138</sup> We shall return to this crucial topic of imitation of God in the next chapter.

<sup>139</sup> It could be argued that the lexical choice in *NE* and in the LXX is significant. The word Aristotle uses for 'friendship' is *φιλία* (*NE* VIII, IX), which is the general term for friendly relationships of all types: the associated verb is *φιλέω*. The Greek verb used in Lev 19:18 ('Love your neighbour as yourself'), Dt 6:5 and Amos 5:15 is *ἀγαπάω* suggesting a more elevated level of attachment than Aristotle could have conceived of.

‘complete’ virtue. We also detected several problems with his account of justice, one of the main ones being a difficulty in explaining the ground of, and motivation to, just behaviour. While this problem could be alleviated by regarding friendship as the overarching good at which justice (as the overarching virtue) aims, we saw that it was not completely resolved by Aristotle.

We subsequently turned to David Hume to see if help could be found in his theory, and examined the work of Michael Slote, the most prominent of the CVE thinkers who pursues a Humean-inspired approach. But Hume’s dismissal of reason in favour of sentiment as the ground of moral evaluation, and his inability to explain moral motivation in the case of justice, meant that it was not completely clear how justice could be considered to be a virtue at all according to his theory. And Slote’s attempt to combine an ethics of care with his own sentimentalist agent-based approach did not seem capable of rescuing Hume’s theory.

We therefore concluded that, of the two theoretical options available in CVE, Aristotle’s was the more promising. Moreover, his distinction between the two senses of justice could be understood within a theistic frame of reference, sustaining the hope that an Aristotelian framework remains a viable route to the construction of a theistic VE theory. Our study of the concepts of justice and righteousness in the OT confirmed this hope, for both these concepts are central to the OT understanding of the covenant relationship between the people and God, which we argued could be viewed as a theistic replacement of, and improvement on, Aristotle’s conception of friendship. Righteousness is a picture of covenant harmony and peace; where the integrity of the covenant is breached, threatening righteousness, peace and life itself, it is the function of justice to heal the breach and restore the harmony. The person possessing the virtue of justice is the one who is motivated to preserve the harmony of the covenant relationship which is, as we argued in the previous chapter, the ultimate *kalon*.

In the next chapter, we shall consider a further condition of adequacy required by a virtue ethical theory if it is to be normatively useful, and this is a satisfactory explanation of the concept of the moral exemplar.

## Chapter Four

### Moral exemplarism as the *imitatio Dei*

You shall be holy, for I the LORD your God am holy

Lev 19:2

I don't know whether there are any moral saints. But if there are, I am glad that neither I nor those about whom I care most are among them. . . I believe that moral perfection, in the sense of moral saintliness, does not constitute a model of personal well-being towards which it would be particularly rational or good or desirable for a human being to strive.

Susan Wolf, "Moral Saints"<sup>1</sup>

This chapter continues our critique of the main features of CVE theory, as preparation for the construction of a theistic version. So far, we have considered the fundamental concepts of *telos* and virtue, in particular the virtue of justice, and suggested that an Aristotelian understanding of these concepts can be successfully adopted into a theistic framework if the *telos* is understood as a covenant relationship with God, and the virtue of justice is understood as essential for the maintenance of the relationship. Our next step is to turn to the concept of the moral exemplar, for an understanding of exemplarism is crucial if our VE theory is to be normatively useful. Exemplarism has both metaphysical and epistemological aspects and this chapter will deal with the latter; that is, the moral exemplar as a means of knowing what the virtues actually look like.<sup>2</sup>

#### 1. Introduction

Psychologists have long recognised the value of the role model whose perceived success is set against one's own perceived lack of it, and whose existence, it is thought, spurs the individual on to greater things. An exemplar approach has been advocated for value

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<sup>1</sup> Susan Wolf, "Moral Saints" in Crisp and Slote, *Virtue Ethics*, 79.

<sup>2</sup> The metaphysical question, 'why should we imitate God?', requires an account of the source of normativity, and will be the subject of the next chapter.

education,<sup>3</sup> witnessed in presidential speeches,<sup>4</sup> and suggested as a means to draw more women into careers in STEM.<sup>5</sup> Interestingly, research has shown that ‘superstar’ exemplars do not always motivate, and may actively discourage.<sup>6</sup> Our contemporary society is certainly full of examples of persons who do not choose their exemplars so wisely: the success may be admired while the character is not. And so, one might feel, as indeed Aristotle felt, that exemplarism should have a moral dimension.

So far, this thesis has been advocating an Aristotelian framework for the construction of a theistic version of VE, but one might doubt the practical usefulness of his conception of the moral exemplar. The *phronimos*, the person of practical wisdom and moral virtue, was a mature, male citizen of Athens who through good fortune, education, and hard work has finally become fully virtuous, and who exercises his virtue in leadership of the community. He is the portrayal of an ideal, and, even in the Athens of Aristotle’s day, an ideal which was on the whole unattainable, except perhaps for the elite few. Therefore, if he exists at all, he can only ever be a role model for the few. Moreover, Aristotelian virtue might not command universal appeal; what is virtuous in one cultural situation may be vicious in another.<sup>7</sup> Some have even questioned the very idea of moral exemplarism, believing a life of virtue to be not only unappealing but also irrational.<sup>8</sup> But if the would-be-neo-Aristotelian virtue ethicist rejects the Aristotelian picture of embodied virtue because of its highly contextualised basis and its practical limitations, then she must devise an alternative. And in doing so, she might observe that even the best of human beings is still limited by his humanness, so that the character and actions of a person held up as a moral exemplar in one season of his life, could conceivably be less than exemplary in another; presumably, the vicissitudes of life present

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<sup>3</sup> Harry S. Broudy, B. Othanel Smith, and Joe R. Burnett. "The Exemplar Approach." *Journal of Aesthetic Education* 1, no. 1 (1966): 113-21.

<sup>4</sup> Lara M. Brown, "'The Contemporary Presidency': The Greats and the Great Debate: President William J. Clinton's Use of Presidential Exemplars." *Presidential Studies Quarterly* 37, no. 1 (2007): 124-38.

<sup>5</sup> Sapna Cheryan et al., "Do Female and Male Role Models Who Embody Stem Stereotypes Hinder Women's Anticipated Success in STEM?". *Social Psychological and Personality Science* 2 (6) (2011): 656-664. This research discovered that it was the nonstereotypical role models who were most likely to draw women into the field, while gender was largely irrelevant. [STEM = science, technology, engineering and mathematics.]

<sup>6</sup> See Penelope Lockwood and Ziva Kunda. "Superstars and Me: Predicting the Impact of Role Models on the Self." *Journal of Personality and Social Psychology* 73, no. 1 (1997): 91-103. If the role model was relevant and the success seemed attainable, the result could be inspiration; but if the reverse was true, the presence of such an ‘exemplar’ could in fact lead to demoralisation and self-deflation. See also Amanda L. Morin et al., "The Mother Teresa Effect: Counterproductive Effects of Touching an Altruist's Possessions on Charitable Giving." *Current Psychology* 34, no. 4 (2015): 693-701.

<sup>7</sup> For example, is the courage of the freedom fighter in the same moral category as the ‘courage’ of the terrorist?

<sup>8</sup> See, for example, Wolf, “Moral Saints”.

any *phronimos* with a constant challenge.<sup>9</sup> The theist, however, has a possible alternative available to her. She can look to God as supreme moral exemplar, the perfection of virtue personified, for in the transcendent we encounter a being who is beyond culture, beyond context and, most importantly, who is standardly conceived to be morally perfect. Although the idea of the *imitatio Dei* has ancient roots, and has been applied to many deities, for the purposes of this thesis the referent ‘*deus*’ is the God of the Bible.<sup>10</sup>

The task of this chapter, then, is to fulfil the third condition of adequacy which we argued is required for a normatively useful theistic version of VE theory, and this condition is a substantive and workable conception of the moral exemplar. We have suggested that, in a theistic framework, this exemplar could be God, and so, we will now assess the concept of the *imitatio Dei* in order to determine whether it will serve as a theistic alternative to imitation of the Aristotelian *phronimos*.<sup>11</sup> The question before us has two parts: can we, and indeed should we, imitate God? Our response shall follow three lines of investigation. We shall begin by discussing how the concept of *imitatio Dei* is understood in Judaism, where it is most often understood in terms of holiness, and consider in what sense holiness could be imitable: should the imitation of God be restricted to his actions or encompass both his actions and character? Secondly, we will consider the philosophically-driven objection from negative theology that, since positive attributes cannot be ascribed to God, imitation must be restricted to his actions. And lastly, we shall consider the text of the OT itself and review the case for and against the idea that the *imitatio Dei* is a useful normative concept, and that Yahweh, as he is portrayed in the OT, is a suitable candidate for imitation. In the light of this investigation, it shall be suggested that *imitatio Dei*, correctly understood, can indeed serve as a theistic alternative to imitation of the Aristotelian *phronimos*, and supply an epistemological model of the moral exemplar which could be incorporated into a theistic VE theory.

## 2. Imitation as holiness: ‘Be holy because I am holy’

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<sup>9</sup> We might remember from Chapter One that the situationist critique of virtue ethics has cast doubt on the stability of character traits and therefore on the possibility of a perfectly virtuous human agent.

<sup>10</sup> For a helpful review of the concept in Greek thought see David S. Shapiro, “The Doctrine of the Image of God and *Imitatio Dei*.” *Judaism* 12, no. 1 (1963): 57-77, esp. 67-70.

<sup>11</sup> Since this project is concerned with the relation of ethical theory to the OT, there will be no discussion of the related but distinct notion of the *imitatio Christi*.

In Judaism, the idea of *imitatio Dei* is grounded in, and limited by, the doctrine that man was created in the image of God. The resemblance between God and man may be no more than a shadow,<sup>12</sup> but it is because there is some resemblance in the first place that imitation is a possibility. Yet, to be like God is not to be as God, for there is a gulf between the creator and his creation. God in his essence is distinct from man in his: man, for example, cannot know as God knows.<sup>13</sup> But in what sense is it possible to imitate a perfect being? God in his essence is clearly beyond limitation, but does this mean that imitation should be reduced to God's actions, or should it also extend to his character? In other words, what are the normative ethical implications for the doctrine of *imitatio Dei*?

Those within Judaism who accept the centrality of the idea of *imitatio Dei*,<sup>14</sup> usually agree that it is based on the principle of the holiness of God and the corresponding command that the people be holy. However, holiness is difficult to define.<sup>15</sup> So what can the imitation of holiness mean? In the relevant OT texts, we find that the imperative ('be holy') is linked to the phrase 'I am the LORD', or 'I am the LORD your God'; the use of the covenant name for God emphasises the fact that the God referred to is personal, a being who is in a relationship with his people and who acts on their behalf. The people should be holy because their God is holy and their holiness should in some way mirror his own. Holiness is often explicitly related to consecration and the separation from the customs and practices of the surrounding nations.<sup>16</sup>

<sup>44</sup> For I am the LORD your God. Consecrate yourselves therefore, and be holy, for I am holy. You shall not defile yourselves with any swarming thing that crawls on the ground.

<sup>45</sup> For I am the LORD who brought you up out of the land of Egypt to be your God. You shall therefore be holy, for I am holy. (Lev. 11:44-45)

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<sup>12</sup> The Hebrew word  $\text{צֶלֶם}$  ('image') may be related to  $\text{צֶל}$  ('shadow'). Cf Ps 39:6.

<sup>13</sup> Gen 3:5.

<sup>14</sup> David Shapiro argues strongly that the idea of *imitatio Dei* is central to Jewish thought; others disagree (Shapiro specifically mentions Leon Roth). See David S. Shapiro, "The Doctrine of the Image of God and *Imitatio Dei*." *Judaism* 12, no. 1 (1963): 57-77, 66.

<sup>15</sup> To Solomon Schechter, the statement that imitation consists in holiness is simply a tautology: *imitatio Dei* is holiness, and holiness is 'but another word for *imitatio Dei*'. Solomon Schechter, *Some Aspects of Rabbinic Theology* (London: Adam and Charles Black, 1909), 199.

<sup>16</sup> The 'Holiness Code' (Leviticus 17-27) which describes holy living in every sphere of life is the best example of this. Lev 20:26 states clearly that the Lord has separated Israel from the peoples in order that they belong to him.

Perhaps the best-known holiness command is in Leviticus 19:2, and it is clear from the following verse that holiness should lead to action of some sort.

<sup>2</sup> Speak to all the congregation of the people of Israel and say to them, You shall be holy, for I the LORD your God am holy.

<sup>3</sup> Every one of you shall revere his mother and his father, and you shall keep my Sabbaths: I am the LORD your God. (Lev. 19:2-3)

Deuteronomy 10:17-20 provides further details of how this holiness should manifest itself in the lives of the people, and what ‘walking in the ways of God’ (v. 12) really means.

<sup>17</sup> For the LORD your God is God of gods and Lord of lords, the great, the mighty, and the awesome God, who is not partial and takes no bribe.

<sup>18</sup> He executes justice for the fatherless and the widow, and loves the sojourner, giving him food and clothing.

<sup>19</sup> Love the sojourner, therefore, for you were sojourners in the land of Egypt.

<sup>20</sup> You shall fear the LORD your God. You shall serve him and hold fast to him, and by his name you shall swear. (Deut. 10:17-20)

From these texts it is clear that imitation of God’s holiness is not some abstract idea but is tied to practical ethics; it is also clear that this command is inseparable from the narrative of the people and their relationship with God. The people are to remember that they were strangers in Egypt, and this remembering will provide the necessary motivation to obey the command. Just as they received divine compassion and mercy, and witnessed the justice of God, so they are to act towards others, both inside and outside their community. The requirements of human holiness are therefore premised upon the self-revelation of God’s holy character, and the actions which flow from it. He is not partial and will not be bribed; he is just, and so executes justice; he is love and so loves the stranger (Deut. 10:17-19). The people, therefore, should practice love, justice and mercy.<sup>17</sup>

At this point it might be noted that, while the command is premised on the character of God, the text does not specify whether imitation is to be restricted to God’s actions, or extended to

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<sup>17</sup> The statement that the God of the Hebrew Bible is just may be one of the most disputed statements in the whole of OT scholarship, and we shall discuss this shortly.

include character. Rabbinic teaching leans towards the former interpretation: God has revealed his ‘ways’ or ‘paths’ in scripture, they can be understood through the midrashim and, therefore, they can be imitated; in fact, the recurring imperative to ‘walk in the ways of the Lord’, actually commands it. The attributes or qualities of God are certainly discernible through his actions, but human holiness is a life of imitation of God’s actions.<sup>18</sup>

Following the rabbis, one might accept that it is possible to imitate God’s holiness by imitating his actions, albeit within certain fixed parameters,<sup>19</sup> while not accepting that imitation of God’s holiness was *reducible to* action(s). While it is true that the texts do not contain any explicit command to cultivate a holy character, one might still instinctively feel that imitation of a person is not simply a matter of copying their actions: it consists, rather, in emulating their character. And, as we have noted from the start, the primary interest of the virtue ethicist is character rather than action. And so, even if we cannot ultimately be sure that the intention behind the exhortations was the imitation of the holiness of actions alone or holiness of actions plus character, the virtue ethicist need not find herself defeated in the search for a moral exemplar for her theistic VE theory. For the viability of the concept of exemplarism does not rest on the presence of an explicit command. Equally important is a description of the character of the exemplar. In any case, while the notion of holiness may be a necessary fact about God’s character or essence, in contradistinction to the holiness of Israel, it may not be the best concept to ground exemplarism. It could be argued that we need a thicker concept. And so, the biblically minded theist in search of a moral exemplar for her VE theory might look to other texts which describe the character of God in some detail, even though there is no explicit command to imitate, in order to produce a more substantive and workable conception of God as moral exemplar which could be put to use in a theistic VE theory. In addition, the very idea of basing morality on commands is antithetical to VE theory as we have pointed out.<sup>20</sup> How, then, is the character of God described in the OT?

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<sup>18</sup> In the *Sotah* of the Babylonian Talmud the Amora, Rabbi Hama ben Hanina not only extracts the principle of *imitatio Dei* from Deuteronomy 13:4[5], but also, in a somewhat imaginative use of biblical texts, spells out in some detail what he believes this means: clothing the naked, visiting the sick, comforting mourners. *B. Seder Nashim*, Tractate *Sotah* 14a (trans Rev. Dr. A. Cohen; London: The Socino Press, 1936), 72-3.

<sup>19</sup> Many of the actions which the OT attributes to God are simply not candidates for imitation; they are either practically impossible or morally inadvisable for imperfect beings to even attempt to imitate.

<sup>20</sup> Lev 19:2 could be interpreted as an example of deontological ethics.

One passage often considered to contain a summary of the character of God, and a basis, therefore, for the imitation of God, is Exodus 33-34, where Moses is granted his request to be shown ‘the ways of God’:<sup>21</sup>

<sup>6</sup> The LORD passed before him and proclaimed, “The LORD, the LORD, a God merciful and gracious, slow to anger, and abounding in steadfast love and faithfulness,

<sup>7</sup> keeping steadfast love for thousands, forgiving iniquity and transgression and sin, but who will by no means clear the guilty, visiting the iniquity of the fathers on the children and the children's children, to the third and the fourth generation”.

<sup>8</sup> And Moses quickly bowed his head toward the earth and worshipped. (Ex. 34:6-8)<sup>22</sup>

Although there is no mention of imitation in this passage, it does appear to contain a self-revelation of the divine character and the divine attributes in addition to a summary of divine action. Character, after all, is the prior concept; actions are derivative from it, and reflective of it. If *imitatio Dei* is not to be reduced to imitation of divine action, then such a summary of divine attributes could provide for us a description of a moral exemplar, a character defined in thick enough terms that imitation is a possibility, thicker than the more generic ‘holiness’. However, if one were to use a passage such as this as a basis for imitation, two fundamental areas of difficulty emerge. Firstly, we must discern which of the attributes are imitable, and which are not. While it is relatively easy to appreciate the possibilities for imitation, however incomplete, in the spheres of mercy, grace, love and forgiveness, it is not so easy in the case of the justice or judgment of God alluded to in the latter part of verse 7.<sup>23</sup> Secondly, and more fundamentally, is the question of whether we can speak about ‘essential divine attributes’ at all. We are, therefore, still unclear whether the concept of *imitatio Dei* is substantive enough to address the epistemological aspect of moral exemplarism required by a VE theory.

## 2.1. Concluding thoughts

<sup>21</sup> See Exod 33:13. It is generally accepted that in the singular, the ‘way of the Lord’ refers to a particular divine instruction, whereas the more common plural expression refers to one’s whole way of life. Most translations retain the plural form of the expression ( הַדְרֹעַיִם לַיהוָה אֱלֹהֵינוּ ).

<sup>22</sup> The partial or complete repetition of this summary of the divine character at multiple points across the OT, testifies to its importance to the OT canon, and strengthens the case that it could provide a basis for evaluating the notion of *imitatio Dei*. See Neh. 9:17; Ps. 86:15; 103:8-13; 145:8-9; Joel 2:13; Jon. 4:2; Mic. 7:18; Nah. 1:2-3; cf. 2 Chron. 30:9; Ps. 111:4.

<sup>23</sup> Shapiro suggests that Ps 103:9 could provide a commentary on this passage since verse 9 reads ‘He will not always chide, nor will he keep his anger forever’; but this text seems to simply point out that there is a limit to God’s anger rather than make any comment on the concept of generational guilt. Shapiro, “The Doctrine of the Image of God”, 72, n. 16.

Three main points have emerged from the preceding discussion. Imitation of actions alone is inadequate for VE theory, which is grounded in the concept of virtuous character; imitation must be extended to character as well. Secondly, holiness not a thick enough concept on which to base imitation; a thicker description of God's character is needed. Thirdly, we need to clarify what we mean by 'essential divine attributes'. This brings us to our second area of investigation. For imitation of God to be a normatively useful concept in a VE theory, we need a clear picture of the character of this God. But the long-standing apophatic tradition in Jewish and Christian thought claims that positive attributes cannot be ascribed to God: any imitation, therefore, must be limited to his actions. We now consider whether classical theism can overcome the objections to *imitatio Dei* which are raised by negative theology.

### 3. Positive attributes and negative theology: the problems for imitation

Martin Buber famously called the concept of the *imitatio Dei* 'the central paradox of Judaism'.<sup>24</sup> He asks how it is possible to worship God as he is in himself, and not as he is portrayed through the imaginings of man. We need to have an idea of what we are to imitate, yet how can we form an idea if God is 'invisible, incomprehensible, unformed, not to be formed'.<sup>25</sup> If we do form an idea, and proceed to imitate that idea, we cease to imitate God as he is in himself. This is the paradox. Buber has drawn attention to an important objection to the concept of *imitatio Dei*, which is often discussed under the rubric of negative theology: since positive attributes cannot be ascribed to God, how is it possible to imitate the character of God? It is to this question that we now turn.

The great Jewish philosopher Maimonides is the key thinker in the Jewish discussion of the *Imitatio Dei*. In his *Guide of the Perplexed*, he states that since God is the final cause of everything, 'the purpose of all things is to resemble as far as possible His perfection'.<sup>26</sup> Although he does not provide a systematic examination of the topic in the *Guide*,<sup>27</sup> it is clear that he doubted the existence of positive divine attributes, and he cautions against reading the

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<sup>24</sup> Martin Buber, "Imitatio Dei," in Martin Buber, *Mamre: Essays in Religion* (trans Greta Hort; Melbourne: Melbourne University Press, 1946), 37.

<sup>25</sup> *Ibid.*, 38.

<sup>26</sup> Maimonides, *The Guide of the Perplexed* (An Abridged Edition with Introduction and Commentary by Julius Guttman; trans Chaim Rabin; New Introduction by Daniel H. Frank; Indianapolis, Indiana: Hackett Publishing Company Inc., 1995), I. 69, 87. [hereafter *Guide*]

<sup>27</sup> Howard Kreisel notes that, in general, *The Guide* often appears equivocal because Maimonides was writing in the midst of thinking and rethinking his own position on key issues. Howard Kreisel, "Imitatio Dei in Maimonides' Guide of the Perplexed." *AJS Review* 19, no. 2 (1994): 172. See also the *Mishneh Torah*, in which Maimonides cites the imitation of God is eighth in his list of commandments.

Bible literally; for example, a literal understanding of anthropomorphic language, where metaphor or simile had been intended, can produce confusion.<sup>28</sup> Maimonides' intention was to merge Aristotelian philosophy with a traditional Jewish conception of God. He believed that without philosophical insight, it was impossible to fulfil the commandment in Deuteronomy 6:5 to love God, whereas increasing (philosophical) knowledge led to an increased ability to do so. To interpret the Bible literally was, for Maimonides, tantamount to idolatry and an impediment to the fulfilling of the command. Although in his rationalist approach to scripture, Maimonides leans towards Aristotle more than to Judaism, his thought is worth considering, especially in light of the contemporary resurgence of interest in negative theology.<sup>29</sup> If God can be understood to function as the moral exemplar in a theistic VE theory, which claims to be normative, then his character must be knowable.

While holding that God's existence is a philosophical necessity, Maimonides believed that the fact of his oneness denies the possibility of character dispositions or faculties, for that would constitute plurality and imply that God is a composite being.<sup>30</sup> He also believed that it would be absurd to hold that God could stand in relation to another being, for there has to be some similarity of 'species' for such a relation to hold. Neither could he, being incorporeal, stand in relation to time or place since they both imply measurability and time implies both motion and measurability. And it cannot even be said that God has an existence, for existence is an accident affecting that which exists, a concept 'superadded' to its essence. God exists necessarily and perpetually and therefore 'exists without existence, and similarly lives without life, is powerful without power, and knows without knowledge'.<sup>31</sup> Therefore, if we are to retain the belief in the perfection of God, the only way to describe him is in negative terms. 'By affirming anything of God, you are removed from Him in two respects; first,

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<sup>28</sup> His reader, the perplexed person, turns out to be a very particular type of person; he is not just the man-in-the-street or the philosophical novice, but rather 'the religious man who has arrived at deep-set belief in the truth of our faith and who is perfect in the religious and moral sense'. Maimonides, "Introduction", *Guide*, 41. Since the average worshipper is incapable of grasping the philosophy which is at the heart of the Bible, the prophets used anthropomorphisms and metaphors and similes and wrote in parables to enable the ordinary person to understand something of the truth. It is the task of the philosopher in the exegesis of Scripture to uncover the true meaning. Jacob's dream for example, rightly understood, is a picture of the upward path of the philosopher as he increases in knowledge of the spheres and awareness of God. Maimonides, *Guide*, I.15.

<sup>29</sup> One might think of the work of Jean-Luc Marion, Jacques Derrida, John Caputo, and Richard Kearney. For an excellent critique of the impact of 'cultural' as well as philosophical apophaticism see, Lieven Boeve, "Negative Theology and Theological Hermeneutics: The Particularity of Naming God." *Journal of Philosophy and Scripture*. 3 (2) (2006): 1-13.

<sup>30</sup> An attribute is an accident, a state of the essence of a thing, and not itself essence. See Maimonides, *Guide*, I.51, 67.

<sup>31</sup> *Ibid.*, I.67, 77.

whatever you affirm, is only a perfection in relation to us; secondly, He does not possess anything superadded to this essence'.<sup>32</sup> We can see here the background of Buber's thought that *imitatio Dei* was 'the central paradox of Judaism'.

In an Aristotelian fashion, Maimonides believes that the highest state of perfection is the perfection of the intellect, when a man knows all things which are in his power to know.<sup>33</sup> However, unlike Aristotle, Maimonides' ultimate perfection entailed knowledge of the Lord, leading to imitation of his actions of mercy, justice and righteousness.<sup>34</sup> And, despite his philosophical elitism and supreme confidence in the power of human reason, his philosophy is tempered, as Aristotle's is not, by humility; he was acutely aware of the limits of human understanding when faced with the divine.<sup>35</sup>

Praise be to Him who is such that when our minds try to visualise His essence, their power of apprehending becomes imbecility; when they study the connection between His works and His will, their knowledge becomes ignorance; and when our tongues desire to declare His greatness by descriptive terms, all eloquence becomes impotence and imbecility.<sup>36</sup>

Yet in the end, despite his theism, all that Maimonides is able to say by way of affirmation is that God exists by necessity and that he is non-composite.<sup>37</sup> Every divine attribute is either an attribute of action or is expressed as a negation of its own absence ('God is not powerless', 'God is not ignorant' etc).<sup>38</sup> For example, the thirteen qualities or dispositions revealed to Moses in Exodus 34:7,<sup>39</sup> were all the results of God's action in creation, which God describes

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<sup>32</sup> Maimonides, *The Guide of the Perplexed* (trans M. Friedländer; London: Routledge, 1925), I.59, 84. [hereafter *Guide* (F)]

<sup>33</sup> Maimonides, *Guide*, III.27, 174.

<sup>34</sup> Maimonides, *Guide*, III.54, 201.

<sup>35</sup> e.g. *Ibid.*, I.31, 56.

<sup>36</sup> *Ibid.*, I.58, 82.

<sup>37</sup> Maimonides, *Guide*, I.58, 80. He is especially impatient with those who, when addressing God in prayer, ascribe to him attributes which Maimonides thinks unfitting; he believes this verges on blasphemy and urges those people to heed the Psalmist ('Silence is praise to Thee'), as well as the words of Solomon ('For God is in heaven, and thou upon earth; therefore, let thy words be few'). Maimonides is quoting here from Ps 65:2 and Eccl 5:2. See *Guide* (F) I.59, 85, 87.

<sup>38</sup> See Ch. 58 of Book I.

<sup>39</sup> The Sages use the word *middoth*, literally 'measures', the word also used for moral qualities as in 'four dispositions in those who go to the house of study' (*Aboth* 5, 16-17). This is not to say that Maimonides attributes moral qualities to God, just that when men act morally they produce actions similar to those of God.

as ‘very good’,<sup>40</sup> as well as in his governance of the world: Moses was not granted knowledge of God’s essence. *Imitatio Dei*, to Maimonides, means simply the imitation of God’s actions.<sup>41</sup>

Maimonides’ conception of God and his apophaticism concerning the divine attributes, generates great problems for an understanding of *imitatio Dei*. As Kenneth Seeskin observes:

Maimonides’ philosophy shows us what happens if you remove all anthropomorphic content from your conception of God: you remove all content of any kind. In the end, you are left with a God whose essence is unknowable and indescribable. Of what possible value is such a conception either to philosophy or to religion?<sup>42</sup>

It is clear that if the idea of imitating God is to be of any practical use in a normative ethical theory, then we must have access to a knowledge of God which enables us to make some sort of affirmative claims about him. The idea of being made in the image of God must have some content. Apophatic theology seems to fail on logical as well as semantic grounds: we cannot state that a certain object does not possess certain qualities unless we have a rough prior notion of what it actually is.<sup>43</sup> The negative is to that extent predicated on the positive. Maimonides’ argument that only metaphor and analogy are appropriate in speech about God also fails because metaphor uses analogy, and for analogy to work it must be possible to make affirmative statements about the analogates.<sup>44</sup>

It might be noted that negative theology is very much alive and well today.<sup>45</sup> But, as we lose sight of God as the signifier of ultimate being and first cause, we lose our ontic referent, and

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<sup>40</sup> Gen 1:31

<sup>41</sup> Maimonides, *Guide*, I.54, 76-77. At this point Maimonides is in agreement with the rabbis in their comments on Leviticus 19:2; he quotes here from the *Sifre* on Deuteronomy 10:12. ‘As He is gracious, so be thou gracious; as He is merciful, so be thou merciful’ (*Guide*, I.54, 77).

<sup>42</sup> Kenneth Seeskin. “Maimonides”, *SEP*, 2006, substantive revision 2013. URL = <<https://plato.stanford.edu/archives/spr2014/entries/maimonides/>>., 17.

<sup>43</sup> Augustine objected to God’s being termed ineffable ‘for when this is said, something is said. And a contradiction in terms is created, since if that is ineffable which cannot be spoken, then that is not ineffable which can be called ineffable’. Augustine, *On Christian Doctrine* (translated, with an introduction by D. W. Robertson; Indianapolis, Ind.: Bobbs-Merrill Educational, 1958). Chapter 6, 11.

<sup>44</sup> For more on this thought see, William L. Power, “Imago Dei - Imitatio Dei.” *International Journal for Philosophy of Religion* 42, no. 3 (1997): 131-41, 132-4.

<sup>45</sup> In fact, proponents of apophatic theology, or at least non-foundational theologies, do claim that understanding ethics is possible within those frameworks, but such an approach would require a different line of argument to the one pursued in this thesis. For a comprehensive introduction to the history of negative theology, including further discussion of Maimonides’ writing, see William Franke’s edited anthology of various key texts. William

we then lose our capacity to construct a useful and intelligible theistic ethic. If our God is to ground a normative ethical theory, he must arguably be a metaphysical reality. We will now consider a philosophical and theological response to apophaticism.

### 3.1. Positive attributes and negative theology: answering the objections

How does the theist answer the objections posed by negative theology? One promising line of response is to draw on an argument of William Power, who uses Anselm's dictum, that God is a being greater than which none can be conceived,<sup>46</sup> to ground a thoroughly cataphatic theology.<sup>47</sup>

To be a God who is worthy of admiration and imitation, Power argues that the God of Christianity and Judaism should not only be worthy of the highest philosophical speculation, but also of the noblest theological reflection. Being eternal, omnipresent, necessarily existent and the source of all value he is ontologically perfect, but he is also axiologically perfect, and so possesses communicable as well as incommunicable attributes.<sup>48</sup> Within an Anselmian framework, God can be described as omnipotent because it is 'metaphysically impossible for there to be a being with a greater scope of power', and he is likewise omniscient because it is 'metaphysically impossible for there to be a being with a greater scope of knowledge'. On the same reasoning God is omnibenevolent, meaning he possesses limitless love and so he is morally perfect, and omniproductive, not only the creator of all concrete beings but also the generator of all abstract entities and the metaphysical structure of all possible worlds.<sup>49</sup> Finally, extending the same reasoning to the affections, Power opposes the traditional conception of divine impassibility, and argues that God is in fact 'omnipassable', meaning that he possesses the greatest conceivable scope for *pathos*.<sup>50</sup> A God who is worthy of

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Franke, *On What Cannot Be Said: Classic Formulations / Apophatic Discourses in Philosophy, Religion, Literature, and the Arts* (Notre Dame, Indiana: University of Notre Dame Press, 2007). Also of interest is the short discussion of negative theology in the early church in: Philip Sheldrake, *Spirituality: A Brief History* (2nd ed.; Chichester: Wiley-Blackwell, 2013), 29-32.

<sup>46</sup> 'aliquid quo maius nihil cogitare potest'. Anselm, *Proslogion*. With *A Reply on Behalf of the Fool*, by Gaunilo, and *The Author's Reply to Gaunilo* (translated, with introduction and philosophical commentary, by M. J. Charlesworth; Oxford: Clarendon Press, 1965), II, 116.

<sup>47</sup> Power, "Imago Dei".

<sup>48</sup> Imitation is necessarily limited to the communicable attributes; the incommunicable attributes are commonly understood to be God's aseity, immutability, eternity, omnipresence and simplicity. Wayne Grudem, *Systematic Theology: An Introduction to Biblical Doctrine* (Leicester: IVP, 1994), 157.

<sup>49</sup> *Ibid.*, 136-7. See also William Power, "Divine Poiesis and Abstract Entities" *Religious Studies*, 30, no. 3 (1994): 335-341.

<sup>50</sup> *Ibid.*, 138.

worship and fit for imitation must be ‘epistemically, morally, productively, and affectively perfect in all possible worlds’.<sup>51</sup> Indeed, worship is the only suitable response to such a being,<sup>52</sup> and the desire to imitate is a natural consequence of the divine-human encounter, even though that imitation will necessarily be limited.

With such a concrete view of God, the theist now has a framework for both the *imago Dei* and the *imitatio Dei*, the latter being understood as consisting in living in accordance with the powers and capacities which reflect the image of God. The human being can seek to gain knowledge (*logos*), to act well (*ethos*), to produce objects of beauty (*poiesis*), and develop the capacity to care (*pathos*). And finally, as Power notes, humans have the capacity to experience the peace, joy and happiness which results from flourishing relationships with God and with fellow human beings.<sup>53</sup>

In Power’s argument, and in contradistinction to that of Maimonides, we see a clear departure from the God of Aristotle. A merging of the God of the philosophers with the God of the bible can only occur following substantial revision of the former notion. The God of Christianity and Judaism is not only supreme and perfect being; he also created humankind in his own image thus endowing human life with meaning and value. He is not only the source and *telos* of our capacities; he is also the perfect model for our exercising them. He is not only the ultimate reality; he is also a God in a covenant relationship with his people. This God is not just a theoretical concept, but a personal God, and the only being whose character as well as actions are worthy of imitation. Worship is the point of departure.

Since imitation should be fundamentally practical, it should, arguably, be less concerned with trying to fathom out the unfathomable essence of God, than with discerning the divine economy of God’s plans and purposes for human beings. The Church Fathers understood this well,<sup>54</sup> and in the anonymous Epistle to Diognetus, we find the writer exhorting his readers to imitate the kindness of God through acts of kindness to the burdened and the needy.<sup>55</sup>

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<sup>51</sup> Ibid., 135.

<sup>52</sup> We might remember that worship was Moses’ immediate response to the divine self-revelation. Ex 34:8.

<sup>53</sup> Power, “Imago Dei”, 139.

<sup>54</sup> We might think of Gregory of Nazianzen, for example, who condemned the Eunomians for their belief that it was possible to conceive of God’s essence. See Boniface Ramsey, *Beginning to Read the Fathers* (New York: Paulist Press, 1985), 46.

<sup>55</sup> Anonymous, *The Epistle to Diognetus*. Ante-Nicene Christian Library: Translations of the Writings of the Fathers, A. Roberts and J. Donaldson (ed.). Vol. I *The Apostolic Fathers* (Edinburgh: T&T Clark, 1867), 313-4. Less practical, perhaps, was Jerome’s exhortation to a recently bereaved nobleman, that to fulfil the

### 3.2. Concluding thoughts

The aim of this thesis is to construct a theistic version of a VE theory, and if that theory is to be normatively useful, then it must be capable of practical application. Philosophical insight must resonate with human experience, for ethical theory is ultimately the most practical part of philosophy. Virtue ethics needs a concept of the moral exemplar, and it has been suggested that the exemplar in a theistic theory could be the person of God himself. Imitation is more than imitation of actions, but is also imitation of character, since character is the prior notion. *Imitatio Dei*, then, is not simply the imitation of God's good actions, but also the imitation and reflection of God's character, which is essentially good.

We noted the effect that negative theology has on the idea of imitating God. While negative theology does caution us to avoid idolatry, its denial of positive divine attributes means it is of limited use in the construction of a theistic normative ethical theory where the ground of that theory, the *theos*, must be a definable character. In order to be imitable, the character, as well as actions, of the moral exemplar must be knowable. If, as is suggested here, the supreme exemplar is God, then, if 'knowledge of God' is to mean anything at all, God must be knowable. It is good to remember the words of Zophar as he speaks to Job:

<sup>7</sup> Can you find out the deep things of God? Can you find out the limit of the Almighty?

<sup>8</sup> It is higher than heaven - what can you do? Deeper than Sheol - what can you know? (Job 11:7-8)

But it is also beneficial to heed the words of A.W. Pink who, while admitting that attaining perfect knowledge of God is impossible, since he is incomprehensible in his being, adds that 'it would be folly to say we will therefore make no effort to attain any degree of it'.<sup>56</sup> If the Bible is held to be a source of information about the working out of the divine nature in the created world, then the task of the theologian is to navigate between a biblical literalism which seeks to systematise the attributes into a rigid doctrine, and a philosophical speculation beyond the textual evidence. Although the human mind fails to adequately capture the notion of the essence of God, human language can still convey truths about the divine character and

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commandment in Leviticus 19:2, the latter should do more than merely offer financial support to the monasteries, but actually go and live as a monk himself. Jerome, *Letters*. Letter 118 To Julian, accessed Dec 1, 2017, <http://www.newadvent.org/fathers/3001118.htm>.

<sup>56</sup> A. W. Pink, *The Attributes of God* (2nd ed. Grand Rapids, MI: Baker Books, 2006), 113.

his attributes, truths that the author of Exodus 34:6-8 surely intended to convey. And so, it is presupposed that divine attributes are identifiable from the textual evidence. For most of the ‘communicable’ attributes the idea of imitation is unproblematic: few would be likely to argue that love, goodness, mercy, patience, wisdom or faithfulness are not worthy of imitation. Other attributes, however, in particular God’s righteous anger and his justice, are more problematic, and we shall return to these questions shortly.

So far in this chapter we have reflected on the difficulties of understanding *imitatio Dei* as holiness and argued that imitation must refer to character as well as to action. We also noted that, if a theistic ethics is to be both intelligible and normatively useful, the *theos* must not only be a metaphysical reality, for the theory requires an ontic referent, but also a reality which can be described in positive terms. We then suggested that the objections from negative theology could be answered by an appeal to an Anselmian theology.

We will now turn to our final area of investigation, which is the debate surrounding the concept of the *imitatio Dei* in the text of the OT. What does the text say about the goodness of God, and in particular his justice and righteousness, and are there any obstacles to a textual justification of Yahweh as supreme moral exemplar?

#### **4. *Imitatio Dei* in OT scholarship**

Our final area of investigation is to assess whether any evidence of a doctrine of *imitatio Dei* can be found in the OT text, and if so, whether it is substantive enough to provide a concept of moral exemplarism which could be used in a theistic VE theory. In the first place, we need to know whether the idea of imitation is made explicit in the texts, or is merely implicit, or perhaps even absent altogether. Secondly, we should consider the suggestion that morality is in some sense ‘shared’ by God and humanity. Lastly, and most crucially for the prospect of imitation, we must ask whether it is possible to interpret the God of the Hebrew Bible as an essentially good God. Walter Houston has questioned whether the character of the OT God provides an appropriate basis for imitation at all.<sup>57</sup> And there are other scholars who see little trace of the God of Anselmian theology in the pages of the Old Testament: what they find in the texts is a capricious figure who is, in the view of one writer, ‘insecure’, ‘irrational’,

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<sup>57</sup> Walter J. Houston, “The Character of YHWH and the Ethics of the Old Testament: Is *Imitatio Dei* Appropriate?” *JTS* 58, no. 1 (2007): 1-25.

‘vindictive’ ‘dangerous’, ‘malevolent’ and ‘abusive’.<sup>58</sup> If such an assessment is in any way accurate representation of the character of Yahweh, there seems little to recommend in the idea of *Imitatio* Yahweh, and little hope that *imitatio Dei* should it be normative for the people of God today. With these questions in mind, we will examine in turn the case for, and the case against, the argument that a doctrine of *imitatio Dei* can be found in the Old Testament. If there is enough evidence in its support, we might have an answer to the question of the moral exemplar within a theistic virtue ethics theory.

#### 4.1. The case for *imitatio Dei* from an OT perspective

Some scholars have enthusiastically endorsed the idea that *imitatio Dei* has a place in Old Testament ethics.<sup>59</sup> For example, commenting on the Holiness Code, and Leviticus 19 in particular, Walther Eichrodt observes that living a life in accordance with the commandments of God was to be understood as ‘a *forming of human nature after the pattern of the divine*’; the ‘immaculate purity’ of God’s own nature was to be reflected the holy living of his people.<sup>60</sup> Imitation of God, then, is the result of obeying the commandments of God. Although the virtue ethicist might disagree with Eichrodt’s view that the commandments are the primary ethical concept, she can take note of his confidence that the idea of imitation can be found in the OT. But what is the basis of this confidence?

##### 4.1.1. The textual evidence

As we consider the texts most often cited as evidence that *imitatio Dei* is a biblical concept, we should point out that an advantage of the canonical reading which is advocated in this thesis, is that it enables appreciation of the larger, underlying, themes in scripture, such as the character of God, which emerge and re-emerge in differing contexts and genres. For example,

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<sup>58</sup> David Penchansky, *What Rough Beast?: Images of God in the Hebrew Bible* (Louisville, Ky: Westminster John Knox, 1999).

<sup>59</sup> See, for example, Johannes Hempel, *Das Ethos Des Alten Testaments* (2nd ed. BZAW 67; Berlin: de Gruyter, 1964); Walther Eichrodt, *Theology of the Old Testament* (OTL; 2 vols; London: SCM Press, 1961); Eckart Otto, *Theologische Ethik des Alten Testaments* (Stuttgart: Kohlhammer, 1994); Eryl W. Davies, “Walking in God’s Ways: The Concept of *imitatio Dei* in the Old Testament”, in E. Ball (ed.), *In Search of True Wisdom: Essays in Old Testament Interpretation in Honour of Ronald E. Clements* (JSOTSup 300; Sheffield: Sheffield Academic Press, 1999). Other scholars see the concept of imitation as valid, but secondary to divine commands: for example, Birch, *Let Justice Roll Down*, 125. Walter Houston limits *imitatio Dei* to the two roles of king and patron. Houston, “The Character of YHWH”, 1-25. John Barton’s views have ranged from cautious endorsement (“Understanding Old Testament Ethics.” *JSOT* 9 (1978): 44-64, esp. 60-61) to relative enthusiasm (“The Basis of Ethics in the Hebrew Bible” *Semeia* 66 (1994): 11-22), and more recently back to caution (“Imitation of God in the Old Testament”, in Robert P. Gordon (ed.), *The God of Israel* (Cambridge: CUP, 2007).

<sup>60</sup> Eichrodt, *Theology*, Vol 2, 373 [original italics]. Eichrodt refers specifically to Leviticus 19:3, 11ff., 15ff.

it is possible to gain a more comprehensive appreciation of the holiness of God when this is seen as a unique combination of his transcendence (e.g. Isaiah 6:3 and 40:25) and immanence (e.g. Hosea 11:9).

**Leviticus 19:2:** ‘You shall be holy, for I the LORD your God am holy’.

As noted earlier, the command to be holy because God is holy is often thought to be the clearest and most explicit instance of the principle of *imitatio Dei* in the Old Testament.<sup>61</sup> As is clear from the context of the verse, holiness is no abstract thought, nor restricted to ritual requirements,<sup>62</sup> but is linked to practical ethics; for example, it consists in respect to parents, compassion and justice for the poor and the weak, and honesty in business.<sup>63</sup>

**Deuteronomy 10:17-19**

<sup>17</sup> For the LORD your God is God of gods and Lord of lords, the great God, mighty and awesome, who is not partial and takes no bribe, <sup>18</sup> who executes justice for the orphan and the widow, and who loves the strangers, providing them food and clothing. <sup>19</sup> You shall also love the stranger, for you were strangers in the land of Egypt.

Deuteronomy 10:19 is often regarded as an exhortation to imitation since the reason why the people were to show love towards the stranger is because God did so first.

**Deuteronomy 5:15**

<sup>15</sup> Remember that you were a slave in the land of Egypt, and the LORD your God brought you out from there with a mighty hand and an outstretched arm; therefore the LORD your God commanded you to keep the sabbath day.

**Deuteronomy 15:13-15**

<sup>13</sup> And when you send a male slave out from you a free person, you shall not send him out empty-handed. <sup>14</sup> Provide liberally out of your flock, your threshing floor, and

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<sup>61</sup> Davies, “Walking”, 101. Walter Kaiser describes this command as ‘the mainspring of Old Testament ethics’, and believes that it is holiness, more than any other attribute, which captures the essential nature of God. Walter C. Kaiser, *Toward Old Testament Ethics* (Grand Rapids, Michigan: Zondervan, 1983), 143.

<sup>62</sup> E.g. Houston, “The Character of YHWH”, 1-25.

<sup>63</sup> See Lev 19:3, 9-10, 14-15, 35-36.

your wine press, thus giving to him some of the bounty with which the LORD your God has blessed you.<sup>15</sup> Remember that you were a slave in the land of Egypt, and the LORD your God redeemed you; for this reason I lay this command upon you today.

These texts can be interpreted as exhortations to imitation. Eryl Davies, for example, sees God's actions in the salvation history of Israel as a 'blueprint or paradigm' for the exercise of mercy and compassion in human affairs.<sup>64</sup> Other scholars view the texts simply as motive clauses. The gratitude resulting from the remembrance of God's acts of deliverance should prompt a proper response to God, and just and righteous behaviour to fellow human beings.<sup>65</sup>

### **'Walking in the ways of the Lord'**

While it is often thought of simply as a metaphor for the moral life, the phrase, 'walking in the ways of the Lord', can be plausibly interpreted in terms of imitation. While discussing the many occurrences of this phrase in Deuteronomy, Davies comments: 'Such imagery implies that Israel was destined to travel on a journey in which God was to lead the way as a guide and example for the people to follow'.<sup>66</sup> As the people walk 'in the ways of God', the love, mercy, compassion and justice which the people have already experienced from God should be visible in their lives and visible to the nations.<sup>67</sup>

#### **4.2. The case against *imitatio Dei* from an OT perspective**

Cyril Rodd denies that the texts which we have just considered are convincing evidence that the *imitatio Dei* is an Old Testament concept, and he has remained the most vociferous critic of the idea. We should therefore consider how he presents his case and how robust it is.

Rodd explicitly denies that Leviticus 19:2 involves imitation: 'Imitating involves copying an action repeating it, reproducing it. This is not what is found in the chapter. Rather what is

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<sup>64</sup> Davies, "Walking", 102. See also Barton, "Imitation of God", 36, and Otto, *Theologische Ethik*, 185.

<sup>65</sup> See, for example, Cyril S. Rodd, *Glimpses of a Strange Land: Studies in Old Testament Ethics* (Old Testament Studies; Edinburgh: T. & T. Clark, 2001), 33.

<sup>66</sup> Davies, "Walking", 103.

<sup>67</sup> In "The Basis of Ethics", Barton notes, somewhat cryptically, that the way leads 'to a place where it will converge with the highway trodden by God'. Barton, "The Basis of Ethics", 20. Interestingly, Stanley Hauerwas seems to equate 'walking in the way of God' with imitation, and for him the phrase combines the notions of obeying God's commands, fearing him, and loving him: he cites Deut 8:6; 10:12; 11:22. Hauerwas, *The Peaceable Kingdom*, 77.

required of Israel is to be holy (in its own way) because God is holy (in his)'.<sup>68</sup> Rodd believes that a distinction exists between actual imitation and the idea of being conformed to the character of God by following his ethical teaching.<sup>69</sup> Deuteronomy 5:15 and 15:15 are dismissed as motive clauses, and Barton's suggestion that gratitude should lead not only to obedience to divine commands, but also to imitation of the divine example, is also rejected: 'In a sense this can be regarded as the imitation of God, but at some remove, and I wonder whether it is not the matter of approaching the text with twentieth-century eyes'.<sup>70</sup> Finally, Rodd accuses Davies of misunderstanding the phrase 'walking in the ways of the Lord', and argues that it simply means to obey the commandments, not to 'follow in Yahweh's footsteps, like King Wenceslas's page'.<sup>71</sup>

The only example of the *imitatio Dei* which Rodd finds in the biblical text is Deuteronomy 10:17-19. But even here he is less than enthusiastic, and wonders what the writer could have meant in speaking of God's refusal to be bribed, his providing food for strangers and justice to orphans and widows.<sup>72</sup> For him, the only explanation is that an ethics required of humans has been applied to God, and then reapplied to humans.<sup>73</sup> In other words, the ethics moves from humanity to God in the first place. Finally, Rodd brings a charge of extreme anthropomorphism against those who advocate a biblical conception of the *imitatio Dei*: 'The idea of the imitation of God rests ultimately on the belief in a God who has been brought down to human level, and this God is never found in the Old Testament'.<sup>74</sup>

If Rodd's arguments have substance, and the purpose of the texts is simply to reinforce the exhortation to obey God's commandments, then there is no convincing textual evidence that the imitation of God is an OT ethical concept, and we may have to abandon the hope that God could be regarded as the ultimate moral exemplar required by a VE theory, theistically understood. But are his arguments in fact as devastating as they sound?

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<sup>68</sup> Rodd, *Glimpses*, 69. He adds, by way of explanation, that the phrase is "'because (*kî*) I am holy", not "according to my holiness" (n. 16, 69.).

<sup>69</sup> *Ibid.*, 68.

<sup>70</sup> *Ibid.*, 65-6. He is referring to "Understanding Old Testament Ethics", 61.

<sup>71</sup> *Ibid.*, 70.

<sup>72</sup> *Ibid.*, 66.

<sup>73</sup> For the idea that this passage refers to Yahweh's kingship, see A. D. H. Mayes, *Deuteronomy* (New Century Bible; London: Oliphants, 1979), 210.

<sup>74</sup> *Ibid.*, 76. Rodd claims that the Decalogue prohibition against making images of God testifies to error in the very conception of imitation.

### 4.3. From image to imitation: a shared ethical perception?

One way of response to Rodd's argument that the idea of *imitatio Dei* entails a view of God 'brought down to human level', is to return to the doctrine of the *imago Dei*. It is true that there is some dispute between the commentators over the exact meaning of the word 'image' (*šelem*), and, indeed, it is difficult to be sure what the author of Genesis 1:26-27 intended, since the Hebrew word is rare and the root has no verbal equivalent.<sup>75</sup> The traditional view, however, is that *šelem* implies some ontological resemblance; for example, both God and man are relational beings, and possess reason and will.<sup>76</sup> In this resemblance, then, we have a basis for imitation. But does this resemblance extend to a shared ethical perception?

In support of this idea we might note Hempel's comment that, as a moral being, Yahweh is bound by at least some of the morality he demands of human beings.<sup>77</sup> Commenting on Hosea 11:1-9, Otto observes that self-mastery in overcoming anger is as necessary for humans as it is for God; indeed, it is an important feature of *imitatio Dei*.<sup>78</sup> Barton goes further and argues that the whole 'moral atmosphere' of the Old Testament is predicated on the idea that such a shared conception exists;<sup>79</sup> for example, he argues that without it, Abraham's questioning of God's intention to destroy Sodom makes little sense, since the dialogue presumes a shared conception of just action.<sup>80</sup> He proposes that, even in the absence of an explicit call to imitation, 'God is not only the commander but also the paradigm of all moral conduct', and this is only possible because an *a priori* affinity exists between God and

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<sup>75</sup> Most of its occurrences refer to some physical image (e.g. 1 Sam 6:5; Ezek 16:17; Num 33:52). By contrast, the meaning of 'likeness' (*dēmût*) is far more transparent: the verb *dmh* means 'to be like, resemble'. See Gordon J. Wenham, *Genesis 1-15* (Word Biblical Commentary; Waco, Texas: Word Books, 1987), 29.

<sup>76</sup> In the twentieth century, other views appeared which were based more on function rather than ontology. One idea is that man was created to be God's representative on earth, ruling on his behalf, and that this dominion defines the image of God in him. Another is that the image is essentially relational, and is manifested both in the human-divine relationship and relationships with each other. The former appeals to Gen 1:26b, and the latter to Gen 1:27. See C. John Collins, *Genesis 1-4: A Linguistic, Literary, and Theological Commentary*, (Phillipsburg, New Jersey: P&R Publishing Co., 2006), 62-3. These views need not be mutually exclusive, and there may be some truth in all of them, so that there may be several aspects to the idea that imitation is based on the image of God in human beings.

<sup>77</sup> *JHWH lege sich Regel und Richtschnur auf, wie er der Menschen an Regel und Richtschnur binde*. ('Yahweh applies a rule and measure to himself, just as he binds human beings to a rule and measure'). Hempel, *Das Ethos*, 202. (Barton's translation, "The Basis of Ethics", 18).

<sup>78</sup> *In der Selbstüberwindung liegt der Schlüssel zur Aufhebung der Dialektik von Gewalt und Gegengewalt*. ('In self-mastery lies the key to the transcendence of the dialectic of violence and counter-violence'). Otto, *Theologische Ethik*, 111. (Houston's translation, "The Character of YHWH", 3)

<sup>79</sup> Barton, "Imitation of God", 38.

<sup>80</sup> Gen 18:25: 'Far be it from you to do such a thing, to slay the righteous with the wicked, so that the righteous fare as the wicked! Far be that from you! Shall not the Judge of all the earth do what is just?'

man; this affinity not only enables a shared ethical perception, but also makes the human being, in the words of Barton, ‘*capax Dei*’.<sup>81</sup> The *imitatio Dei* concept, then, might be thought of as supervening on the doctrine of the *imago Dei*, thus enabling that shared ethical perception. Two points are worth noting here. Firstly, there is something in the notion of a shared perception which a biblical theist might find unsettling. Secondly, the word ‘affinity’ just seems too vague a term on which to hang such an important statement. What is under discussion here is the very nature of morality, conceived along theistic lines. We shall review Barton’s argument and its implications for our hope that God could be conceived as supreme moral exemplar in a theistic VE theory.

Barton suggests that the concept of imitation was not as problematic for the people of Israel as it often may seem to be to the modern reader.<sup>82</sup> He says that the biblical writers ‘were sure that God shares our own moral ideals, and hence that in carrying those ideals into action we are doing very much what he would do himself, and it still seems reasonable to call that “imitation of God”, within the Old Testament’s own terms of reference’.<sup>83</sup> The assumption that human beings and God share an ethical agenda means, according to Barton, that ‘in practice that we attribute to him ethical standards which we ourselves perceive as correct’; although it may seem that in doing this we are making God in our own image, it is justified on the basis of the ‘affinity’ between ourselves and God. He continues:

if we want to know what it would be like for God to be good, then we look at a good human being and extrapolate that person’s moral qualities on to the divine plane. This is, as it were, a biblical parallel to the scholastic doctrine of analogy: it says that humankind retains traces of its divine origin and therefore can offer some clues, however inadequate, to what God is like.<sup>84</sup>

But one might feel that there is something deeply troubling about the direction of fit in this argument. Any extrapolation of even the best of human goodness ‘on to the divine plane’ seems misguided at best, and at worst a clear case of man creating God in his own image: any

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<sup>81</sup> Barton, “Imitation of God”, 38. Further development of the rich Augustinian phrase, ‘*capax Dei*’, would be interesting.

<sup>82</sup> ‘YHWH is a *good* God, in some sense that is cognate with what people in Israel thought of as good in human beings, and it therefore made sense to try to imitate him’. Barton, “Imitation of God”, 38.

<sup>83</sup> *Ibid.*, 41.

<sup>84</sup> *Ibid.*, 40. The phrase ‘divine origin’ presumably refers to human creation in the image of God.

‘affinity’ then becomes *a posteriori*, and not *a priori*.<sup>85</sup> But can such a ‘created’ God bear the weight of an ethical theory? This is, after all, what we are investigating here. Such a line of thought does not appear to be any more promising than was the search for the Aristotelian *phronimos*.

Secondly, Barton does not seem to make clear the exact nature and implications of this ‘affinity’. What can this ‘affinity’ mean if God is only ‘in some very remote sense’ like us? Does he mean that the morality is part of human nature just as it is part of God’s nature, a result of the image of God on us?<sup>86</sup> Or does he mean that there is some common moral obligation, binding on both God and man?<sup>87</sup> Abraham’s question in Genesis 18:25 may be interpreted as evidence for the latter thought. Rodd has taken this idea a stage further, suggesting that Abraham sets up his own standard over against God. Against Barton, he argues that a divine command perception of ethics is ‘outmoded’ because mankind has advanced ethically;<sup>88</sup> and denies that God could ever be envisaged as ‘the paradigm of all moral conduct’, for ‘the ethics move from humanity to God and not the other way round’.<sup>89</sup>

But we do not have to accept the argument concerning a shared ethical perception in order to retain a biblical conception of *imitatio Dei*. Nathan MacDonald has an interesting alternative interpretation of Genesis 18:25, and argues that a close study of the text reveals that Abraham has in fact misunderstood Yahweh.<sup>90</sup> While attention is often drawn to the parallel between Genesis 18 and Ezekiel 18,<sup>91</sup> Macdonald points out that the parallel with Psalm 103 has been

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<sup>85</sup> Barton does offer some clarification, but this does not seem entirely satisfactory: ‘in the order of *knowing*, we reason from humans to God, but this is only legitimate because, in the order of *being*, we derive all our good qualities from him in the first place’. *Ibid.*, 40 [original italics].

<sup>86</sup> He appears to say this at one point: ‘if we attribute our own good qualities to God, that is because God has revealed them to us in the first place, as real echoes of his character’ (p. 41).

<sup>87</sup> This clearly has implications for our understanding of the omnipotence of God.

<sup>88</sup> Abraham’s dialogue with Yahweh ‘marks one high point in the ethical thought of the Old Testament’. Cyril S. Rodd, “Shall Not the Judge of All the Earth Do What Is Just? (Gen 18<sup>25</sup>).” *The Expository Times* 83, no. 5 (1972): 139. Rodd insists that we also should ‘dare to ask the question’ which Abraham asked.

<sup>89</sup> Rodd, *Glimpses*, 68. Interestingly, Walter Brueggemann appeals to the *tiqqûn sôpêrîm* in v. 22 in support of the interpretation that Abraham is in fact Yahweh’s teacher. According to this theory, there was an original version which described Yahweh as standing before Abraham, that is, in the position of one being taught; the Masoretic scribes thought this unfitting and so amended the text. Walter Brueggemann, *Genesis: A Bible Commentary for Teaching and Preaching* (IBC; Atlanta: John Knox Press, 1982), 168.

<sup>90</sup> Nathan MacDonald, “Listening to Abraham - Listening to Yhwh: Divine Justice and Mercy in Genesis 18:16-33.” *The Catholic Biblical Quarterly* 66, no. 1 (2004): 37-41. A few verses earlier (18:19), Abraham is informed by Yahweh that he is to teach his descendants ‘to keep the way of the LORD by doing righteousness and justice’: the way of the Lord is prior to Abraham’s questioning.

<sup>91</sup> A common suggestion is that both texts are evidence that the old notion of corporate responsibility is being replaced with one which emphasises the responsibility of the individual. But see Barnabas Lindars for a

neglected, and that in fact this psalm is closer to the Genesis text. Like the Ezekiel passage, the psalm links ‘the way of Yahweh’ and his ‘doing of righteousness and justice’ with his forgiving the sin of the Israelites, but it also, most crucially, links that act of forgiving to the intervention of a prophet: ‘Yhwh has decided to examine the conduct of a city with the possibility of judging it; and, Abraham, like the prophets, is given insight into the plans of Yhwh in order that he might make intercession’.<sup>92</sup> Rather than Abraham attempting to teach Yahweh, the opposite is true; to be an intercessor, Abraham must first learn about the forgiveness and mercy of Yahweh, which turns out to be greater than he expected.<sup>93</sup>

Macdonald argues that this text has been misunderstood because it is Abraham’s voice which is usually heard, while Yahweh’s voice has been ignored. His interpretation is useful in two respects. Firstly, it explains Abraham’s future intercessions.<sup>94</sup> And secondly, and crucially for the argument here, it affirms the moral character of God. It is to the character of Yahweh as portrayed in the OT texts to which we now must turn.

#### **4.4. The character of Yahweh and the implications for *imitatio Dei***

We have already alluded to the fact that a major difficulty for the person who advocates a biblical conception of the *imitatio Dei* concerns the analysis of the character and actions of Yahweh as he is portrayed in the texts. Very often, in the secondary literature, the emphasis is on the ‘dark side’ of the deity resulting in an almost Marcionite disdain for the God of the Old Testament,<sup>95</sup> while the many textual evidences for the more positive side of God’s

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considered argument against this simplified observation: he believes the important distinction between criminal responsibility (a legal matter) and divine retribution is often ignored in discussions concerning individual responsibility. Barnabas Lindars, “Ezekiel and Individual Responsibility” *VT* 15 (1965): 452-67. See also Joel S. Kaminsky, *Corporate Responsibility in the Hebrew Bible* (JSOTSup 196; Sheffield: Sheffield Academic Press, 1995).

<sup>92</sup> MacDonald, “Listening”, 39. Even though it takes a different form to later examples, such as Moses (Exod 32), and Amos (Amos 7:1-6) who ask for forgiveness from Yahweh and are granted a stay of execution, this is the first instance in the canonical text of prophetic intercession. Claus Westermann thinks it is not so much intercession as ‘question and answer’. Claus Westermann, *Genesis 12-36: A Commentary* (trans John J. Scullion; London: SPCK, 1986), 291.

<sup>93</sup> Rather than act as harsh judge, Yahweh has agreed to Abraham’s every request; it is the patriarch who stopped ‘bartering’ at ten righteous people.

<sup>94</sup> Having learnt about the character of God, Abraham could intercede on behalf of Abimelech and his household (Gen 20: 17).

<sup>95</sup> See for example James L. Crenshaw, *A Whirlpool of Torment: Israelite Traditions of God as an Oppressive Presence* (OBT; Philadelphia, Pa.: Fortress Press, 1984); R. N. Whybray, “‘Shall Not the Judge of All the Earth Do What Is Just?’: God’s Oppression of the Innocent in the Old Testament”, in David Penchansky and Paul L. Redditt (eds.), *Shall Not the Judge of All the Earth Do What Is Right?: Studies on the Nature of God in Tribute to James L. Crenshaw* (Winona Lake, IA: Eisenbrauns, 2000).

character are ignored.<sup>96</sup> It could be argued, perhaps, that such conceptions of God are the inevitable result of the atomising effect of historical criticism. The actions of Yahweh are often viewed in isolation and often out of context, with little attempt to understand them as a part of scripture as a whole or even as part of the particular book as a whole. In fact, an unconscious polytheism often creeps in: we find ourselves encountering the God of Isaiah, the God of the Exodus, the God of J or the God of P. Such studies certainly militate against the concept of imitation as part of a working ethical theory. Again, the advantage of a canonical reading of the texts is that any underlying unity behind the final form of the text might become visible, and the more problematic texts might be illuminated by reading them in the context of the whole.<sup>97</sup>

Certainly, to deny or dodge the existence of difficult passages in the OT is naive and at best unhelpful, but a concentration on those texts to the exclusion of the rest of the canon is disingenuous and cannot lead to balanced answers to the perennial questions concerning the nature of God, the nature of man, and the nature of morality. And it is surely a balanced reflection which *is* required if the people of God are to have any confidence in the traditional scripture of their faith. There is a practical as well as theoretical aspect to all of this. The people of God need to find answers to the genuinely perplexing questions in their sacred texts, so that those texts in turn can shed light on how those people are to live morally in their own historical contexts. What we can glean, therefore, about the character of God in the Old Testament, has obvious and serious implications not only for biblical studies or for the study of Old Testament ethics, but for practical theology and ethics in the reader's own context. This point is brought sharply into focus in any discussion of *imitatio Dei*: if God is to be *the* moral exemplar, and his attributes to form a basis for human virtues, then his character must be held to be beyond reproach. The constructive aspect of this thesis, as stated in the Introduction, included the construction of a bridge between the 'there' of the biblical text and

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<sup>96</sup> It is interesting that Norman Whybray acknowledges this in the introduction to his article on the immorality of God. R. N. Whybray, "The Immorality of God: reflections on some passages in Genesis, Job, Exodus and Numbers" JSOT 72 (1996): 89-120. On p. 89 he states: 'It is important to note that the negative portrayals of God in these episodes are far outweighed by the overwhelmingly positive view of him as creator, saviour and guide characteristic of these books as a whole'. See Eryl W. Davies *The Immoral Bible: Approaches to Biblical Ethics* (London: T&T Clark, 2010), for a comprehensive and useful survey of different approaches to ethically problematic passages of Scripture.

<sup>97</sup> Of course, a devotee of historical criticism, may respond that canonical readings are an example of premodern naivety and that there is no evidence from the texts for a unitary conception of Yahweh.

the ‘here’ of the contemporary world. And a shared perception, insofar as this is possible, of the character of God is a crucial part of this construction.

#### 4.4.1. Yahweh: God of justice?

We have already argued that a substantive concept of the virtue of justice is central to the production of a VE theory, and so if the theist is hoping to incorporate the idea that God is the supreme moral exemplar, she needs to be sure that this God is just. But the very suggestion that God is a God of justice, is often subject to the fiercest criticism from OT scholars.

From his study of Isaiah, Andrew Davies accuses Yahweh of acting in ways which are not consistent with the standards he required of his people. For example, his punishments are out of proportion to the crimes, he punishes the wrong people, and he demands repentance while making it impossible for the people to repent.<sup>98</sup> Houston denounces ‘the God of Isaiah’ as ‘amoral’,<sup>99</sup> and although the Exodus account could be understood as an act of justice whereby the patron of Israel frees his people from oppression, and therefore a model for the justice required of the slave owner in Deuteronomy 15, Houston believes that the account of the hardening of Pharaoh’s heart raises questions about the justice of Yahweh as world ruler.<sup>100</sup> Barton is less forthright in his condemnation, but does comment that God emerges from the text of Isaiah as ‘a far more inscrutable figure than is compatible with any notion that human beings can or should imitate him’.<sup>101</sup> Barton also detects an apparent conflict between the justice of God and the standard of justice expected of human beings in two texts from the same OT book (Deuteronomy).<sup>102</sup> However, in an explanation which contains echoes of Rodd, he argues that later texts, such as Ezekiel 18, attempt to correct this portrayal of divine ethics in order to ‘approximate divine conduct more closely to the model of human morality’.<sup>103</sup>

Divine inscrutability can cause serious difficulties for an understanding of the question of justice, as we will see shortly in our discussion of Amos, and these difficulties in turn impact

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<sup>98</sup> Andrew Davies, *Double Standards in Isaiah: Re-evaluating Prophetic Ethics and Divine Justice* (Leiden: Brill, 2000), 120-155.

<sup>99</sup> Houston, "The Character of YHWH", 5.

<sup>100</sup> *Ibid.*, 18-25.

<sup>101</sup> Barton, "Imitation of God", 44.

<sup>102</sup> *Ibid.*, 44. In Deuteronomy 24:16, the people are told to judge each person according to his own sin; yet in Deuteronomy 5:9, God holds the children accountable to the third and fourth generation. Cf. Ex 20:5.

<sup>103</sup> *Ibid.*, 44.

any notion of imitation in the realm of justice. We can recall that the Aristotelian virtuous agent is the just individual, for justice is complete virtue. And in the OT, a just person is one who acts in accordance with righteousness. Doubts therefore about the justice of God, if proven, would disqualify him from being the moral exemplar which we seek for our theistic virtue ethical theory.

If we accept, and we surely must, that God's acts of *mišpāṭ* are beyond human imitation, and even hard to fully comprehend,<sup>104</sup> we might consider imitation of the principles of justice which lie behind them. If we interpret God's justice in the light of his love, then perhaps it is the love behind the justice which should be the subject of imitation. In his discussion of the book of Job, Gustavo Gutiérrez has some insights which may be helpful here. Prior to his encounter with God, Job, along with his friends, had equated divine justice with retribution, according to which God allocates suffering as punishment for wrongdoing. But in the wake of his own suffering, this made no sense to Job, for he knew he was innocent. How, then, was he to understand God's justice? It was only after God spoke for the second time (40:9-14), that he finally understood that justice did not delimit God.

What is it that Job has understood? That justice does not reign in the world God has created? No. The truth that he has grasped and that has lifted him to the level of contemplation is that justice alone does not have the final say about how we are to speak about God. Only when we have come to realize that God's love is freely bestowed do we enter fully and definitively into the presence of the God of faith. Grace is not opposed to the quest for justice nor does it play it down; on the contrary, it gives it its full meaning. God's love, like all true love, operates on a world not of cause and effect but of freedom and gratuitousness.<sup>105</sup>

Although God's acts of *mišpāṭ* are beyond human imitation, for we lack his omniscience and moral perfection, the principles on which his justice is based may not be. Indeed, the love of God, which lies behind his justice, should be the primary object of our imitation. It is God's complete and unconditional love, a love which is free from the pressure of expectation or the requirement of due payment, which is the prior concept, and it is this love which makes sense of the prophets' cry for mercy even under the threat of divine judgment. Since it is love that

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<sup>104</sup> We might think, for example, of the judgment of Korah, Dathan and Abiram (Num 16), or the judgment of Achan (Josh 7:10-26). R. E. Clements believes that the only moral lesson which emerges from this narrative is the 'helpful reminder of the dangers of religion'. R. E. Clements, "Achan's Sin: Warfare and Holiness", in Penchansky and Redditt (eds), *Shall Not the Judge of All the Earth Do What Is Right?*, 126.

<sup>105</sup> Gustavo Gutiérrez, *The God of Life* (London: SCM Press, 1991), 162.

undergirds God's justice, love should undergird human justice too. We shall revisit the themes of the love and justice of God in our final chapter when we encounter Yahweh in the book of Amos.

#### **4.5. The OT and *imitatio Dei*: concluding thoughts**

From our study of the OT texts, we have seen that it can be argued, against Rodd, that the idea of *imitatio Dei*, correctly understood, can be found in the OT. Rather than being an attempt to bring God 'down to human level', imitation has the aim of lifting the human up to the divine. Moral exemplarism is premised on the idea that moral perception is not innate, but must be inculcated. The notion of a shared ethical perception based on an 'affinity' between the human being and God, is therefore not a helpful one. We can surely admit that, as created beings, we can only ever partially comprehend the infinite and perfect being whom we call God; we have seen, for example, that it is quite conceivable that Abraham misunderstood Yahweh in Genesis 18:25. But our lacking a complete comprehension of God does not entail that we must find him utterly inscrutable, for we do possess a written revelation. As we have already commented, one advantage of a canonical reading of the texts is that any problematic texts can be illuminated by reading them in the context of the whole. And so, we can appreciate the character of Yahweh as revealed in the canonical text as a whole, understanding, for example, his justice in the light of his love. We can conclude, therefore, that the character of God, as revealed in the OT as a whole, can be regarded as an example of the virtues, and so provide a moral exemplar for a theistic version of VE theory.

### **5. Conclusion**

Virtue ethics requires a robust concept of the moral exemplar if the theory is to be normatively useful, for the moral agent needs a way of knowing what the virtues actually look like. This chapter has considered whether a theistic version of VE theory can regard God as the supreme moral exemplar, and embodiment of the virtues, and therefore the answer to the epistemological aspect of moral exemplarism. In other words, is the concept of *imitatio Dei* useful to a theistic ethical theory? Can we, and indeed should we, imitate God?

We began with a discussion of the understanding of the *imitatio Dei* in Judaism where imitation is most often understood in terms of holiness. Holiness in rabbinic thought, we discovered, is tied to practical ethics and the narrative of a people in a covenant relationship with their God. It was concluded that, if God is to be understood as moral exemplar in a VE theory, then imitation of his holiness cannot be reduced to his actions, as the rabbis held, but

should be extended to encompass his character as well. Next, we then encountered the problem raised by negative theology: since positive attributes cannot be ascribed to God, imitation must be restricted to his actions. It was suggested that this objection could be met by a cataphatic theology based on the thought of Anselm. Positive statements can be made about the character of God in ordinary language, while still declaring him to be greater in every category than it is possible for the human being to conceive. And a God who is morally perfect is not only worthy of worship but is the perfect moral exemplar.

Lastly, we turned to the text of the OT to assess how the idea of imitation was addressed by OT scholars. We saw that certain scholars, notably Hempel, Otto and Davies, were convinced that *imitatio Dei* was a thoroughly biblical notion. Rodd, however, disagreed, claiming that scholars who argue for an OT concept of *imitatio Dei* are merely reading into the texts their own ideas and the virtues which appeal to them; the biblical world is, after all, ‘a foreign country on which we gaze’.<sup>106</sup> We also noted that, after some earlier enthusiasm, Barton ultimately finds the concept of *imitatio Dei* rather limited, and doubts that the character of Yahweh as the OT reveals him, is a suitable candidate for imitation. He suggests that modern people who might find the idea of the *imitatio Dei* appealing ‘do not find God inscrutable enough’, and should content themselves with awe.<sup>107</sup> Further reflection, however, might encourage the theist not to abandon the hope that God could be understood as the moral exemplar in a normative ethical theory. The fact that there is much inscrutable about God, even following his self-revelation, does not entail abandoning all attempts to know him better in order to imitate him better; it is hard to explain away the few but clear commands in the OT to do so. Certainly, imitation of Yahweh should always follow careful reflection on his character as revealed in scripture as a whole. But imitation of God as the only morally perfect being makes perfect sense if the basis of our ethics is a virtuous life, and the ultimate *telos* of that life is, as we are arguing, a flourishing relationship with God. This is consistent with the argument so far in this thesis: imitation aims at virtue, and virtue aims at the *kalon*, which is ultimately God himself.

It is therefore concluded that *imitatio Dei*, correctly understood and applied with wisdom, is not only a biblical notion, but can indeed serve as a theistic alternative to imitation of the Aristotelian *phronimos*, and supply an epistemological model of the moral exemplar which

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<sup>106</sup> Rodd, *Glimpses*, 76.

<sup>107</sup> Barton, “Imitation of God”, 42, 45.

could be incorporated into a theistic VE theory. In the final chapter, we will re-examine the concept of the *imitatio Dei* in the light of the character of God as we find him portrayed in Amos.

## Chapter Five

### Normativity and the Limits of Virtue Ethics

the concepts of obligation, and duty – *moral* obligation and *moral* duty, that is to say – and of what is *morally* right and wrong, and of the *moral* sense of ‘ought’, ought to be jettisoned if this is psychologically possible; because they are survivals, or derivatives from survivals, from an earlier conception of ethics which no longer generally survives, and are only harmful without it.

G.E.M. Anscombe<sup>1</sup>

So far in this thesis we have discussed three of the four conditions of adequacy which, as we argued in Chapter One, a VE theory must satisfy in order to be normatively useful; they were the concepts of *telos*, virtue, and the moral exemplar. We now turn to the fourth and last of these conditions, which is an adequate account of normativity.

#### 1. Introduction

Normativity seems an inescapable part of human existence, both for the individual and for society.<sup>2</sup> Whether we are consciously aware of it or not, standards or norms lie behind every judgment which we express in the language of good and bad, right and wrong, reasonable and unreasonable. If the action being contemplated or observed is in accordance with the appropriate norm, we call it good, right, reasonable; otherwise it is bad, wrong, unreasonable. This much is verifiable. And a similar reasoning applies to the evaluation of character, for the concepts of goodness and virtue imply norms to which a character may or may not conform. If this is true, then how do we respond to the challenge Elizabeth Anscombe presents in the above quotation? If it indeed seems impossible to endorse her view, and expunge the ‘ought’ from our moral vocabulary altogether, lest ‘harm’ be done,<sup>3</sup> then the only option is to argue for its retention, not only because it might not be ‘psychologically possible’ to get rid of it, but also because it does not seem practically possible to do so. Although one of the arguments in favour of a VE approach to ethical theory is its perceived freedom from the

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<sup>1</sup> G. E. M. Anscombe, “Modern Moral Philosophy”, 1.

<sup>2</sup> See Onora O’Neill, “Introduction”, Christine M. Korsgaard, *The Sources of Normativity* (Cambridge: CUP, 1996), xi.

<sup>3</sup> Anscombe’s thesis is premised on the widespread acceptance of the philosophical death of God. The harm which might result is presumably due to the lack of subsequent agreement over a replacement concept.

moral ought, it is hard in practice to conceive of morality in the complete absence of norms. But if we admit the existence of norms, then we must be able to explain how these norms are justified and what is the basis of their authority. Do they bind us, as the ‘oughts’ and ‘musts’ and ‘shoulds’ of our moral sentences would appear to indicate, and if so how?<sup>4</sup> In short: What is the source of normativity? This seeking after a justification of the claims which morality makes on us is what Christine Korsgaard calls ‘the normative question’.<sup>5</sup>

Since the aim of this thesis is to construct a theistic version of VE theory, we are appealing to ‘an earlier conception of ethics which no longer generally survives’: that is, a conception which is grounded in God. In the absence of God, the secular philosopher who advocates the retention of the idea of obligation must find an alternative source for the binding power implicit in moral sentences.<sup>6</sup> Hugo Grotius famously said that obligations ‘would have a degree of validity even if we should concede (*etiamsi daremus*) that which cannot be conceded without the utmost wickedness, that there is no God, or that the affairs of men are of no concern to Him’.<sup>7</sup> The theist, on the other hand, has traditionally had two options open to her in seeking an explanation of morality’s binding power. One is theological voluntarism, and the other is natural law.<sup>8</sup> The question before this chapter is whether CVE has the theoretical resources to answer the normative question, as many of its proponents claim. And

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<sup>4</sup> ‘Obligation’ comes from the Latin *ligare* (‘to bind’). We might note that although normativity stands in a relation to obligation, it is not necessarily reducible to it. Obligation is often thought to be confined to the realm of moral principles, whereas norms operate in a broader sphere where conformity is often more optional than binding.

<sup>5</sup> Korsgaard, *Sources*, 9-10 [original italics].

<sup>6</sup> Korsgaard argues that, even if the concept of obligation has lost its theoretical roots and has to be understood differently, it is essential to retain it, for, ultimately, it is ‘what makes us human’. Korsgaard, *Sources*, 5. Her own position follows Kant’s ethics of autonomy, as ‘the only one consistent with the metaphysics of the modern world’. Voluntarism is another nontheistic option where obligation is understood in terms of commands, or laws, issued by some authority figure who has the power of enforcement and sanction (Thomas Hobbes’s theory is one example); problems with this theory include arbitrariness and the possibility of infinite regress in appealing to higher and higher authorities. Moral realism is another possible route: reasons, values and obligations are objective entities in the world and in some sense self-evident. See chapters 1 and 2 of *The Sources of Normativity* for a helpful survey of these theories.

<sup>7</sup> Hugo Grotius, *On the Law of War and Peace*, (1625), in J. B. Schneewind, *Moral Philosophy from Montaigne to Kant: An Anthology* (2 vols. Cambridge: CUP, 1990), Vol. 1, “Prolegomena”, 11, 92: ‘*etiamsi daremus*’ is often used as shorthand for this famous thought.

<sup>8</sup> Both these theories can be understood along normative and metaethical lines, but it is the metaethical formulations which aim to answer the normative question. Normative theories hold that certain normative states of affairs obtain, for example the state of its being obligatory to obey God. Metaethical theories, on the other hand, make no assumptions about states of affairs obtaining but aim to explain the nature of, and relations between, moral properties or concepts; for example, the relation between states of affairs and the divine will.

if the explanatory ambitions of virtue ethics fall short of their goal, we must ask which of the alternative theories are best suited to fill the gap and supplement VE theory.

Our purpose in the current chapter is therefore two-fold: firstly, we shall assess the objections to, and responses from, CVE theory with regard to the normative question, and, secondly, we shall consider the theoretical options open to the theist who remains drawn to virtue ethics as a normative theory but recognises limits in its ability to answer this question. The chapter will begin with a discussion of the problems facing virtue ethics in its attempts to explain the source of normativity. We shall limit our discussion to the two main theoretical alternatives, the neo-Aristotelian or agent-focussed account and the agent-based variety, and concentrate on the theories of the main proponents of each, Rosalind Hursthouse and Michael Slote respectively. It will be argued that, in whichever direction we go, CVE encounters serious objections to its ability to provide an answer to the normative question, and if the ethicist still sees value in VE as a normative theory, it must be in a partnership with some other theory which does have the required explanatory power. It will be suggested that a satisfactory route for the theist is to adopt a modified version of Aquinas's natural law theory to work in parallel with her VE theory.

## **2. Normativity and virtue ethics**

Despite the plurality of its forms, a common feature of CVE, in addition to its commitment to virtue (however defined), is the idea that the virtuous person is somehow the determiner of right action: it is the virtuous person, or more correctly, the virtues, which are understood as the source of normativity. Exactly how the relation between the virtues and the standard of correctness is conceived varies from theory to theory. Two types of assertion are possible with regard to the judgments of the virtuous person: a metaphysical assertion states that these judgments constitute the standard of correctness; an epistemological assertion states that these judgments enable us to know this standard. Although they are clearly related, it is the metaphysical assertion which concerns us here.

### **2.1. The objections**

To be classed as a normative theory, virtue ethics must be able to supply an account of right action. But any such account relies on metaethical assumptions about the standard of correctness. We shall now consider the objections levelled at CVE theory over its ability to provide, and more importantly justify, such a standard: this will enable us to assess the

theory's ability to answer the normative question. Ramon Das provides a clear summary of the common objections:

Can virtue ethics provide a distinctive and plausible standard of rightness? There is a natural objection that it cannot, which goes roughly like this: evaluating action requires attention to worldly consequences external to the agent, whereas virtue ethics is primarily, perhaps exclusively, concerned with evaluating an agent's inner states. Call this the *insularity objection* . . . Insofar as [accounts of right action] meet the insularity objection they rely upon putatively virtue-ethical considerations that themselves crucially depend upon unexplained judgements of rightness. Such accounts thus invite the *circularity objection*.<sup>9</sup>

The neo-Aristotelian versions of CVE theory, such as those of Rosalind Hursthouse and Linda Zagzebski, are most vulnerable to the circularity objection. The virtuous agent is the person who perceives correctly what is good and noble, and then acts on the basis of that perception:<sup>10</sup> what is good and noble, therefore, appears to be external to the agent. These accounts, sometimes described as 'agent-focussed', can be contrasted with the more radical 'agent-based' accounts which hold that the good and noble is only good and noble because it has been, or will be, chosen by the virtuous agent. This latter version must overcome the insularity objection, as well as an objection from common sense. We shall examine both types of theory in the light of these objections, beginning with the 'agent-based' theory of Michael Slote.

## 2.2. Normativity on an agent-based account

In Chapter Three, we saw that in an agent-based account of VE, virtue is fundamental and explanatorily primary. The moral status of acts is 'entirely derivative from independent and fundamental aretaic (as opposed to deontic) ethical characterizations of motives, character traits, or individuals'.<sup>11</sup> In contrast to other normative theories, an agent's motivation is crucial for moral evaluation.<sup>12</sup> Indeed, to Slote an action can be right only if it is done from

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<sup>9</sup> Ramon Das, "Virtue Ethics and Right Action." *Australasian Journal of Philosophy* 81, no. 3 (2003): 324-39, 324 [original italics].

<sup>10</sup> See *NE* II 1105a17ff.

<sup>11</sup> Slote, *Morals from Motives*, 5.

<sup>12</sup> Cf. utilitarianism. John Stuart Mill, for example, writes: 'He who saves a fellow creature from drowning does what is morally right, whether his motive be duty, or the hope of being paid for his trouble'. John Stuart Mill, "Utilitarianism", Chapter 2, *On Liberty and Other Essays* (Oxford: OUP, 1991), 149. To Kant, the only morally significant motive is duty; indeed, it is required to make an act morally good. Immanuel Kant, *The Moral Law: Groundwork of the Metaphysics of Morals* (London: Routledge classics, 2006), 68-71 [orig. ed. pp. 8-13].

virtuous motives. However, can a theory which holds that the standard of rightness derives from the motives of the virtuous agent answer the normative question? We shall consider the answer to this in the light of two strong objections to agent-based VE, an objection from common sense and the insularity objection. Since Slote is the most significant advocate for agent-based VE, we shall confine ourselves to his work and the comment it generates.<sup>13</sup>

### 2.2.1. The objection from common sense

Since Slote's theory makes no appeal to anything outside the agent, it is not vulnerable to the circularity objection. But it is open to other objections. One of these we can call 'the objection from common sense'. Slote summarises it as follows:

One thing that seems wrong in principle with any agent-based (or even agent-prior)<sup>14</sup> approach to moral evaluation is that it appears to obliterate the common distinction between doing the right thing and doing the right thing for the right reasons.<sup>15</sup>

If motives are held to be constitutive of the rightness (or wrongness) of an act, then the same action might be right when done by one agent, with good motives, and wrong when performed by another, with bad ones. In tackling this objection, Slote borrows Henry Sidgwick's well-known example of the malicious prosecutor who performs his duty in prosecuting, but whose motivation in doing so is malice rather than a sense of duty.<sup>16</sup> An agent-based account seems committed to the conclusion that, in performing his duty, the prosecutor acted wrongly. So how can one make sense of duty, or obligation, in agent-based terms? In his response, Slote considers the situation where the prosecutor, 'horrified by his own malice', refrains from prosecuting.<sup>17</sup> In the failure to perform his duty, or at least to recuse himself and allow someone else to prosecute, the prosecutor exhibits bad motives, such as a lack of concern for the public good which his job served. Since he again acts from bad motives, albeit different ones, once more he can be said to have acted wrongly. With this

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<sup>13</sup> In addition to *Morals from Motives*, see Michael Slote, "Agent-Based Virtue Ethics." *Midwest Studies in Philosophy* 20, no. 1 (1995): 83-101 and idem, *From Morality to Virtue*.

<sup>14</sup> 'Agent-prior' theories are closer to 'agent-based' ones than the agent-focussed variety, but do not hold the virtues to be theoretically fundamental. Slote cites Plato's theory as an example of 'agent-prior' VE. See *Morals from Motives*, 4-9.

<sup>15</sup> Slote, *Morals from Motives*, 13.

<sup>16</sup> Ibid., 13-15. Henry Sidgwick, *The Methods of Ethics* (7th ed. London: Macmillan, 1907), 202-3. Sidgwick in his turn borrowed the example from Jeremy Bentham.

<sup>17</sup> Slote, *Morals from Motives*, 14.

move, Slote concludes that agent-based virtue ethics can explain why a prosecutor has a duty to prosecute, since a failure to do so is evidence of bad motives; but this duty can be performed either for the right reasons (right action) or for the wrong reasons (wrong action).<sup>18</sup> This response is not entirely convincing, however, and a couple of objections can be raised immediately.

Firstly, Slote does not explain the duty of the badly-motivated agent; he has simply defined it in terms of the motives exhibited in the event of a failure to do the duty. But the duty cannot depend on the status of that agent's motives in performing it; it must be defined independently. Secondly, as Michael Brady has observed, an interesting paradox seems to emerge:

if Slote is right, and the prosecutor does indeed have a duty to prosecute, then his motives in prosecuting would seem to *change* what he has a duty to do. Thus if he has a duty to prosecute, because a failure to do so would express a bad motive, then his doing his duty from a malicious motive means that it would be wrong for him to prosecute, and thus means that he *doesn't* have a duty to prosecute after all. Instead, given his malicious motive, our prosecutor has a duty *not* to prosecute.<sup>19</sup>

Liezl van Zyl attempts to rescue agent-based virtue ethics from this common-sense objection.<sup>20</sup> He suggests that we need not follow Slote in attempting to derive action-guiding principles directly from criteria of right action, and offers a revised agent-based account. In this, the criterion of action assessment remains tied to the motives of the actual agent, but a corresponding principle of action-guidance can be derived from an account of the motives of the hypothetical virtuous person.<sup>21</sup> The amended propositions might look like this:

AA: An action is right if and only if it exhibits or expresses a virtuous motive, or at least does not exhibit or express a vicious motive

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<sup>18</sup> Slote, *Morals from Motives*, 14-15.

<sup>19</sup> Michael S. Brady, "Against Agent-Based Virtue Ethics." *Philosophical Papers* 33, no. 1 (2004): 1-10, 6 [original italics].

<sup>20</sup> Liezl van Zyl, "In Defence of Agent-Based Virtue Ethics." *Philosophical Papers* 34, no. 2 (2005): 273-88. For further arguments in support of agent-based theory, see Liezl van Zyl "Agent-Based Virtue Ethics and the Problem of Action Guidance." *Journal of Moral Philosophy* 6, no. 1 (2009): 50-69.

<sup>21</sup> In his defence, van Zyl cites Hursthouse, who argues that the notions of action guidance and action assessment are separable in some instances. Hursthouse, *OVE*, 50.

AG<sub>h</sub>: One ought to perform the action that a virtuous person would characteristically choose in the circumstances.<sup>22</sup>

By this route, van Zyl offers a way of explaining the duty of the badly-motivated agent. When the malicious prosecutor prosecutes, he does what he ought to do according to the principle of action-guidance (which does not consider actual motives); nevertheless, he acts wrongly, according to Slote's criterion of right action, if he acts from malice, because his motives are bad. However, with this move, van Zyl appears to have departed from pure agent-based theory. He maintains that his account is agent-based because the moral rightness and praiseworthiness of the actions characteristic of the virtuous agent consist in their virtuous motivation and not because of any relation to *eudaimonia*, and he specifically denies that his account is any sort of 'hybrid'.<sup>23</sup> But, through his introduction of the notion of the hypothetical agent to enable the distinction between doing a right act and doing a well-motivated act, he appears to be leaning in an Aristotelian direction.<sup>24</sup> It seems hard to accept his disclaimer that AG<sub>h</sub> is simply 'a practical decision-making tool' and not in any sense a truth maker for rightness. The result is that, despite his protestations, van Zyl appears to advocate a hybrid account,<sup>25</sup> drawing on Aristotelian ideas when his own fail, while rejecting central Aristotelian ideas such as the unity of the virtues, the concept of *eudaimonia*, and the ideal of the *phronimos*. Van Zyl's rescue seems to be no rescue at all. We shall now turn to a second objection, the 'insularity' objection, and consider how damaging this is for agent-based CVE theory in its ability to answer the normative question.

### 2.2.2. The insularity objection

Das believes that what he calls the insularity objection applies to any theory grounded in the agent's motives, and that all attempts to answer it are met with the circularity objection.<sup>26</sup> The objection runs as follows: since right action is constituted solely by good motives, then any

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<sup>22</sup> van Zyl, "In Defence", 282. Presumably AA = action assessment, and AG = action guidance, the subscript 'h' standing for 'hypothetical'? van Zyl does not clarify this.

<sup>23</sup> van Zyl, "In Defence", 285.

<sup>24</sup> He also claims that his account avoids the perfectionist critique aimed at Aristotelian versions since right action requires only that the agent either 'exhibits or expresses a virtuous motive' or 'at least does not exhibit or express a vicious motive'. On this account, therefore, a less-than-virtuous agent can still act rightly. van Zyl, "In Defence", 282.

<sup>25</sup> van Zyl, "In Defence", 285.

<sup>26</sup> Das, "Virtue Ethics", 328-330.

action performed with good motives will be right. But since motives are (presumably) not completely dependent on a person's willing them, 'ought' no longer 'implies can'.<sup>27</sup>

There are two parts to Slote's response to this objection. Firstly, he says that to be well motivated, for example to exercise benevolence well, one cannot exist in 'splendid isolation', but must find out the relevant facts about the world.<sup>28</sup> But, as Das rightly points out, if an agent-based focus is maintained, this line of reasoning leads to circularity:

The value of (the putatively inner state of) benevolence is inextricably bound up with the value of certain (knowledge-gathering and/or producing) *acts*. And it may be wondered how these act-evaluations could possibly depend on the evaluations on inner states (i.e., benevolence) without the whole account being circular.<sup>29</sup>

Secondly, Slote claims that it might be possible, on some compatibilist view of free will, to choose to act against one's motives in allowing 'genuine moral standards' to govern one's actions, even though those standards 'operate and bind, so to speak, *from within*'.<sup>30</sup> But this argument also seems to run counter to his main thesis that right action is constituted solely by good motives. If a badly motivated agent is capable of acting against his bad motives and so acts rightly, such right action cannot be explained on the basis of motives alone. However, underlying the appeal to some 'internally' operating 'genuine moral standards', seems to be the concept of the hypothetical moral agent who *is* well motivated; for it is on the basis of this hypothetical agent's dispositions, and not those of the actual agent, that actions are evaluated. Slote's move to attempt to accommodate the 'ought implies can' maxim has again introduced circularity.

### **Concluding thoughts**

As agent-based theories attempt to explain the basis of right action, and so answer the normative question, they face the objections from common sense and insularity; in the attempt to respond to these objections, they tend to lean in an Aristotelian direction, and in so doing become vulnerable to the charge of circularity. It seems that agent-based CVE theory fails to give a satisfactory account of normativity. We shall now consider the agent-focussed

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<sup>27</sup> The maxim 'ought implies can' is usually held to be a staple of moral theory.

<sup>28</sup> Slote, *Morals from Motives*, 17-18.

<sup>29</sup> Das, "Virtue Ethics", 328.

<sup>30</sup> Slote, *Morals from Motives*, 17 [original italics].

account of Rosalind Hursthouse to see whether her theory has the explanatory power to overcome the objections.

### 2.3. Normativity on a neo-Aristotelian account

Hursthouse's theory is often taken to be the paradigmatic example of the type of account where the justification of right action appeals to the character of a hypothetical virtuous agent.<sup>31</sup> She formulates right action as follows:

P.1. An action is right iff it is what a virtuous agent would characteristically do in the circumstances.<sup>32</sup>

But, as it stands, P.1. could equally satisfy the utilitarian and the Kantian, and so Hursthouse adds a subsidiary premise (P.1a) which defines the virtuous agent in terms of the virtues.

P.1a. A virtuous agent is one who has, and exercises, certain character traits, namely, the virtues.

P.2. A virtue is a character trait that . . .<sup>33</sup>

Hursthouse notes that P2 might be completed by providing a list or partial list of virtues, or a Humean description of the character trait as useful or agreeable to the agent or to others, or, following Aristotle, that it is required for *eudaimonia*.<sup>34</sup>

#### 2.3.1. The circularity objection

Hursthouse is not unaware of the circularity which threatens her agent-focussed account, but rejects the idea that it is 'trivially circular', as if right action was being specified in terms of the virtuous agent, who in turn specifies right action.<sup>35</sup> Such a statement, she says, is only a truism to those deontologists and utilitarians who import their own notions of right action into

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<sup>31</sup> The qualifier 'hypothetical' is often used to distinguish such accounts from the agent-based variety where rightness is grounded in the motives of an 'actual' agent.

<sup>32</sup> Hursthouse, *OVE*, 28. In an earlier paper Hursthouse used a simpler formulation of P.1. which omitted the modifier 'characteristically'. Hursthouse, "Virtue Theory and Abortion", 225.

<sup>33</sup> Hursthouse, *OVE*, 29.

<sup>34</sup> *Ibid.*, 29.

<sup>35</sup> Hursthouse, "Abortion", 226; *OVE*, 30-31.

P.1., and then use these to define the virtuous agent. She claims that the circularity objection can be answered by the addition of premises P.1a and P.2. which include substantive accounts of virtue. The accounts are not given in terms of dispositions to right action, which would invite circularity; instead, the accounts of virtue are given in some other terms such as the dispositions required for *eudaimonia*.<sup>36</sup>

By this reasoning, Hursthouse may well escape ‘the trivial circle’, but a larger circle threatens, which she acknowledges in a footnote in her earlier paper.<sup>37</sup> In this paper, P.2. specifically mentions that the virtues were required for *eudaimonia*. The difficulty now is how to conceive of *eudaimonia* without relying on the concept of right action. This threat of circularity may explain why Hursthouse dropped *eudaimonia* from her revised version of P.2.<sup>38</sup> In her discussion of irresolvable cases and tragic dilemmas, she admits that P.1 struggles as a criterion of right action.<sup>39</sup> In such situations, the virtuous agent will not emerge having acted well and the ‘right’ decision in that particular situation is not what the virtuous agent would *characteristically* do, since that decision may involve breaking a promise, betraying a trust or even letting someone die. In the end, Hursthouse struggles to maintain the notion of the primacy of the virtuous person which drives P.1., and in the following passage we see her in something of a retreat, accepting that the v-rules can be understood independently of the notion of the virtuous person:<sup>40</sup>

I am happy to say that the notion of ‘v-acts’ is, in some way, ‘secondary to and dependent upon the notion of’ a virtuous person. But I construe ‘secondary to and dependent upon’ as something more complicated than ‘only to be defined or understood at all in terms of’. The v-adjectives applied to actions have a certain amount of independence . . . which is encapsulated in dictionary entries and mother’s-knee rules. The notion of the virtuous person - the courageous, or honest, or loyal one - is ‘primary’ in the sense that it is needed to go beyond these and provide the fine tuning.<sup>41</sup>

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<sup>36</sup> Hursthouse, “Abortion”, 226; *OVE*, 29.

<sup>37</sup> Hursthouse, “Abortion”, 226, n. 2. Intriguingly, she fails to follow up this question in *OVE*.

<sup>38</sup> In the earlier paper, *eudaimonia* was included in the specification of virtue in P.2. *Ibid.*, 226.

<sup>39</sup> Hursthouse in fact amends her original formulation of P.1. to allow for the possibility of tragic dilemmas. *OVE*, 79.

<sup>40</sup> The v-rules are ‘rules’ incorporating virtues such as ‘do what is honest/ courageous/ loyal’ etc. Hursthouse, *OVE*, 37-39.

<sup>41</sup> Hursthouse. *OVE*, 80-81. In this passage, she is quoting from, and responding to, Stephen D Hudson, *Human Character and Morality: Reflections from the History of Ideas*. Boston; London: Routledge & Kegan Paul, 1986, 42-3. She agrees with Hudson for the most part, but rejects his strong thesis that we can only understand what a virtue is when we track down a perfect exemplar of that virtue.

But if the v-adjectives such as ‘courageous’, ‘just’, etc have ‘a certain amount of independence’ from the notion of the virtuous person, then they must rely to some extent on a further, unexplained, concept, and that makes P.1 circular.<sup>42</sup>

Although Hursthouse admits that virtue ethics may be ‘committed to some sort of reductionism of the concept of the Right’, she does not accept any commitment to reductive definitions of other moral concepts.<sup>43</sup> On the contrary, she is clear that VE theory needs concepts such as the good, the advantageous and the pleasant.

What constitutes the (true) good of others, and when life is and is not a good, are amongst the things that the virtuous person knows and can recognize, but they are not so because she recognizes them but because of facts about human nature.<sup>44</sup>

Hursthouse remains firm in her commitment to neo-Aristotelianism, and so she still faces the challenge, alongside every other VE theorist who is committed to an Aristotelian eudaimonism, of providing an account of *eudaimonia* which does not rely on the concept of right action, and so escapes the charge of circularity.

#### **2.4. Concluding thoughts**

From the above discussion, it can be seen that the CVE theories examined do not have the explanatory power to provide an answer to the normative question on their own. It has been shown that agent-based accounts fall prey to and struggle to overcome the insularity and common-sense objections, while neo-Aristotelian or agent-focussed accounts struggle with the circularity objection. The only way out of this impasse seems to abandon the hope in CVE’s metaethical self-sufficiency, and search out some other theory capable of doing the

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<sup>42</sup> Das, R. “Virtue Ethics”, 333. Das is not alone in perceiving the seriousness of these objections for the future of CVE. See also Frans Svensson, “Virtue Ethics and the Search for an Account of Right Action.” *Ethical Theory and Moral Practice* 13, no. 3 (2010): 255-71. Svensson also believes that CVE fails to supply a convincing answer to the objection that less-than-virtuous people could act rightly without doing what the virtuous person would characteristically do in the circumstances. For an optimistic response to this objection see Liezl van Zyl, “Right Action and the Non-Virtuous Agent.” *Journal of Applied Philosophy* 28, no. 1 (2011): 80-92.

<sup>43</sup> Hursthouse. *OVE*, 82.

<sup>44</sup> *Ibid.*, 82.

explanatory work. In the next section we will consider the possible alternatives for theistic ethical theory.

The secular CVE theories which we have considered so far face epistemological problems in addition to the objections which we have discussed. As we have seen, they all rely to some extent on the concept of the virtuous agent, but where can such an agent be found, and how do we know when we find one? Basing a theory on motives is problematic for we usually have no access to a person's motives, a point which Slote notes in passing.<sup>45</sup> Retreating from the consideration of an actual agent to a hypothetical one achieves little, for how do we form our template for the hypothetical character? A deeper, metaphysical, danger is that through our reasoning about the exemplar-candidate before us, and in the absence of some external point of reference, it is we who become the truth-makers. However much we have been conditioned by existentialist thinking, the day must and will come when our internal world of endless choosing and becoming collides with the need to appeal for justice in the face of perceived wrong. Without some objective standards 'the virtuous agent' is in danger of becoming a shifting construct of our own imaginations, or worse, a hazy reflection of ourselves.<sup>46</sup>

What are the implications of this discussion for the theistic version of VE which we are proposing in this thesis? We have argued that neo-Aristotelianism provides the best framework for the construction of a theistic VE. Now we have discovered that these theories are prone to the circularity objection. In theistic terms, this objection might run as follows: if right action is what the perfect virtuous agent (God) would characteristically do, and the virtuous agent (God) is one who acts rightly, then the argument is circular. Even if the divine virtues are described in a substantive way, we still face the task of explaining how and why these virtues are normative. Following Aristotle, we have argued that the virtues are both instrumental to and constitutive of *eudaimonia*. But if the virtues are the ground of normativity, and *eudaimonia* is defined in terms of the virtues, we have no non-circular account of the human good, and so no satisfactory answer to the normative question. There seems no way to break free of the circle, and so the only alternative remaining to the theist

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<sup>45</sup> Slote, *Morals from Motives*, 19.

<sup>46</sup> One thinks of Iris Murdoch's wonderful description of the Kantian man and his 'glorious incarnation' in the existentialist and analytic philosophy of her day. Iris Murdoch, *The Sovereignty of Good*. Routledge Classics. London: Routledge, 2001, 78.

who is attracted to VE theory, is to supplement it with some other theory which has the necessary explanatory power.

We now turn to theistic accounts of ethics to see how the role of God as fundamental explainer of the moral law has been construed, and which theory best provides an answer to the normative question and perhaps supplies what has been found to be lacking in a virtue ethics approach.

### **3. Theological answers to the normative question**

Traditionally, there are two routes to the explanation of God's role in the grounding of morality. These are theological voluntarism and natural law. We shall briefly mention the former and subsequently argue that a partnership of VE with natural law theory can supply an answer to the normative question.

#### **3.1. Theological voluntarism**

Theological voluntarism is the term often used to denote those theories which hold that God's will is central in the determining of moral status.<sup>47</sup> Philip Quinn expresses the relation as follows:

Moral status M stands in dependency relation D to divine act A<sup>48</sup>

Different species of theological voluntarism differ in their conception of each of the three factors in the above relation. That is, they vary in the range of M,<sup>49</sup> in exact nature of the

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<sup>47</sup> Use of the generic term 'theological voluntarism' instead of the more usual 'divine command theory' would appear to be a better way to contrast the two methods since the idea of commanding seems to restrict the source of moral obligation to the commands themselves, rather than to God's will in general. On this point see: Mark C. Murphy, *God and Moral Law. On the Theistic Explanation of Morality* (Oxford: OUP, 2011), 100. [hereafter *GML*]

<sup>48</sup> Philip L. Quinn, "Divine Command Theory" in Hugh LaFollette (ed.) *The Blackwell Guide to Ethical Theory* (Oxford: Blackwell, 2000), 53.

<sup>49</sup> Recent theories have reduced this range to deontic moral statuses, such as the status of being morally obligatory, in an attempt to defend the theory against the standard objections; the more broad-based the theory, the harder it is to defend. See below.

relation D,<sup>50</sup> and in the particular form of the act of divine willing (A).<sup>51</sup> An important point, to which we will return later, is that, however construed, the dependency relation D is understood to be complete and therefore unmediated.<sup>52</sup>

Theological voluntarism is prone to two powerful objections. The first is that morality appears to be fundamentally arbitrary; since morality depends on God's willing, there can be no justification for God's acting in one way rather than another.<sup>53</sup> A counter argument might be that God wills necessarily. But then, as Mark Murphy notes, this seems 'either to understate the divine freedom or to overstate the determination of God's commands by reasons', and perhaps the appeal to necessity might simply be a way to dodge the need for an explanation.<sup>54</sup> This first objection does seem to have some force.

The second objection is that if morality is grounded in the will of God, then how can a substantive claim be made that God is good? Yet God must be good, that is *morally* good, for theological voluntarism to be plausible at all. One route out of this objection is to restrict the range of normative properties for which the theory must account. Robert Adams argues that speaking of God as good is still meaningful on a voluntarist view because the virtues of benevolence and justice are not derived from divine commands. 'God is supremely knowledgeable and wise – indeed, omniscient. On the view advocated here, indeed, God is the Good itself, supremely beautiful and rich in nonmoral as well as moral perfection'.<sup>55</sup> We might agree with Adams's thoughts here, but still doubt that he supplies a satisfactory route out of the objection. We still have to find an explanation of the binding power of virtue, and if the theory cannot provide this, then the theory would appear to fail. Theological

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<sup>50</sup> For example, Quinn defends a strong form where not only are divine commands coextensive with moral requirements, but they are also 'necessary and sufficient causal conditions' for moral requirements. Quinn, "Divine Command Theory", 54. The view defended by Robert Adams begins with a description of moral obligation which is fundamentally rational and so open to theist and nontheist, and then argues that the best explanation of deontic moral facts is provided by a divine command theory. Robert M. Adams, *Finite and Infinite Goods: A Framework for Ethics* (New York: OUP, 1999), 232-8; 252-8.

<sup>51</sup> For example, some hold the act to be an expressed command and others that it is a mental state, such as choosing or intending.

<sup>52</sup> See Murphy, *GML*, 100.

<sup>53</sup> The objection has less force when M embraces fewer properties; for example, if nonmoral properties are not included, then God might conceivably have recourse to nonmoral reasons for willing.

<sup>54</sup> Mark Murphy, "Theological Voluntarism", *SEP*, 2002, substantive revision 2012. URL = <<https://plato.stanford.edu/archives/win2014/entries/voluntarism-theological/>>, 19. Murphy's article provides a useful and up-to-date overview of the current theories of theological voluntarism, and the objections and responses. See also Murphy, *GML*, Chapter 4.

<sup>55</sup> Adams, *Finite and Infinite Goods*, 253.

voluntarism seems to be ultimately unhelpful in our attempt to find a solution to the normative question and its relation to virtue ethics.

### 3.2. Natural law theory

An alternative way to explain the role of God in moral theory is to appeal to the natural law. The aim of this section is to examine the extent to which embracing natural law theory might give explanatory power to virtue within a VE theory, enabling it to answer the normative question as well as make sense of the idea of a universal morality given by God but constituted by, and accessible by means of, practical rationality. Thomas Aquinas, whose theory is usually taken to be the standard or paradigmatic version, did not see natural law and virtue as opposing concepts, but rather as complementary. Indeed, we find that the virtues are integral to his moral theory.

In this section, we shall review the paradigmatic natural law theory of Thomas Aquinas, and argue that it forms a natural partnership with VE. We shall consider how natural law functions as a theory of practical rationality, how we determine the basic goods and how these goods do the work of moral necessitation. Finally, we will see how the moral ought might function in natural law theory, and how the natural law might answer the normative question.

#### 3.2.1. Introduction

Some years ago, Noberto Bobbio commented, wryly but no doubt with some accuracy, that natural law is neither ‘natural’ to philosophers nor ‘law’ to lawyers.<sup>56</sup> The term has certainly been construed so widely that attempting a definition is a tricky business. Natural law theories appear in jurisprudence and political philosophy as well as in moral theory. Natural law may even be implied in the work of Sophocles.<sup>57</sup> And we certainly see its discussion in the Stoics and in Cicero, in early Christian writing (particularly in Romans 2:14-15 and in commentaries on the passage), in the Roman jurists, supremely in the great scholastic

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<sup>56</sup> Noberto Bobbio, ‘Quelques arguments contre le droit naturel’ in *Le droit naturel*, annals de philosophie politique, III, Paris, 1959, 175. Cited in Michael Bertram Crowe, “Natural Law Theory Today: Some Materials for the Re-assessment.” *The Irish Ecclesiastical Record* Fifth Series vol. CIX, (1968): 353-383, 353.

<sup>57</sup> For example, when Antigone disputes the validity of Creon’s decree that the body of Polynices should lie unburied, she appeals to ‘the unwritten and unfailing ordinances of the gods [which] have life, not simply today and yesterday but for ever, and no one knows how long ago they were revealed’. Sophocles, *Antigone. The Women of Trachis. Philoctetus. Oedipus at Colonus* (Edited and translated by Hugh Lloyd-Jones; LCL; Cambridge, Mass.: Harvard University Press. 1994), 454-457.

theologians of the thirteenth and sixteenth centuries,<sup>58</sup> and finally in the secular natural lawyers who followed Grotius. Even within the sphere of moral theory, the conception varies from the recognisably Aristotelian to almost any version of moral realism. And so, when we consider natural law we are certainly not looking at a unified theory. Jonathan Sanford correctly warns us to take care when we attempt to trace any history of ‘the natural law’:

Straw-man depictions of the theory abound in contemporary ethical handbooks, with ideas from Hobbes, Locke, Rousseau, and out-of-context notions from Aquinas often found mashed together into a supposedly representative theory called the natural law.<sup>59</sup>

It is also interesting to note that, against much popular opinion, natural law theory was not confined to the Catholic Church after the Reformation, but was a perfectly ‘natural’ part of the theology of several of the reformers, only disappearing from Protestant theology in the late eighteenth century.<sup>60</sup> Despite persistent attack on various fronts,<sup>61</sup> natural law theory has shown itself to be decidedly tenacious, and continues to command considerable support today.<sup>62</sup>

### 3.2.2. Do the virtues need the natural law?

Can an ethics of virtue be accommodated within a natural law framework? And can natural law theory supply what virtue ethics appears to lack? Virtue and the natural law do seem to

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<sup>58</sup> One thinks primarily of Aquinas in the thirteenth century and then, after a period of decline due to the influence of the nominalism and voluntarism of John Duns Scotus and William of Ockham, of the scholastic revival in the sixteenth and seventeenth centuries under Francisco de Vitoria and Francisco Suarez.

<sup>59</sup> Sanford, *Before Virtue*, 230-1.

<sup>60</sup> For an interesting and thorough survey of the Protestant natural law tradition, and a discussion of the influence of the theology of Karl Barth, see Stephen J. Grabill, *Rediscovering the Natural Law in Reformed Theological Ethics* (Grand Rapids, MI: William B. Eerdmans, 2006). For a recent analysis from a lawyer’s perspective, see Jonathan Stonebraker and Sarah Irving, “Natural Law and Protestantism: A Historical Reassessment and its contemporary Significance”, *Oxford Journal of Law and Religion*, 2015, 4, 421-441. Also of interest is Jean Porter’s argument that, to the scholastics, natural law was a soundly scriptural doctrine. Jean Porter, “Natural Law as a Scriptural Concept: Theological Reflections on a Medieval Theme”, *Theology Today* 59, no. 2 (2002): 226-243.

<sup>61</sup> Crowe suggests several reasons for the ‘bad press’ of natural law theory: criticisms from existentialism and logical positivism concerning the concept of human nature, the undeniable existence of cultural moral variation and the over enthusiasm for deductive reasoning that he sees as a legacy of Grotius and the ‘Age of Reason’, rather than a legacy of ‘the genuine natural law’ of the scholastics. Crowe, “Natural Law Theory Today”, 357.

<sup>62</sup> For an interesting attempt to use natural law theory to ground the concept of human obligation in the context of environmental ethics, see Scott A. Davison, “A Natural Law Based Environmental Ethic.” *Ethics and the Environment* 14, no. 1 (2009): 1-13.

be rather natural partners, and the neo-Aristotelian CVE theories share a common teleological framework with natural law. Sanford argues that if practical rationality is to be of any practical use, and indeed intelligible at all, it must be grounded in some objective notion of normativity, and the best such notion is found within natural law theory. He visualises practical rationality and natural law as ‘branches sharing the same Aristotelian trunk’, and that in Aquinas, they are most clearly seen to be ‘intertwining’:

Making sense of the virtue of practical wisdom requires a fairly robust account of the foundations of moral principles. Making sense of the role and scope of the natural law requires a robust account of the virtues.<sup>63</sup>

So, despite the fact that for the most part these branches no longer intertwine,<sup>64</sup> is it true, as Sanford insists, that they still need each other? We first need to consider what natural law has to offer.

### 3.2.3. Thomas Aquinas: a paradigmatic account of natural law theory

It is commonly agreed that Aquinas provides what is still taken to be the paradigmatic account of natural law theory; his is the standard against which all other theories are tested.<sup>65</sup> But as is often the case for any great thinker who has written so extensively, representatives from many different and often opposing camps claim him as their philosophical predecessor. Some have described him as ‘the greatest of all natural law theorists’,<sup>66</sup> while others have claimed that the natural law element of his thinking was very much secondary.<sup>67</sup> It is

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<sup>63</sup> Sanford, *Before Virtue*, 227.

<sup>64</sup> Sanford uses a couple of colourful metaphors to suggest reasons for this situation: natural lawyers, he suggests, have viewed contemporary virtue ethics as ‘a sort of younger sibling who has yet to become very interesting’, while contemporary virtue ethics has viewed natural law theory as ‘an overbearing and oppressive father’ the casting off of whose authority has been a matter for rejoicing. Sanford, *Before Virtue*, 220. Divisions occur not only along liberal/conservative lines, but also along theistic/nontheistic ones. Most contemporary natural law theorists are theists (with a few exceptions such as Philippa Foot and Michael Moore), while most contemporary virtue ethicists, however much their theories lack unity, are secular and liberal.

<sup>65</sup> This is the method which Mark Murphy adopts in his helpful and informative article on contemporary natural law theory, and he highlights the points of departure from the paradigmatic account in the work of other natural law theorists such as John Duns Scotus and John Locke. Mark Murphy, “The Natural Law Tradition in Ethics”, *SEP*, 2002, substantive revision 2011. URL = <http://plato.stanford.edu/archives/win2011/entries/natural-law-ethics/>.

<sup>66</sup> Mark C. Murphy, *Natural Law and Practical Rationality*. Cambridge: CUP. 2001, 212. [hereafter *NLPR*]

<sup>67</sup> For example, E. A. Goerner believes that Aquinas did not advocate a natural law teaching, and that his view of right action should be understood from a virtue perspective. E. A. Goerner. “Thomistic Natural Right: The Good Man's View of Thomistic Natural Law.” *Political Theory* 11, no. 3 (1983): 393-418.

intriguing that he commands the interest of many secular theorists,<sup>68</sup> when from the very beginning of the *Summa Theologiae* he lays his theistic cards on the table, assuming the existence of God and the necessity of divine revelation in addition to human reason for knowledge of salvation.<sup>69</sup> The concept of God, as the giver of the natural law is central to his moral theory.<sup>70</sup> And for the same reason it is equally intriguing to see Aquinas interpreted as a virtue ethicist in the thoroughly modern sense of the term, since, in the decades following Anscombe, virtue ethics has become predominantly a theory of secular liberalism.<sup>71</sup> What, then, are the central features of Aquinas's paradigmatic account?

### 3.2.4. Practical rationality and the basic goods

Aquinas, following Aristotle, believed that it was their rational capacity which sets humans apart from other animals.<sup>72</sup> Natural law theory, as a theory of practical rationality,<sup>73</sup> evaluates actions in terms of intelligibility and reasonableness; it draws on this human rational capacity to discern between good and evil, and is based on the belief that humans by nature pursue the good and avoid evil. It therefore aims both to characterise reasons for action, and also explain the rational basis for choices between actions. Fundamentally teleological, a natural law theory of practical rationality achieves this by identifying certain basic goods which are grounded in human nature and which provide the fundamental reasons for action, and by subsequently demonstrating how the principles of practical reasonableness are justified by certain features of these goods. A natural law theory of normativity must explain not only which things are goods and what the appropriate response to them is (that is, how they result

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<sup>68</sup> We might think, for example, of Philippa Foot and Michael Moore.

<sup>69</sup> Thomas Aquinas, *Summa Theologiae* I, 1. [hereafter *ST*.] See also the *Summa contra Gentiles* [SCG] which is essentially a work of apologetics, defending the Christian worldview against the 'gentiles', while at the same time arguing that the pagan philosophers can 'direct us towards the truths of the Christian revelation'. Alasdair MacIntyre, *God, Philosophy, Universities. A Selective History of the Catholic Philosophical Tradition* (London: Continuum, 2009), 74.

<sup>70</sup> *ST* I, II, 91, 2. See n. 38.

<sup>71</sup> A notable exception is Alasdair MacIntyre. But, despite his constant opposition to secular liberalism, and his self-identity as an 'Augustinian Christian' (*Whose Justice?*, 12), he is never overtly theistic.

<sup>72</sup> Aquinas, *De Veritate*, 24, 2. Here Aquinas supports the idea that animals cannot reflect on their own judgments and so do not have free choice because this requires reason: 'Reason is found fully and perfectly only in man'. (*Ratio autem plene et perfecte invenitur solum in homine*). According to Aristotle, it is man's ability to perceive what is good and evil, just and unjust, which sets him apart from the other animals. *Politics* I, 2, 1253a7-18. In Book VI of the *Ethics* he does describe some animals as possessing *phronēsis* when they store up food, but this is quite distinct from wisdom (*sophia*). *NE* 1141a22-28. Alasdair MacIntyre distinguishes the 'reasons' for the action of animals from the power to reflect on those reasons, which is a strictly human capacity. *Dependent Rational Animals*, 53-61.

<sup>73</sup> Utilitarianism and Kantianism, although very different in structure, are also theories of practical rationality.

in right actions), but also why those things are goods in the first place. And this latter explanation is linked to the normative question. As Murphy writes: ‘natural law theory explains how it is reasonable to deliberate in cases of practically significant choice by appealing to principles that have their warrant from the nature of the fundamental reasons for action themselves’.<sup>74</sup> It might be noted that, although Aquinas states that certain things are good for humans and worthy of pursuit,<sup>75</sup> if these goods are pursued in the wrong way, that act is defective or flawed.<sup>76</sup> An act can be intrinsically flawed in terms of its object, circumstances or end,<sup>77</sup> and all this is determined by the nature of the goods themselves. As Murphy says, ‘it is the goods for persons that call the shots’.<sup>78</sup>

### 3.2.5. Determining the basic goods

Following Aristotle, Aquinas holds that the good of a thing is determined by its form, that is, by the kind of thing it is.<sup>79</sup> When each thing attains virtue, it is perfect, and so it is good: ‘That is why each thing seeks its perfection as the good belonging to it’.<sup>80</sup> And all this is a matter of natural facts. We have met this essentially Aristotelian idea before, and the basic idea of happiness as flourishing or proper functioning does seem inherently plausible; when life is shortened or impaired or even threatened, that living thing is no longer thought of as flourishing.<sup>81</sup> The details of the goods might vary from species to species, and, as might be expected, suggestions for the list of basic human goods varies from person to person.<sup>82</sup> But the concept of flourishing remains the same.

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<sup>74</sup> Murphy, *NLPR*, 3.

<sup>75</sup> *ST I*, II, 94, 2; 94, 3.

<sup>76</sup> *ST I*, II, 18, 1.

<sup>77</sup> *ST I*, II, 18, 2-4. An act can therefore be flawed in terms of its overarching end being defective, its object (i.e. its immediate aim) being incorrectly aligned with its end, or due to the circumstances making that act defective at that particular point. Philippa Foot endorses this account in her own discussion of the goodness or badness of actions. *Natural Goodness*, 72-77.

<sup>78</sup> Murphy, *GML*, 71.

<sup>79</sup> *ST I* 5,5.

<sup>80</sup> *SCG I*, 37.

<sup>81</sup> As Alasdair MacIntyre observes, when we speak of a flourishing dolphin, gorilla, or human, we use ‘flourishing’ in the same sense. MacIntyre, *Dependent Rational Animals*, 64. That the concept of flourishing is a generic concept is an advantage, in that it does not present the same conceptual difficulties which arise in speaking of animals having reasons to act in pursuit of certain goods.

<sup>82</sup> For example, Aquinas speaks of life itself, procreation, life in society and knowledge, including knowledge of the truth about God (*ST I*, II 94, 2) (also see n. 33 below). John Finnis’s list includes play and aesthetic experience (*Natural Law and Natural Rights*. Clarendon Law Series. Oxford: Clarendon Press, 1980, 85-90).

### 3.2.6. From goods to precepts

In his response to the question: ‘Whether the natural law contains several precepts or only one?’, Aquinas replies:

Now as “being” is the first thing that falls under the apprehension simply, so “good” is the first thing that falls under the apprehension of the practical reason, which is directed to action: since every agent acts for an end under the aspect of good. Consequently, the first principle of practical reason is one founded on the notion of good, viz. that “good is that which all things seek after.” Hence this is the first precept of law, that “good is to be done and pursued, and evil is to be avoided.” All other precepts of the natural law are based upon this: so that whatever the practical reason naturally apprehends as man’s good (or evil) belongs to the precepts of the natural law as something to be done or avoided.<sup>83</sup>

Aquinas assumes firstly that humans have a natural inclination to pursue the good.<sup>84</sup> And then he explains that because of that first principle of practical reason, the precepts of the natural law are self-evident. The natural law is ‘natural’ because the basic principles of practical rationality are constituted by nature and by human reason we can move from ‘general and indemonstrable principles . . . to the more particular determination of certain matters’.<sup>85</sup>

An epistemological concern immediately comes into focus here: the paradigmatic account assumes that the basic principles of the natural law are universally knowable. But how exactly? Murphy explains that the way to this knowledge can be understood in two distinct, but not necessarily exclusive, ways. The first, which he calls ‘derivationism’, denies that these practical judgments are self-evident; rather, they ‘must be derived from theoretical judgments regarding human nature’.<sup>86</sup> Aristotle’s function argument might be thought of in this way. By contrast ‘inclinationism’, as the name suggests, holds that inclination is sufficient; the goods are, as John Finnis claims, not derived from anything but ‘*per se nota*

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Murphy adds ‘excellence in work and play’ and ‘excellence in agency’ alongside the rather more modern-sounding ‘inner peace’ (*NLPR*, 100-135).

<sup>83</sup> *ST I-II*, 94, 2. see also *ST I*, 5 on goodness and being.

<sup>84</sup> According to Aquinas, there are three aspects to this good: some inclinations, such as preservation of self, man shares with all living things; others he shares with other animals (‘sexual intercourse, education of offspring’); and lastly, due to reason, man has a natural inclination to know the truth about God, and to live in society, and so according to the natural law, he should ‘shun ignorance’ and ‘avoid offending those among whom one has to live’. (*ST I-II*, 94, 2.).

<sup>85</sup> *ST I-II*, 91, 3.

<sup>86</sup> Murphy, *NLPR*, 6.

(self-evident) and indemonstrable'.<sup>87</sup> While this interpretation succeeds in retaining an important place for reasoning, the adopting of a derivationalist model seems to deny universal knowability: only the theoretically adept might hope to attain the requisite knowledge. Inclinationism is intuitively more plausible, but we can surely agree with Murphy that natural human inclinations are 'not always a lovely thing'.<sup>88</sup>

### 3.2.7. Summary: key features of the natural law

On the standard interpretation of Aquinas's natural law theory, then, several key features can be identified. Firstly, it is a theory given by God.<sup>89</sup> Secondly, the good is prior to the right: our common human nature determines what is good for us, so right action is action which responds appropriately to the good. Thirdly, it claims a universal application; that is, it is universally binding and universally knowable: somehow, we, as humans, have an intrinsic inner-directedness towards the good and the various goods. It is these goods which constitute the source of normativity as the universally binding principles of the natural law.

This last point needs clarification. In *ST* I-II 94, 4, Aquinas makes a clear distinction between the general principles of practical reason and the detail of the proper conclusions. While both the universal principles and the proper conclusions of *speculative reason* are necessary truths, and so the same for all men, it is only the universal principles of *practical reason* which are necessary truths; practical reason concerns contingent matters, and 'the more we descend to matters of detail, the more frequently we encounter defects'. Therefore,

In matters of action, truth or practical rectitude is not the same for all, as to matters of detail, but only as to the general principles: and where there is the same rectitude in matters of detail, it is not equally known to all.<sup>90</sup>

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<sup>87</sup> Finnis, *Natural Law and Natural Rights*, 33-34. See also Germain Grisez's commentary on *ST* I-II, 94, 2. Germain G. Grisez, "The First Principle of Practical Reason: A Commentary on the *Summa Theologiae*, 1-2, Question 94, Article 2." *Natural Law Forum* 10 (1965): 168-201.

<sup>88</sup> Murphy, "The Natural Law Tradition in Ethics", 7. Murphy notes that power and prestige do not appear in contemporary lists of the basic goods, even though Aristotle acknowledged something like them. For more on derivationalism and inclinationism, see Murphy, *NLPR*, 6-17. And for his own attempt to resolve the dilemma using his 'real identity thesis', see *NLPR*, 17-21; 40-45.

<sup>89</sup> In his defence of the existence of a natural law Aquinas says in *ST* I-II, 91, 2: 'all things subject to Divine providence are ruled and measured by the eternal law' but man, as a rational creature is unique since a rational creature 'is provident both for itself and for others. Wherefore it has a share of the Eternal Reason, whereby it has a natural inclination to its proper act and end: and this participation of the eternal law in the rational creature is called the natural law'. Human reason, which is employed in the discerning between good and evil, is 'an imprint on us of the Divine light'.

<sup>90</sup> *ST*, I-II, 94, 4.

In Article six of the same question, Aquinas, following Augustine, maintains that the natural law is written on men's hearts and cannot be blotted out. But again, he is referring to the general principles of the natural law. At the level of application of the principle, that is at the level of secondary precepts, this is not the case.

The natural law can be blotted out from the human heart, either by evil persuasions, just as in speculative matters errors occur in respect of necessary conclusions; or by vicious customs or corrupt habits, as among some men, theft, and even unnatural vices, as the Apostle states (Romans 1), were not esteemed sinful.<sup>91</sup>

Therefore, according to Aquinas, when we speak of normativity of the natural law, we must be careful to restrict the notion of universal obligation to its general principles.

### **3.2.8. Moral obligation in natural law theory**

Having completed the groundwork, we can now proceed to examine the concept of moral obligation within a natural law view of morality.<sup>92</sup> On the basis of this theory, how is 'the moral ought' generated and understood? From what has been said above, we might simply say that the objective facts about the natural goods which fulfil our natures determine the status of the correct response to such goods, and this is the source of the normativity according to the natural law. All natural law explanations of moral law, in Murphy's words, 'function by showing that an act-type bears on a human good in a certain way; the character of the good does the work of seeing to it that various properties applying to act-types morally select various responses'.<sup>93</sup> If life is a good, then certain actions, such as assault or murder, are clearly defective responses to that good, and so should not be performed;<sup>94</sup> if knowledge is a good, then the act of lying is a defective response and so should not be performed and so

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<sup>91</sup> *ST*, I-II, 94, 6.

<sup>92</sup> The paradigmatic account of natural law theory will be assumed from now on to allow clarity of thought.

<sup>93</sup> Murphy, *GML*, 73.

<sup>94</sup> This is, admittedly, a highly simplified statement. See Finnis, *Natural Law and Natural Rights*, 281-283 for a useful discussion of the deriving of a positive law against murder from the natural law. For an extended discussion of the good of life in all its aspects, see Germain Grisez, "Why Should Human Life Always Be Treated With Reverence?", *The Way of the Lord Jesus*, Volume II: "Living a Christian Life" (Chicago: Franciscan Herald Press, 1993). 8, A, 1-4.

forth. Once more, the explanation begins with the nature of the good and culminates in the evaluation of correct or incorrect responses: the good is prior to the right.

### 3.2.8.1. Normativity and the case of lying

#### From the practical to the moral

However, we seem to have a problem here. How do we move from that fundamental practical sense of ‘ought’ which is bound up, on the natural law view, with acting well, to a ‘moral ought’? How do we explain, for instance, the widespread assumption that X ought not to lie to Y? For an answer, we will review Murphy’s helpful, if somewhat technical, analysis of the problem.

Murphy defines ‘acting well’ as ‘instantiating in the good of excellence of agency’,<sup>95</sup> that is acting with one’s practical reason free from error. He begins by suggesting that a proposition concerning ‘ought’ judgments might be formulated as follows: ‘A ought to  $\phi$  if and only if A, whose practical reason is functioning without error, decides to  $\phi$ ’.<sup>96</sup> Such a formulation successfully conveys the agent-relative nature of practical reason, and also the fact that ought-judgments are connected to agents’ decisions. But as Murphy himself admits, the emphasis on the agent’s decision leaves it open to the charge of subjectivism. And more work needs to be done to be able to provide an answer to the one who seeks to know why X ought not to lie to Y, beyond the fact that X simply decides not to lie. At this point we cannot condemn X’s decision to lie to Y any more strongly than by observing that it is not the case that X is doing what he ought to do. In short, we need an account of ‘the moral ought’ which is independent of subjective factors yet still consistent with natural law theory’s understanding of the fundamental practical ought.

Murphy suggests an amended proposition: ‘A morally ought to  $\phi$  if and only if it is not possible that A, whose practical reason is functioning without error, decide to  $\psi$ , where  $\psi$ -ing and  $\phi$ -ing are incompatible.’<sup>97</sup> Now we have a description of the moral ought which is free from subjective factors such as the agent’s decision. Whether or not, or how, the agent decides is now a contingent matter while the ‘ought’ judgment, based as it is on the decision’s being free from error, is not. X ought not to lie to Y because X cannot lie to Y

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<sup>95</sup> Murphy, *NLPR*, 220. The good of ‘excellence of agency’ is one of his fundamental reasons for action (*NLPR*, 114-118).

<sup>96</sup> Murphy, *NLPR*, 221.

<sup>97</sup> Murphy, *NLPR*, 222, 230.

without an error in practical reasoning. X's act would reflect a deficiency, a falling short of full participation in the good of excellence in agency. This, Murphy suggests, is now substantive enough:

If we say that in lying, John is doing something that is not something he ought to do, we are not expressing that his act is merely indifferent; we are expressing that John's actions lack some goodness that they are capable of having. For a type of action to be morally wrong is to guarantee that any action of such a type will be deficient in this way.<sup>98</sup>

### **From the abstract to the concrete**

Murphy's formula, he admits, is constructed in terms of the 'highly abstract' principles of practical reasonableness. And yet, he attempts to demonstrate that it is possible to move from the abstract to a statement of action-guiding moral requirement. To follow Murphy's argument here is useful for our consideration of the normative question in a natural law context, because there are few natural law thinkers who give close attention to the source of 'the moral ought'. To demonstrate the move from the abstract to the concrete, Murphy takes the example of lying and he begins with the principle of practical reasonableness, often called 'the Pauline principle', which rules out 'intentional, instrumental destruction of an instance of a basic good'.<sup>99</sup>

Lying has traditionally been understood along the following lines: 'For *A* to lie to *B* is for *A* to assert a proposition to *B* believed by *A* to be false with the intention to deceive *B*'.<sup>100</sup>

Finnis provides a fairly standard normative explanation: to lie is to act against the basic good of knowledge and acting against any basic good is contrary to 'the Pauline principle'. He

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<sup>98</sup> Murphy, *NLPR*, 224. Murphy makes a useful distinction here between moral absolutes and necessary truth: accepting the analytic truth that every true moral ought-judgment is necessarily true does not commit one to accepting that every moral truth is a moral absolute, where a moral absolute refers to an act which is 'exceptionlessly prohibited'. It may be that while a moral judgment such as 'X ought not to lie to Y' may be a necessary condition for the moral absolute 'Lying is always wrong', it is not a sufficient condition because the circumstances of the action should also be considered. Murphy, *NLPR*, 222-3.

<sup>99</sup> Murphy, *NLPR*, 204-7.

<sup>100</sup> Murphy, *NLPR*, 234. For a solid defence of Aquinas's thesis (*ST* II-II, 110) that lying is always wrong, see Grisez, "Living a Christian Life" 7, B, 6. (pp. 405-12).

expresses this principle as ‘do not choose directly against any basic human good’ or ‘do not do evil, even for the sake of good’.<sup>101</sup>

While accepting the basic argument, Murphy suggests an improvement. He says that lying is not typically an act against the good of knowledge alone, but rather against the good of excellence in agency: since these goods are claimed to be the basis of all moral requirements, we have to be clear which goods are at stake before attempting to apply the Pauline principle. He makes a distinction between the intrinsic good of knowledge as possessed, and knowledge as an object of pursuit which can be pursued either ‘*qua* intrinsic or *qua* instrumental good’:

And it seems that when the liar intends to cause the deceived to believe that which is false, he or she attempts to damage the good of knowledge precisely insofar as it is an instrument to the good of excellence in agency, at least in paradigm cases of lying: for the liar typically aims at getting the deceived to act or feel in a certain way by manipulating the process of practical reasoning, by attempting to assert a false premise upon which the deceived will rely in making his or her assessment regarding how to act or feel.<sup>102</sup>

Therefore, although two goods are threatened, it is the good of excellence in agency which has explanatory priority in the lying case, since the false information will introduce error into the practical reasoning of the agent.

### **3.2.9. Concluding thoughts: natural law and the normative question**

Not only does natural law theory offer an internally consistent and robust explanation of the moral law, it also has the resources necessary to answer the normative question. It is certain basic goods, grounded in human nature, which embody the universally binding principles of the natural law and so constitute the source of normativity. Its teleological framework seems an ideal partner for a theory based on virtue, as indeed Aquinas had argued so many centuries ago. But one niggling thought remains, and this will be discussed in the next section.

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<sup>101</sup> John Finnis, *Fundamentals of Ethics* (Oxford: Clarendon Press, 1983), 75, 111. This principle is one of Finnis’s ‘basic requirements of practical reasonableness’, and is called ‘Pauline’ because of the statements in Romans 3:8, 6:1, 15. Interestingly, Finnis sees Kant’s second formulation of the categorical imperative as ‘the philosophical translation’ of this principle. *Fundamentals*, 121. An exception to this rule will occur when a person is deprived of basic goods because of the punishment required by justice. But rather than accept that this is ‘doing evil that good may come’, Finnis argues instead that this deprivation is ‘intended precisely as itself a good, a restoration that cannot (logically cannot) consist in anything other than such an act of deprivation’. *Fundamentals*, 129-130. For further, useful discussion of the Pauline principle, see Alan Donagan, *The Theory of Morality*. University of Chicago Press, 1977, 149-164.

<sup>102</sup> Murphy, *NLPR*, 235.

### 3.3. Moral concurrentism: a third way?

We have seen how adopting a natural law theory as a conceptual framework could supply virtue ethics with an explanation of the source of normativity. But one thought remains which might be troubling for the theist. Whereas theological voluntarism is unquestionably theocentric, the paradigm natural law theory which we have been discussing is not overtly so. It is not that God is entirely absent, for he is evident through his creation. But his role in the explanation of the moral law is a limited one. This is troubling for a theist who accepts not only the centrality of the ‘good’ in a theory of ethics, but also the existence of an infinite and transcendent Good; if this Good is identifiable as God,<sup>103</sup> then we might expect God to have a more immediate role in the explanation of the moral law than he has on a natural law account. After all, as Murphy comments, ‘theism seems committed to the view that God is at the centre of the normative world, not just one object of love among others, but the object of, and standard for, admiration’.<sup>104</sup> It is this worry which Mark Murphy seeks to address in his closing chapter of *God and the Moral Law*. His solution is ‘moral concurrentism’, so called because it is a moral version of the metaphysical theory.<sup>105</sup>

Murphy’s theory is promising. It retains the basic structure of natural law in which the goods do the moral necessitating, but it adds a strongly theocentric dimension, arguably more attractive to the theist, which says that these goods which do the moral necessitating are theistic facts, and not just facts about the created order. The theory has the advantage of satisfying the requirement of theistic immediacy.<sup>106</sup> ‘The basic idea of moral concurrentism is that moral necessitation, and thus moral law, is immediately explained both by God and by

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<sup>103</sup> See, for example, Robert Adams, *Finite and Infinite Goods*, 3, and passim.

<sup>104</sup> Murphy, *GML*, 160.

<sup>105</sup> Natural concurrentism provides a way to account for God’s role as efficient cause in the natural order, and also the role of creaturely natures by advocating a cooperation between the two. It provides a way through the horns of occasionalism, which holds God’s role is immediate in that the divine will is the active cause of every event in the natural order, and ‘mere conservationism’ which sees God’s role in creaturely transactions as mediated. The parallel is limited however. Concerning events in the natural order, God is free to withhold his concurrence, such as in the situation of miracles. In the moral order, he is not free, since here the question concerns final and not efficient causation. As Murphy says, ‘God has no choice about whether God is the ultimate end of all things; God’s nature sets, of necessity, the measure of goodness, and it is not up to divine discretion whether God contributes to the being good of some particular being (so long as that being exists and bears that nature)’. *GML*, 176. For an overview of natural concurrentism, see *GML*, 134-9.

<sup>106</sup> The theory also provides a response to what Murphy calls ‘the objection from divided loyalty’. A theist who holds that loyalties should not be divided between God and something else might struggle to accept that there may exist a variety of goods which are not immediately explained by God, leading, perhaps to a conflict of loyalties to the goods on the one hand, and to God on the other. *GML*, 165.

creaturely natures. This is not overdetermination, but cooperation; they somehow jointly necessitate'.<sup>107</sup>

How, then, does this joint necessitation function? Murphy begins with Adams's account of the good. The concept of a transcendent good supplies a criterion by which experienced goods can be judged.<sup>108</sup> If God is the supreme Good, then the most plausible account of the relation of experienced goods to the supreme Good is one of resemblance: 'other things are excellent insofar as they resemble or imitate God';<sup>109</sup> perfect goodness can never be completely captured by natural properties, and so the resemblance is always imperfect.

Murphy believes that Adams's view could be improved by becoming more Aristotelian and less Platonic. He agrees with Adams that no created thing is simply good; only God is simply good, for 'nothing is good except God alone'. But, rather than arguing that a thing's excellence is determined solely by its resemblance to God, he suggests that it may also be determined by the kind to which that thing belongs. 'So while we can truly say that God is simply good, for anything distinct from God its goodness will consist in its resembling God in a way that belongs to its kind',<sup>110</sup> the excellence of the resemblance receives its context from the kind. This 'ought of kind-membership' is left hanging in nontheistic Aristotelianism. Why is it that certain properties are considered excellences of that kind? Who says? Murphy's modified Adamsian view has the advantage of explaining the limited range of excellent properties for each member of a kind.

Murphy's summary is useful:

The moral concurrentist claims that moral necessitation, whether in particular transactions or in moral laws, is immediately explained by both God and creaturely natures. . . if nothing is good but God alone, if God is alone good without qualification, we can see all of the distinct and incommensurable goods that demand a response as participations in the divine goodness; indeed, they demand a response – they morally necessitate our action – just because they are participations in the divine goodness. What makes them distinct is the particular nature of that good. Just as on natural concurrentism all natural necessitation is the push of divine power specified by the nature of the creaturely causal agent,<sup>111</sup> on moral concurrentism all moral

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<sup>107</sup> *GML*, 148.

<sup>108</sup> Adams, *Finite and Infinite Goods*, 77-82.

<sup>109</sup> *Ibid.*, 28-9.

<sup>110</sup> Murphy, *GML*, 159.

<sup>111</sup> See, for example, Aquinas *SCG*, III, 66. And *ST I*, II, 1, 8.

necessity is the pull of divine goodness specified by the nature of the creatures involved.<sup>112</sup>

### 3.3.1. Concluding thoughts

Murphy's theory of moral concurrentism, then, endorses the natural law's value-based account of moral norms while also maintaining that the goodness that morally necessitates is in fact a theistic property; it therefore has the advantage over standard natural law theory in that it creates space for theistic immediacy, without resorting to the divine will: the goods which morally necessitate participate in the divine goodness. But the fact that this immediacy is located in the divine goodness rather than in the divine will, means that the theory does not succumb to the objections which assail theological voluntarism. To adopt moral concurrentism in parallel with a neo-Aristotelian version of VE theory, would therefore seem to be an excellent solution for the theist who is drawn to the idea of an ethics based on virtue, but recognises the limits of the theory, in particular with regard to answering the normative question.

## 4. Conclusion

Beginning this chapter with Anscombe's challenge that contemporary moral philosophy should jettison 'the moral ought' in the philosophical absence of a moral lawgiver, we saw how such a concept was not only inescapable, but also indispensable to moral theory. The claims which morality makes on us require justification, and it is this seeking after a justification which we have been calling 'the normative question'. Finding an answer to this question is important because any practically useful normative theory, CVE included, must be able, not only to provide an account of right action, but also to justify that account. This can be done by appealing to some distinct higher order or 'metaethical' theory, or by drawing on its own resources. Because the explanatory ambitions of CVE theory often aim beyond the level of purely normative theory, we began by investigating the ability of current VE theories to answer this question.

We discovered that whichever theoretical route we followed, whether agent-focussed or agent-based, CVE theory encounters serious objections. Agent-based accounts are vulnerable to the insularity and common-sense objections, while neo-Aristotelian or agent-focussed

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<sup>112</sup> Murphy, *GML*, 162.

accounts struggle to overcome the circularity objection. It therefore appeared that virtue ethics alone does not possess the power to explain the source of normativity. The only alternative for the VE theorist was to search out some other theory capable of doing the explanatory work.

Since the version of VE being pursued in this thesis is a theistic one, we subsequently considered the standard metaethical theories open to the theist, theological voluntarism and natural law, and concluded that while theological voluntarism is substantially weakened by powerful objections, natural law theory can not only supply a convincing explanation for the source of the moral law, but forms an ideal partner for an ethics based on virtue. Both theories are teleological, the good being prior to the right, and both recognise that the goods which ground morality are somehow facts about human nature. We therefore advocated an appeal to the paradigmatic natural law theory of Thomas Aquinas, in order to supply what was lacking in a pure VE. According to this theory, it is the goods which are grounded in human nature which provide the fundamental reasons for action, and so constitute the source of normativity. Using the example of lying, it was shown that it is possible to move from the abstract principles to the concrete level of action-guidance.

Finally, it was suggested that the troubling thought which might linger in the mind of the theist, that God had no immediate role in the explanation of moral law, could be removed by adopting the moral concurrentist idea of Mark Murphy, whereby the goods which do the moral necessitating are theistic facts. The theist who adopts a VE theory in tandem with moral concurrentism can, therefore, respond confidently to Anscombe's challenge: there is no need to jettison 'the moral ought', for the moral lawgiver is alive and well and the normative question at last has a satisfactory answer.

We shall see how the partnership of VE and natural law is helpful for our understanding of the normative question in Amos as we test our theistic VE theory in the following chapter.

## Chapter Six

### Amos and Virtue Ethics

#### 1. Introduction

The aim of this investigation has been to critique the theory of virtue ethics with a view to the construction of a theistic version which can be subsequently tested against the text of the OT. Following an introduction to CVE theory in Chapter One, the following three chapters examined the concepts of *telos*, virtue, and the moral exemplar respectively, all essential components for any normative ethical theory based on virtue. It was suggested that an Aristotelian version of VE theory is compatible with a theistic framework, if the *telos* of all ethical reflection is understood as a relationship with God, with the overarching virtue of justice being necessary for the maintenance of that relationship, and the character of God himself as the supreme moral exemplar. In Chapter 5, however, we encountered a problem for CVE theory: considered alone, it does not appear to have the explanatory power needed to answer the normative question. And so it was suggested that a potential resolution is available to the theist by partnering VE with a modified natural law theory. On the basis of this discussion, it was concluded that VE, supplemented in this way, has much to offer the theist in search of a normative ethical theory. Having reached our primary goal of critique and construction, the present chapter is devoted to testing our theistic revision of VE theory against the text of the OT. As stated in the Introduction, our testing ground will be the book of the prophet Amos. Our final challenge, then, is to assess whether a bridge can be built, not only between the ethical thought of Aristotle and the ethical thought of an eighth century prophet, but also between the world of Amos and the context of contemporary ethical theory.<sup>1</sup> In other words, is the theory a useful heuristic device by which to investigate the ethics of the OT, as well as make the text normatively useful to the contemporary theological ethicist?

We will begin with some reasons for choosing Amos as our testing ground, then present a short survey of the content and context of the book, noting some of the most important critical questions which it raises and which impact the subsequent discussion. The chapter

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<sup>1</sup> It is not being suggested by using the phrase, ‘the ethical thought of an eighth century prophet’, that the Book of Amos, as we now possess it, goes back in its entirety to the eighth century. Rather, it reflects and acknowledges the authority of the canonical text and its function as a shared platform for a discussion of normative ethics. For problems with a parallel phrase, ‘the theology of the book of Amos’, see John Barton, *The Theology of the Book of Amos*. Cambridge: CUP, 2012, 1. [hereafter *TBA*]. For a short discussion of historical biblical criticism see section 1.2.3. below.

will subsequently be divided into four parts, each addressing one of the key features of VE theory considered in the previous chapters. We will first consider the idea that the ethics of Amos is fundamentally teleological, and is compatible with an Aristotelian framework in which the human good is conceived of as *eudaimonia*, which, to Aristotle, was a life of activity according to virtue. Particular attention will be given to the exhortations in chapter 5 to ‘Seek Yahweh’ and ‘Seek the good’, and we shall also follow up the idea, which we proposed in Chapter Two, that a theistic conception of *eudaimonia* based on the OT has both present and future aspects. It will be argued that both of these are visible in the text of Amos. In the second part, we will consider the nature of the widespread injustice reported by the prophet, and argue that Amos’s conception of the virtue of justice can be understood along Aristotelian lines. Behind his condemnation of the violence, oppression and enforced poverty which corresponded to an absence of ‘particular justice’, is the idea that it was an absence of what Aristotle termed ‘universal justice’ which was responsible for the breakdown in covenant relationships, which in turn threatened the righteousness, peace and very life of the covenant community. The third part revisits the concept of *imitatio Dei*, and investigates whether attention to the text can sharpen our reflections about Yahweh as supreme moral exemplar. We will consider in turn the love, mercy and justice of God as he is revealed in the text and the implications for exemplarism. In the final part, we will return to the question of the source of normativity, consider how the prophet might have understood the normative question, and whether our suggestion of a partnership of VE with natural law theory can both make sense of the text and also confirm that a suitably modified VE is a normatively useful VE theory.

### 1.1. Why Amos?

Almost a century ago Richard Cripps wrote: ‘Amos is one of the most important Prophets, if not *the* most important, of the Old Testament’.<sup>2</sup> And judging by the vast amount of secondary literature which this relatively small book has generated since then, this assessment may still be widely held.<sup>3</sup> A. G. Auld summarises the book’s popularity, observing that its ‘tones of

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<sup>2</sup> Richard S. Cripps, *A Critical & Exegetical Commentary on the Book of Amos* (2nd ed. London: SPCK, 1955), Preface to the First Edition [1929], xi.

<sup>3</sup> Back in 1959, James. L. Mays could write: ‘Amos-studies are already on the way to becoming a small library on their own’. J. L. Mays, “Words about the Words of Amos: Recent Study of the Book of Amos.” *Interpretation: A Journal of Bible and Theology* 13, no. 3 (1959): 259. For a most useful and comprehensive survey of this literature see M. Daniel Carroll R, *Amos - the Prophet and His Oracles: Research on the Book of Amos* (Louisville, Ky: Westminster John Knox, 2002).

social protest, religious critique, and universalism are immediately perceived and enjoy perennial appeal'.<sup>4</sup>

Certainly, Amos is a joy to study. It is a manageable size, yet its nine chapters are rich in theology and replete with drama. It is a skilful piece of writing, rhetorically a masterpiece,<sup>5</sup> and above all possesses a sharp focus and an undeniably clear message: Israel's shortcomings with regard to justice have not gone unnoticed by Yahweh and judgment was coming. The book has been studied from every conceivable angle, from traditional source and form-critical perspectives to the more recent literary ones, and its text, which is blessed by a relative absence of exegetical problems, analysed in minute detail. No stone has been left unturned. There is therefore plenty of material at the researcher's disposal.

As one of the earliest, if not the earliest of the so-called 'writing prophets',<sup>6</sup> we can see Amos as a forerunner of the later and 'greater' prophets, dealing in miniature as it were, with the same concerns, issuing the same kind of oracles.<sup>7</sup> Amos is significant, according to James L. Mays, because in his oracles we have 'the earliest direct evidence for what a prophet said, so that those who preceded him must be seen somewhat in the light of the given of his book, and his successors in the prophetic calling are approached with the knowledge that he has already been in the field'.<sup>8</sup> As we noted in the Introduction, the prophetic literature has long been considered a source of ethical teaching, in Jewish as well as Christian circles, but the generally accepted claim that Amos was the first of the 'writing prophets' leads some scholars to make much more substantial claims for him. John Barton, for example, standing in a distinguished line of thought going back to Julius Wellhausen, sees the prophet as a highly significant innovator, the source of a tradition of ethical reflection, and so, in a sense, a Socrates-type figure.<sup>9</sup> Barton refers to him as 'Israel's first theologian';<sup>10</sup> he might indeed

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<sup>4</sup> A. Graeme Auld, *Amos* (Old Testament Guides; Sheffield: Sheffield Academic Press, 1986), 9.

<sup>5</sup> We might think of the many uses of assonance which the prophet employs to reinforce his point, and the oracles are delivered for maximum effect through use of well-known forms and themes which the prophet so often overturns in dramatic paradox.

<sup>6</sup> This term distinguishes these prophets as those whose teaching has been preserved in separate books; it does not necessarily imply that the prophets themselves wrote the books as we possess them now.

<sup>7</sup> Amos is distinct from the majority of the prophets in one important way: he says very little about idolatry.

<sup>8</sup> Mays, "Words", 259.

<sup>9</sup> John Barton, *Ethics in Ancient Israel* (Oxford: OUP, 2014), 32.

<sup>10</sup> Barton, *TBA*, xvii, 52, 183.

have added ‘first theological ethicist’. For all these reasons, Amos seems an excellent book against which to test an ethical theory.

## **1.2. Amos: content and criticism**

Amos is not the happiest of books. Often thought of as ‘the prophet of doom’, much of the book which bears his name bears out that epithet. His announcement of the darkness of the coming judgment all but extinguishes hope. But not quite. We certainly are faced here with the ‘dark side’ of the deity, and yet, even here, there are glimmers of light and glimpses of hope. Even in the bleakest of circumstances, it seems that there is still hope for the one who seeks the Lord. Moreover, it is no local deity whom we see portrayed here, but the God who is not only Israel’s ‘helper’, to use Wellhausen’s term, but also the Lord God of Hosts, sovereign not only over the history of the nations, but also over the creation itself. And the hope which is so hard to detect is no less real for that, because it is founded on the words of Yahweh who, the texts asserts, not only sees and takes note of every act of injustice and every individual burden of oppression, but has the power to act in judgment to restore justice.

According to the superscription, Amos came from Tekoa in the southern kingdom of Judah, but the whole of his, apparently short,<sup>11</sup> prophetic ministry seems to have been in the northern kingdom of Israel. The majority of the book comprises oracles (1:3-6:14; 9:11-15). Verses 1:3-2:3 are oracles against neighbouring nations, the last of which is the kingdom of Judah; the remaining oracles are directed against Israel. There are five vision reports concerning the coming judgment (7:1-9:10), and a short section of third person narrative (7:10-17). The book also contains three doxologies (4:13; 5:8-9; 9:5-6), interspersed at key points among the oracles and visions.

## **1.3. The historical setting**

The prophecy of Amos is set sometime during the reigns of Jeroboam II, King of Israel (789-748) and Uzziah, King of Judah (785-733).<sup>12</sup> Shalom Paul describes this period as ‘The Silver Age’ of Israelite history, rivalled only by ‘The Golden Age’ of David and Solomon, when the

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<sup>11</sup> If we accept as literal the dating comment in the superscription, ‘two years before the earthquake’, Amos’s ministry cannot have lasted much more than a year.

<sup>12</sup> Amos 1:1. For details of the reign of Jeroboam II see 2 Kings 14:23-29. The Deuteronomistic historian describes him as one of those kings who made Israel to sin, but also comments that by his hand Yahweh saved Israel (v. 27).

northern kingdom experienced peace, power and economic prosperity.<sup>13</sup> Peaceful relations existed between Israel and Judah, Assyria was preoccupied with her internal struggles,<sup>14</sup> and Israel recovered lost territories east of the Jordan.<sup>15</sup> Trade flourished, and a new class emerged and prospered. Archaeological excavations at Samaria attest to Amos's descriptions of the building programmes and luxurious lifestyles of this new social elite (e.g. 3:15; 5:11; 6:4-6).<sup>16</sup> However, the text reveals that the new rich were not only disinterested in the misery of the poor, but also actively exploiting and oppressing them. At the same time the people were participating enthusiastically in the elaborate rituals of the cult which had developed at the key northern shrines of Bethel and Gilgal (4:4-5; 5:21-23). These people, it seems, took their religion seriously. It was into this situation that Amos was sent.

#### 1.4. The prophetic response

Israel's prosperity was understood by the people to be a sign of God's favour and protection.<sup>17</sup> However, as the prophet continually points out, injustice was widespread in the land. Israel was guilty of bribery, corruption, and exploitation of the poor and the weak; the extravagant lifestyles of the elite were the product of the oppression of the poor. And no amount of cultic ritual could obscure the fact that justice and righteousness had been abandoned.

Due to these moral failures and the refusal to heed warnings,<sup>18</sup> the people of Israel were about to experience the judgment of God. In one of the dramatic reversals which are so

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<sup>13</sup> Paul gives an excellent overview of the historical situation in his "General Introduction", Shalom M. Paul, *Amos: A Commentary on the Book of Amos* (ed. Frank M. Cross; Hermeneia; Minneapolis: Fortress, 1991), 1-7. For other useful introductions see Francis I. Andersen and David N. Freedman, *Amos: A New Translation with Introduction and Commentary* (AB 24A; New York: Doubleday, 1989), 18-23; Cripps, *A Critical & Exegetical Commentary*, 5-9; M. Daniel Carroll R., *Contexts for Amos: Prophetic Poetics in Latin American Perspectives* (JSOTSup 132; Sheffield: Sheffield Academic Press, 1992), 307-11.

<sup>14</sup> During the reign of Jeroboam II, Assyria experienced a series of weak and inept kings following the death of Adadnirari III (810-783) who had subdued Damascus. They also faced a threat on their northern border from the kingdom of Urartu, especially from the expansionist ambitions of Sardur III (810-743). It was only on the ascension of Tiglat-pileser III (745), that Assyria was strong enough again to push westwards towards Israel.

<sup>15</sup> Amos 6:13 mentions Lo-Debar (in the territory of the Ammonites) and Karnaim (in the territory of the Arameans). For more on these place names see Paul, *Amos*, 219.

<sup>16</sup> Mays describes this period as a 'social revolution': 'The older homogenous economic structure of Israel gave way to sharp distinctions of wealth and privilege'. Evidence to corroborate this comes from the excavations at Tirzah (Tell-el-Farah) which have revealed that large, expensive houses stood alongside 'small huddled structures'. Mays, *Amos*, 2.

<sup>17</sup> One of the prophet's rhetorical techniques is to quote the confident words of the people back to them, with the sole aim of overturning their thinking. See for example, 2:12; 4:1; 5:14b; 6:13; 7:16; 8:5, 14; 9:10.

<sup>18</sup> A series of catastrophic events had already occurred, for example famine, drought, locusts and plague (Amos 4:6-11). The prophet is clear that these were intended to bring the people to repentance, but the people had not

characteristic of Amos, the prophet announces that the ‘Day of the Lord’ would be one ‘of darkness and not light’ (5:18-20). Instead of the anticipated theophany, where Yahweh was expected to execute judgment on the enemies of Israel and to bring salvation, the people are told that it is they who are the enemies of God, and they who are to be punished.<sup>19</sup>

### 1.5. Critical questions

The vast amount of literature on Amos reflects the wide range of theological and critical positions. For example, opinions vary hugely on how much of the text, if any, goes back to the prophet himself, with most commentators opting for a midway position.<sup>20</sup> Most of the theories about dating involve conjecture to some degree, and the more elaborate the theory the more conjecture is involved.<sup>21</sup> The historical critical studies have undoubtedly been of great benefit to the scholarship, yielding many valuable insights into the ancient Near Eastern

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returned. Since all the warnings had been ignored, Amos proceeds to his chilling climax: ‘Prepare to meet your God, O Israel!’ (4:12).

<sup>19</sup> There is a debate surrounding the notion of the prophet’s purpose in bringing his message. Some hold that their primary aim was to teach the people and bring them to repentance, in the hope of averting the judgment which, from their observations of the international situation, they reasoned to be imminent. Eric Heaton, for example, describes the prophets as people of ‘moral sensitivity’ and ‘extraordinary courage’. Heaton, *The Old Testament Prophets* (London: Darton, Longman & Todd, 1977), 57. Others, in the tradition of Wellhausen, believed that their function was simply to announce the imminent disaster, which they either foresaw supernaturally or predicted rationally from international events, interpreting it as divine judgment on social wrongdoing. See Barton, *Ethics in Ancient Israel*, 33. For a discussion of this debate see, A. Vanlier Hunter, *Seek the Lord! A Study of the Meaning and Function of the Exhortations in Amos, Hosea, Isaiah, Micah, and Zephaniah* (Baltimore: St. Mary’s Seminary & University, 1982).

<sup>20</sup> John Barton provides a helpful and up-to-date overview of the critical positions with regard to the text in his recent *TBA*. He organises the theories of the compositional history of the book into three categories: those who believe that most of the book goes back to the prophet, for example Erling Hammershaimb, *The Book of Amos: A Commentary* (trans John Sturdy; Oxford: Blackwell, 1970), 14-15, and Paul, *Amos*, 5ff. Paul even sees the hand of Amos in the final arrangement of the book. At the other end of the spectrum, there are those who believe that the whole book is a late composition, and very little can be traced back to the eighth century. Reinhard G. Kratz, for example, opts for a pre-exilic composition, while Oswald Loretz, Richard James Coggins, James R. Linville argue that it was post-exilic. Most commentators fall somewhere along the spectrum, accepting the idea that the majority of the oracles are the ‘authentic’ words of Amos and fit the circumstances of the reign of Jeroboam II, but resorting to theories of redaction and/or theories of composition to explain the seeming inconsistencies in the text. We will be considering some of these alleged inconsistencies and the impact they have on our understanding of the ethics of Amos later on in this chapter. For comprehensive overviews of the theories of production of the text see Barton, *TBA*, 1-51; James Richard Linville, *Amos and the Cosmic Imagination* (Society for Old Testament Study Monographs; Aldershot, Hants.: Ashgate, 2008), 13-37; Tchavdar S. Hadjiev, *The Composition and Redaction of the Book of Amos* (BZAW 393; Berlin: Walter de Gruyter, 2009).

<sup>21</sup> Some of the more believable theories are the deuteronomic redaction theory of W. H. Schmidt (1965), and the theory of Hans Walter Wolff who finds six independent layers in the text. Hans W. Wolff, *Joel and Amos: A Commentary on the Books of the Prophets Joel and Amos* (trans Waldemar Janzen, S. Dean McBride, Jr., and Charles A. Muenchow; ed. S. Dean McBride, Jr.; Philadelphia, Pa: Fortress Press, 1977 [German orig.: 1969]), 106-13. Less believable examples include that of Dirk U. Rottzoll who detects twelve layers. See Barton, *TBA*, 17.

context of the prophet's ministry, the literary forms available to him and the lexical as well as ethical parallels. The traditional approach, following Wellhausen, was built on the assumption that the text has gone through a process of redaction; the aim was to attempt the recovery of the original words (the *ipsissima verba*) of the prophet, and then surmise how the text has been developed. Some contemporary studies still adopt this historical-critical approach,<sup>22</sup> but many more now focus on the text in its finished form. John Barton gives a cautious endorsement to this new trend in OT scholarship, but he also warns of the side-effects of abandoning the insights of conventional criticism: since the meaning of the texts as we have them is, he argues, dependent on the processes of redaction and compilation which produced them, it would seem necessary to understand that process as fully as possible.<sup>23</sup>

The text raises several critical issues. One concerns the nature of the relationship between the prophet and the cult (this sits in the bigger question of the relation of the canonical prophets to the popular religion of the time), and whether Amos stood in a prophetic line of succession going back to Moses, and including Elijah and Elisha, as the rabbis thought.<sup>24</sup> There is also a question about the prophet's function: was he fundamentally an announcer of doom, or a moral instructor, pleading that the people repent and return to Yahweh.<sup>25</sup> Whether a covenant existed at the time is another matter of debate. And finally, there is the question of the character of God himself who stands behind the text: do the people and prophet have a shared conception of Yahweh? These questions are not merely academic, for appreciation of the context of the prophecy is necessary to determine the relevance of Amos to the context of the reader. It might also be noted that the adoption of a canonical reading does not entail neglect of these issues, and we will therefore be bearing these critical and contextual points in mind in what follows as we put our theistic version of VE to the test, for we need to know not only whether our proposed theory is a useful heuristic device for investigating the ethics of the OT, but also that it is normatively useful.<sup>26</sup>

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<sup>22</sup> For a recent example see Hadjiev, *Composition and Redaction*.

<sup>23</sup> Barton, *TBA*, 1-3.

<sup>24</sup> *B Aboth* I:1.

<sup>25</sup> See n. 19.

<sup>26</sup> There are several advantages of advocating a canonical reading of the text, and Carroll R.'s suggestions are persuasive here. Firstly, to base ethics on theories of reconstruction of the text means placing a great deal of weight on the correctness of the theory, as well as on the correctness of the interpretation of any supporting archaeological data. Moreover, such readings effectively put the ethical use of the Bible out of the reach of most 'ordinary' readers. And most importantly, it is the final form of the OT which, alongside the NT, is accepted as the Scripture of the Christian church, and so it is the final form which creates a shared platform for the ethical,

The chapter will now be divided into four parts, each revisiting one of the conditions of adequacy considered previously and deemed necessary for a normative ethical theory based on virtue, but this time reflecting on each in the light of the prophetic text. We begin with the concept of *telos*.

## **Part I. Teleology in Amos**

### **2. Introduction.**

Virtue ethics is a teleological theory, and in Chapter Two it was argued that following an Aristotelian conception of *telos* provided the best route to the construction of a theistic version of the theory. To Aristotle, ‘the good’ which was the *telos* of all ethical reflection, was the flourishing human life or *eudaimonia* which he described as a life of activity according to virtue. Any theistic version of VE which claims to follow Aristotle could not therefore be based on pluralistic conceptions of the good life, where virtue is one good among many. Although Aristotle did, arguably, accept that virtue was the only good with intrinsic value, he did not believe that *eudaimonia* was reducible to virtue, as the Stoics had done, but accepted that external goods had some role in the flourishing life, even though he was ultimately ambivalent about the exact relation between virtue and other goods. We also noted that, in Aristotle’s theory, virtue was pursued for the sake of the *kalon*, the noble or fine. Finally, we argued that a theistic conception of *eudaimonia* was possible if the *telos* of all ethical reflection was seen as a life in relationship with God, where a life according to virtue was both a means to, and a necessary constituent of, the flourishing life, and the ultimate aim of virtue, the *kalon*, was God himself. The aim now is to test these conclusions against the Book of Amos to see if we can defend the normative usefulness of our theistic VE theory in a reading of the prophetic text. The primary question in this first part of the current chapter, then, is whether the text of Amos supports a teleological framework.

Much of the following discussion will be based on Amos chapter 5, which could rightly be considered the core of the book, not only because of its central position, but also because of its content. Concentrated in this chapter are discussions of the book’s fundamental themes of

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as well as theological, reflection of the whole church community. See M. Daniel Carroll R., “Ethics and Old Testament Interpretation”, in Craig G. Bartholomew and David J. H. Beldman (eds), *Hearing the Old Testament: Listening for God’s Address* (Grand Rapids, MI: William B. Eerdmans, 2012), 216-220.

death and life, the worship of God, Israel's relationship with God, and justice.<sup>27</sup> But it could also be argued that a teleological conception is most clearly seen in this chapter, for the idea of *telos* seems to undergird the exhortations in 5:4, 6, 14: 'Seek me', 'Seek Yahweh', and 'Seek the good'.

A study of Amos 5 raises some interesting questions for the theist with an interest in VE theory. Can we interpret the good, which the prophet exhorts the people to seek, as similar in any sense to the philosophical notion of 'the Good' which was the starting point for Aristotle's ethical enquiry? There are obvious differences of course: to Aristotle, ethics was based on human nature and established by convention, while for Amos it was inseparable from God. But is there any conceivable parallel in Amos with the idea of eudaimonism? All three exhortations in Chapter 5 are rooted in life itself: while wrong choices and wrong behaviour will lead to death, right choices and right behaviour leads to life. But can we think of this 'life' along Aristotelian lines as 'the good life'? If so, what can we say about this life as good, and how is it related to the seeking of Yahweh? It will be argued that there appear to be two levels at which these exhortations can be interpreted. It is clear that the prophet views the virtue of justice, which is inseparable from righteousness, as essential for life, and not simply life as opposed to the physical death anticipated in the coming judgment. A life lived according to justice and righteousness is a life which is constituted by virtue, and so could indeed have a parallel with an Aristotelian *eudaimonia*. When the covenant community is living according to justice and righteousness, they maintain their relationship with Yahweh, they continue in possession of the land and so experience rest and peace and the preservation of their identity. But the text supports an additional understanding of the flourishing life, one inconceivable to Aristotle but conceivable to the theist; *eudaimonia* can have a future aspect. The eschatological hope alluded to in the final section of Amos suggests that the perfection of human flourishing will not be experienced in this life, but in a future time when the land will be forever fruitful and relationships between human beings and between the human and God will be perfected, and so characterised by righteousness and therefore also by peace.<sup>28</sup>

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<sup>27</sup> Jörg Jeremias, *The Book of Amos: A Commentary* (trans D. W. Stott; OTL; Louisville, Ky: Westminster John Knox, 1998), 84. The terms for justice and righteousness are found only in chapters 5 and 6, although the theme of justice underpins the whole of the book.

<sup>28</sup> As we saw in Chapter Two, *shalom* has connotations of friendship, well-being, health, even salvation, in addition to simply meaning 'peace'.

To test the idea that Amos's conception of the good can be related to the concept of *telos* in a VE theory, we must therefore spend some time studying Amos 5, and in particular vv. 1-17 which is the section containing the exhortations. We will then turn to the epilogue (9:11-14), to see what an actualisation of this good might look like.

### **Amos 5:1-17**

<sup>1</sup> Hear this word that I take up over you in lamentation, O house of Israel:

<sup>2</sup> Fallen, no more to rise,  
is maiden Israel;  
forsaken on her land,  
with no one to raise her up.

<sup>3</sup> For thus says the Lord GOD:  
The city that marched out a thousand  
shall have a hundred left,  
and that which marched out a hundred  
shall have ten left.

<sup>4</sup> For thus says the LORD to the house of Israel:  
Seek me and live;

<sup>5</sup> but do not seek Bethel,  
and do not enter into Gilgal  
or cross over to Beer-sheba;  
for Gilgal shall surely go into exile,  
and Bethel shall come to nothing.

<sup>6</sup> Seek the LORD and live,  
or he will break out against the house of Joseph like fire,  
and it will devour Bethel, with no one to quench it.

<sup>7</sup> Ah, you that turn justice to wormwood,  
and bring righteousness to the ground!

<sup>8</sup> The one who made the Pleiades and Orion,  
and turns deep darkness into the morning,  
and darkens the day into night,  
who calls for the waters of the sea,  
and pours them out on the surface of the earth,  
the LORD is his name,

<sup>9</sup> who makes destruction flash out against the strong,  
so that destruction comes upon the fortress.

<sup>10</sup> They hate the one who reproves in the gate,  
and they abhor the one who speaks the truth.

<sup>11</sup> Therefore because you trample on the poor  
and take from them levies of grain,  
you have built houses of hewn stone,  
but you shall not live in them;  
you have planted pleasant vineyards,  
but you shall not drink their wine.

- <sup>12</sup> For I know how many are your transgressions,  
and how great are your sins—  
you who afflict the righteous, who take a bribe,  
and push aside the needy in the gate.
- <sup>13</sup> Therefore the prudent will keep silent in such a time;  
for it is an evil time.
- <sup>14</sup> Seek good and not evil,  
that you may live;  
and so the LORD, the God of hosts, will be with you,  
just as you have said.
- <sup>15</sup> Hate evil and love good,  
and establish justice in the gate;  
it may be that the LORD, the God of hosts,  
will be gracious to the remnant of Joseph.
- <sup>16</sup> Therefore thus says the LORD, the God of hosts, the Lord:  
In all the squares there shall be wailing;  
and in all the streets they shall say, “Alas! alas!”  
They shall call the farmers to mourning,  
and those skilled in lamentation, to wailing;
- <sup>17</sup> in all the vineyards there shall be wailing,  
for I will pass through the midst of you,  
says the LORD. (Amos 5:1-17)

Amos 5:1-17 is a carefully composed literary unit with an overall chiastic structure.<sup>29</sup>

Although many commentators doubt that the whole section can be traced back to the prophet,<sup>30</sup> the form as we have it today was clearly constructed as a whole and meant to be interpreted as such. The structure can be diagrammatically represented as follows:<sup>31</sup>

A (vv.1-3)  
     B (vv. 4-6)  
         C (v. 7)  
             D (v. 8a, b, c)  
                 E (v. 8d)

<sup>29</sup> This was first pointed out by Jan de Waard in “The Chiastic Structure of Amos V 1-17”. *VT* 27, no. 2 (1977): 170-77. In fact, De Waard and William A. Smalley not only contend that the entire book of Amos is composed of small chiastic structures, but also that the book itself is one giant chiastic unit. Jan De Waard and William A. Smalley, *A Translator's Handbook on the Book of Amos: Helps for Translators* (New York: United Bible Societies, 1979), 194-5. Jeremias describes Amos 5:1-17 as a ring composition. Jeremias, *Amos*, 83.

<sup>30</sup> It has often been held for example that the doxologies were not part of the original oracles because v. 10 seems to follow on naturally from v. 7. E.g., Mays, *Amos*, 95. Jeremias believes that vv. 5aβ, 6, 13 cannot be considered original either. Jeremias, *Amos*, 85. For a thorough survey of the discussion surrounding the doxologies, see James L. Crenshaw, *Hymnic Affirmation of Divine Justice: The Doxologies of Amos and Related Texts in the Old Testament* (Dissertation Series; Missoula, Mont: Scholars Press, 1975).

<sup>31</sup> The diagram here is adapted from Robert Martin-Achard, *A Commentary on the Book of Amos* in R. Martin-Achard and S. Paul Re’mi, *God's People in Crisis* (ITC; Edinburgh: Handsel Press, 1984), 39.

D' (v. 9)  
 C' (vv. 10-12 (13))  
 B' (vv. 14 f)  
 A' (vv. 16 f)

The structure of the passage reinforces its message. Amos begins and ends with a lament for the death of the people (A/A'), but the link from the lament to the woe oracles which contain the reason for that lament (C/C'), is twice interrupted by the appeal to seek Yahweh and the promise of life (B/B'). The prophet emphasises that seeking God is the only way to break the causal connection between the sin of injustice and the penalty of death. And at the centre of the chiasmic structure, which always bears the emphasis, we find the dramatic exclamation: 'The Lord is his name' (E).<sup>32</sup> Yahweh, therefore, is not only the focus of the exhortations in 5:4 and 5:6, but is made the focus of the whole passage: this God whom Israel claims to worship is declared to be sovereign over life and death, not only the pronouncer of judgment, but also the giver of life.

### 2.1. The exhortations: 5:4, 6, 14

The sections which are of the most interest teleologically are 5:4-6 and 5:14, where Israel is instructed to seek the Lord and to seek the good. It has been suggested that these exhortations take the form of a *tōrā*, by which the priests would exhort the people to come to the sanctuary.<sup>33</sup> If so, Amos is essentially usurping this priestly function to create maximum impact on his hearers, who apparently assumed that their mere presence at the sanctuary, where Yahweh had been worshipped from ancient times, and their performing of the required rituals, was sufficient to ensure the blessing of security and prosperity. Amos overturns these assumptions, and denounces the people's version of 'seeking Yahweh' as superficial and thoroughly instrumental.<sup>34</sup> Not only does he not encourage their visits to the sanctuary, but he forbids them, warning that the days of these shrines are numbered. His hearers must have been astonished. Ritualistic practice could not blind Yahweh to the widespread injustice in the land. We can sense the urgency in the prophet's exhortations: Yahweh, the source of life,

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<sup>32</sup> D/D'/E are thought to be hymn fragments.

<sup>33</sup> Mays, *Amos*, 87; Jeremias, *Amos*, 87-8; Paul, *Amos*, 162.

<sup>34</sup> The OT seems to describe established procedures for 'seeking Yahweh'; when help or instruction was needed a person would go to a man of God or a prophet. E.g. Gen 25:22; Exod 18:15; I Sam 9:9; I Kgs 14:1ff.; II Kgs 8:8f.; Jer 21:2; Ezek 20:1 ff.

is also the one who will bring about destruction. And the destruction is imminent. Amos visualises the nation of Israel as already dead (5:1-2). The danger is real and present, and time is short.<sup>35</sup> As Mays writes:

the priests in Israel's shrines were offering 'life' through the cult without pointing to the kind of living required of those who 'seek Yahweh' (Pss. 15; 24). They were offering an abbreviated *tōrā*, instruction concerning the way to 'cheap grace'; they were saying, 'Come to Bethel, that you may live' without confronting the worshippers with the will of the divine Lord from whom they expected the gift of life.<sup>36</sup>

Though the divine oracle in 5:4 is repeated from the perspective of the prophet in 5:6, it is not until 5:14 that Amos begins to clarify what he means by 'Seek the Lord'. From the structural parallels between 5:4, 6 and 5:14 it is clear that a connection is intended between the Lord and the good. On the basis of the text's content and structure, then, it might be argued that the *telos* (or 'good') of human beings, could not only be conceived in some quasi-philosophical sense, but also, in some way, as Yahweh himself. The concept of Yahweh as the source of life and ultimate *telos* of it, lies at the very heart of 5:1-17. But can these exhortations bear the weight of the argument that a teleological ethics is discernible in Amos? To answer this, we shall now focus our thoughts on these crucial verses, and on the key terms *drš* ('seek'), and *tôb* ('good').

### 2.1.1. Seeking Yahweh: seeking Bethel (5:4, 6)

The root *drš* ('seek') appears in Amos 5 three times, and on each occasion, it is linked to *hyh* ('live'). Although it has a literal sense, its use in the prophetic literature is mostly figurative;<sup>37</sup> that is, if its object is not Yahweh, then it is some other-directed abstract notion such as good,<sup>38</sup> justice,<sup>39</sup> even the peace or welfare of Babylon.<sup>40</sup> Several aspects of the verb are useful for us here. Seeking is firstly a matter of desire. As the faithful shepherd will seek out

<sup>35</sup> Judgment by fire is mentioned here, the same judgment predicted for the enemies of Israel (1:4- 2:2).

<sup>36</sup> Mays, *Amos*, 87.

<sup>37</sup> Siegfried Wagner, "דרש", *TDOT*, 3:293-307, 295-6; David Denninger, "דרש", *NIDOTTE*, 1:993-999, 994-5.

<sup>38</sup> Amos 5:14.

<sup>39</sup> Isa 1:17.

<sup>40</sup> Jer 29:7; 38:4.

his scattered sheep,<sup>41</sup> so we seek what we care about. Therefore, seeking the Lord (5:4, 6) should be something that the people of God desire and care about. Next, there is an intentional aspect to seeking; it involves an act of will. The anticipated outcome of seeking is finding (*mš*'), and we see elsewhere in scripture that finding is predicated on a whole-hearted seeking. For example, the Deuteronomist advises the people: 'From there you will seek (*drš*) the LORD your God, and you will find (*mš*') him if you search after him with all your heart and soul'.<sup>42</sup> And lastly, seeking is not simply a mental state but also involves activity. For example, in Isaiah 1:17, 'seeking justice' is equivalent to rescuing the oppressed and defending the orphan and widow.<sup>43</sup>

Seeking Yahweh might be seen as a privilege of God's covenant people, but with privilege comes responsibility. That this privilege was being abused in the time of Amos is clear from the prophet's warning to stop seeking Bethel, and seek Yahweh instead. Since the people were ignoring the responsibilities inherent in the covenant relationship, the relationship itself was under threat, and a divine response seemingly inevitable.<sup>44</sup> As we have already noted, this would have no doubt surprised the people, who appeared to be satisfied that their concept of seeking Yahweh' through the ritual of the cult, was sufficient to guarantee his favour: this was surely the whole purpose of the cult. They may well have gone to the sanctuary with a devotional attitude, but, according to Amos, there is more to 'seeking God' than merely turning up for worship. To seek God is to seek to know God; that is, it is predicated on the idea of relationship.

Seeking Yahweh, then, involves the will as well as the heart, and should lead to activity, and not just ritual activity, but also moral activity. In this relationship of seeking and knowing there is the promise of life: on the other hand, seeking incorrectly, for example seeking Bethel, leads to death.

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<sup>41</sup> Cf. Ezek 34:6.

<sup>42</sup> Deut 4:29. See also Jer 29:7. In later texts, a king's seeking, or not seeking, Yahweh became the basis for the evaluation of his reign. For example, Jehoshaphat prepared his heart to seek God (2 Chron 19:3); Uzziah prospered as long as he sought the Lord (2 Chron 26:5). By the time of the Chronicler, the 'seeking Yahweh' concept had become complex. For example, in 1 Chronicles 28:9 we find 'seeking God', 'serving God' (with a whole heart) and 'knowing God' are considered parallel ideas. Wagner, "דרש", 300; Denninger, "דרש", 997.

<sup>43</sup> Isa 1:17.

<sup>44</sup> For other examples of wrong seeking leading to divine displeasure, see 1 Chron 10:15, 2 Kgs 1, 2 Chron 16:12.

### 2.1.2. Seeking the good (5:14)

We must next attempt to clarify the meaning of seeking ‘the good’. The parallels between 5:4, 6 and 5:14 are clear, but what are we to make of that similarity? Just what is the relation between seeking Yahweh and seeking the good? Is the suggestion of an implied identity relation a step too far? Just as seeking Yahweh leads to life, we find in the parallel exhortation (5:14), that seeking the good also leads to life. A command to seek the good presumes that the ones receiving the command know what is being required of them. The word used here is the standard Hebrew word for ‘good’ (*tôb*), which is found throughout the Old Testament in both early and late texts,<sup>45</sup> but what did the prophet mean by using it here?

One of the uses of *tôb* is for evaluation or assessment of function. This may be part of its meaning in Genesis 1, so that ‘*tôb*’ expresses the creator’s satisfaction that his creation fulfilled its intended purpose (Gen 1:4, 10, 12, 18, 21, 25).<sup>46</sup> But we surely also see hints of the aesthetic as well as the functional: the world is a place created in good working order, but it also possesses beauty.<sup>47</sup> Eve’s assessment of the fruit as ‘good for food’ (Gen 2:9; cf. 3:6) may contain an element of the functional,<sup>48</sup> but there seems no doubt that the sense of ‘good’ here includes its desire-making properties.<sup>49</sup> *tôb* can also refer to general well-being: for example, it was ‘not good’ that man should be alone, because it was not conducive to his flourishing as a human being (Gen 2:18). But what is important for our purposes in this discussion is the moral sense of *tôb*, for there is no doubt that this is the primary sense intended in 5:14. This is evident both from the ethical thrust of the book as a whole, and from its immediate context. The call, in 5:15, for justice to be established ‘in the gate’ gives substance to the notion of *tôb*, and the juxtaposition of *tôb* and its antonym *ra* (‘evil’) in

<sup>45</sup> For a thorough discussion of טוב see Robert P. Gordon, “טוב” *NIDOTTE*, 2:353-7, and I. Höver-Johag, “טוב” *TDOT*, 5:296–317.

<sup>46</sup> Claus Westermann, for example, denies that *tôb* implies a judgment given according to some prior objective standard; creation, like the ‘good’ work of any other craftsman, simply suited its purpose and achieved its goal. Claus Westermann, *Creation* (trans John J. Scullion; London: SPCK, 1974), 61.

<sup>47</sup> The LXX renders the *tôb* here as *καλός* which, as we saw in Chapter Two, can convey both notions.

<sup>48</sup> Westermann observes that, in combination with *yd* (‘know’), the expression ‘good for’ refers to a ‘functional knowledge’ of what is ‘useful’ as opposed to harmful for humans: see also Gen 2:9, 17; 3:5, 22. Claus Westermann, *Genesis 1-11: A Commentary* (trans John J. Scullion; London: SPCK, 1984), 241-2.

<sup>49</sup> Höver-Johag, “טוב”, 298.

5:14-15 is not just formulaic, but refers to situations where choices have a moral significance.<sup>50</sup> The good referred to here is not reducible to function or to a simple hedonism.

We might wonder, however, what sort of value *tôb* connotes. Can we attribute the concept of absolute value to the prophet or is that stretching our modern categories too far?<sup>51</sup> Certainly, the common OT expression ‘good in the eyes of’ (*tôb b’êne*) sounds subjective, in that ‘good’ is made relative to the beholder. But, by using the command to seek good and not evil in the text here, Amos presumably expects people not only to be able to discern between the two categories, but also to discern them according to a shared understanding of them. Moral responsibility is predicated on moral knowledge, and so moral knowledge must be accessible. Just as ‘seeking Yahweh’ (vv. 4, 6) is not fully explained (the people are simply instructed not to seek Bethel or Gilgal), neither is the idea of seeking the good expanded upon; Amos does not provide a positive list of good actions or character traits. But neither do we see in Amos a deterministic framework, for a clear choice is presented to the people. Therefore, we must assume that they have access to the requisite knowledge on which to base their moral choice.<sup>52</sup> We must therefore suppose that the people had awareness of the obligations inherent in the covenant.

We noted earlier that seeking in the OT is an activity which involves the affections as well as the will. By using the language of loving and hating, Amos makes it clear that seeking the good and rejecting the evil invokes the strongest possible human emotions too. The appeal may be corporately given, but the demand is on the individual; it is personal. The ‘good’ of 5:14 is more than an abstract philosophical concept; seeking the good, like seeking Yahweh, is in fact to seek life itself. As Mays points out: ‘The decision about good and evil is a decision for or against Yahweh and therefore an invocation of his blessing or his judgment’.<sup>53</sup>

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<sup>50</sup> Most commentators see 5:14-15 as a rhetorical unit. The two verses have a similar structure – exhortation/conditional promise – and are linked by a chiasmus (‘Seek good, not evil’/‘hate evil, love good’). This paralleling of antithetical concepts (good/evil; love/hate) is also typical of Wisdom sayings and there are many examples in Proverbs. See also Ps 34:12-14 and 37:3, 27f.; Is 1:16f. Amos’s rhetoric, therefore, apparently not only borrows the priestly forms (e.g. the *tôrā*), but also the Wisdom writings of the time. Some commentators attribute v. 14 to the influence of later wisdom literature where the objects of *drš* became the precepts and commandments of the written Torah and the idea of a personal relationship with God was less visible. Wolff, *Joel and Amos*, 250. Mays, *Amos*, 100. Cf. Ezra 7:10; 2 Chron 30:19.

<sup>51</sup> Admitting that the ancient Israelites did not apparently reason according our contemporary philosophical distinctions does not entail that they were ‘quite incapable of appreciating abstract ideas’ along with ‘most other ancient peoples’. Heaton, *The Old Testament Prophets*, 51.

<sup>52</sup> Cf. Deut 30:15 where the choice set before the people is based on the explicit instructions in the preceding chapters: ‘See, I have set before you today life and prosperity (*tôb*), death and adversity (*ra*)’.

<sup>53</sup> Mays, *Amos*, 100.

To Amos, the good is linked to the seeking of Yahweh, who, as we shall see shortly, is not only the giver of life, but can also be plausibly understood as the personification of the good of 5:14.

## 2.2. From *ṭôb* to *eudaimonia*

Having considered the idea of seeking the good, and suggested that seeking the good is linked to the seeking of Yahweh, we can now consider whether an Aristotelian conception of *telos* can be found in the thought of the prophet. Is there anything in the text of Amos which parallels Aristotle's idea that the flourishing life is *eudaimonia* and substantiates the notion that a theistic VE theory can be based on an Aristotelian framework?

In Chapter Two we argued that *eudaimonia*, theistically understood, could be construed as a life of relationship or fellowship with God, where virtue was both instrumental to, and constitutive of, that life. We also argued that, in the OT, such a conception has both present and future aspects. It will now be argued that both aspects are visible in the text of Amos. The present aspect of *eudaimonia* can be reconstructed as the antithesis of life in the Israel of Jeroboam's day, and the future aspect presented in the vision in the final section of the book, where, in a future Israel, *eudaimonia* would be perfected. We shall now consider each of these aspects in the light of the textual evidence, and conclude with the suggestion that it is Yahweh himself who is the ultimate *telos*.

### 2.2.1. *Eudaimonia*: the present aspect

#### 2.2.1.1. *ṭôb* as *mišpāṭ*

It is clear from 5:4-6 and 5:14-15 that 'the good' with which Amos is concerned is bound up primarily with the establishment of justice in the community, and justice will be established when the covenant requirements are met. The cult, as practiced in the Israel of Amos's day, was failing in its worship of Yahweh, and so failing to promote the ethics which Yahweh required.<sup>54</sup> This is not a case of religion versus morality but rather of religion necessitating morality, for seeking Yahweh is predicated on seeking justice. Neither is it a reduction of ethics to legalism; *ṭôb* is as inseparable from *mišpāṭ* as Yahweh is from both. The covenant obligations which form the background to the prophetic indictment of Israel are articulations

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<sup>54</sup> For other examples of prophetic condemnation of the disjunction between the practice of the cult and ethically acceptable behaviour see Isa. 1:10-17; 58; Jer. 7:1-15; Mic. 6:1-8.

of *tôb* as *mišpāṭ* and keeping these obligations should be an expression of Israel's devotion to Yahweh. There is a very particular link in the OT between *tôb* and obedience to the covenant;<sup>55</sup> if Israel practises the good as prescribed by the covenant laws, then the result will be good and all will go well.<sup>56</sup> Without obedience there will be no good. Amos warns the people who confidently say 'Yahweh is with us',<sup>57</sup> while ignoring the covenant requirement of justice, that they were dangerously mistaken; Yahweh is with those who seek and love the good.

It seems difficult to proceed with an ethical discussion of Amos without assuming a covenant theology to some extent. As intimated above, we must assume that a real choice has been set before the people, that is that the parameters of *tôb* and *ra'* are accessible to them. Accepting the existence and availability of covenant stipulations makes sense of Amos's accusations of their violation. While we may assume that the moral responsibilities of the surrounding nations are derived from some form of natural law,<sup>58</sup> we must also assume that Yahweh has a direct involvement in the moral framework of his people, for the basis of that framework is the covenant which he formed between himself and them. Injustice is serious because it threatens the existence of the covenant.

The thrust of Amos's social critique, then, is the identification of *tôb* with *mišpāṭ*. If we accept the argument of Chapter Three, that justice, in conjunction with righteousness, is the overarching virtue in the OT, it is possible to understand *mišpāṭ* as *tôb* in an Aristotelian sense, where *tôb* is the flourishing life, and *mišpāṭ* is constitutive of it. *Eudaimonia*, then, is simply a life lived in relationship with God and so a life lived according to justice, and the exercise of the virtue of justice being the means by which the righteousness or integrity of the

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<sup>55</sup> Interestingly, Höver-Johag points out that there is a related noun in Ugartitic (*tbn*) which can be translated 'harmony', and a related term, *tābūtu*, meaning 'covenant friendship', which is found in suzerainty treaties from the Old Assyrian period until at least the sixth century. He suggests that *tābūtu* can be used as a synonym for 'brotherhood (*ahhūtu*), and in the context of commerce and matrimonial politics, these terms suggest equality or near equality. Höver-Johag, "טֹב", 298, 301.

<sup>56</sup> Plenty of explicit examples can be seen in the work of the Deuteronomist and the Chronicler, (e.g. Asa did 'what was good (*tôb*) and right (*yšr*) in the eyes of the Lord' (2 Chron 14:1[2])); indeed, this is necessary for continued possession of the land (Deut 6:18).

<sup>57</sup> Amos 5:14. For similar examples of the people's confidence see, 6:3 and 9:10. Mays notes that the phrase 'Yahweh is with us', is rooted in the idea of election, 'an affirmation of trust and confidence that belonged to the history of Yahwism from the beginning. . . a salvation-word conveying the blessing of Yahweh'. Mays, *Amos*, 101. See also Gen 26:3, 24; 28:15; 31:8. Yahweh was thought of as the people's refuge (Ps 46:7, 11), and the one who fought for them (Jdg 6:12f.; cf. Num 14:43).

<sup>58</sup> See Part IV of the current chapter for a discussion of the idea of the natural law in the context of Amos.

community is preserved. But does the prophet, like Aristotle, make some conceptual space for external goods?

### 2.2.1.2. *tôb* as external goods

In the OT, we not only find declarations that God is good, but also evidence of this goodness in the good which he secures for his people when they live in accordance with the covenant stipulations. The psalmist looks forward to seeing ‘the goodness of the Lord in the land of the living’ (Ps 27:13), and to the ancient Israelite mind, this goodness included possession of a fertile land, well-nourished herds and flocks, and most crucially, rain.<sup>59</sup> These goods were essential for the flourishing of the people, but could be withheld if the people sinned against Yahweh; for example, the widespread injustice in the Israel of Amos’s day, has caused a series of troubles for the people and their land.<sup>60</sup> Not until the final section of Amos do we find a positive statement concerning the provision of external goods.

It is important at this point to remind ourselves that an Aristotelian notion of *eudaimonia* requires that virtue is the only good of intrinsic value, and other goods are instrumental in some sense. As we argued in Chapter Two, this means the rejection of pluralistic conceptions of the good life in the OT. The external goods of peace and fertility and prosperity are the promised result of a community living in righteousness and according to justice, and the good life cannot be reduced to these goods. The people of Israel apparently assumed that they were experiencing the good life, but, on an Aristotelian reading, they were mistaken, for there is more to human flourishing than the external goods of material prosperity and international peace. Such goods, in their essence, are ephemeral. Virtue, and in particular the virtue of justice, is the only good of intrinsic value.

### 2.2.2. *Eudaimonia*: the future aspect

In addition to what can be argued to be a present sense of *eudaimonia* in the prophet’s mind, there is also a future aspect to the idea which we find in the closing section of the book. Here we find, not only a perfection of external goods, but also a perfection of virtue, and so of the human *telos* itself. It could be argued that the ultimate good which God wishes for his people is the perfection of their relationship with him, the fruits of which will be the blessing of

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<sup>59</sup> E.g. Deut 28:12. Interestingly, by metonymy *tôb* often has the meaning ‘rain’; e.g. in Jer 17:6, 8 the parallelism of *hôm* (‘heat’) and *tôb* suggests the good of rain and the evil of drought. Höver-Johag, “טוב”, 305. For examples of the withholding of the good of rain see 1 Kings 8:35; Jer 3:3; 5:25.

<sup>60</sup> Amos 4:6-11.

peace and security for ever, and it is just such an eschatological vision which we find in the epilogue at the very end of Amos (9:11-15). Here the prophet narrates a vision which corresponds with that of the Psalmist which we considered in Chapter Two. In Ps 85:8-13, we are given a picture of a coming age of salvation, characterised not only by the provision of rain (*tôb*), and abundance of crops, but also a land where: ‘Steadfast love [*hesed*] and faithfulness [*’emet*] will meet; righteousness [*šedeq*] and peace [*šālôm*] will kiss each other’.<sup>61</sup> These are covenant terms. The idea that Yahweh will do good (*tôb*) to his people is also at the heart of the new or ‘everlasting’ covenant (*b<sup>e</sup>rît ’ôlām*) which Jeremiah announces.<sup>62</sup> We see many of these ideas echoed in the closing section of Amos. Most commentators assign 9:11-15 to a later date (usually the post-exilic period) because of the sharp contrast not only to the previous verse, but also to the tone of the book as a whole. Wellhausen famously captured this contrast, describing verses 13-15 as ‘roses and lavender instead of blood and iron’.<sup>63</sup> In the words of David Allan Hubbard, ‘the sword of judgment gives way to the trowel of reconstruction’.<sup>64</sup>

Amos 9:10 reads:

<sup>10</sup> All the sinners of my people shall die by the sword,  
who say, “Evil shall not overtake or meet us.”

But in verse 11, the prophet abruptly changes his tone:

<sup>11</sup> On that day I will raise up  
the booth of David that is fallen,  
and repair its breaches,  
and raise up its ruins,  
and rebuild it as in the days of old;  
<sup>12</sup> in order that they may possess the remnant of Edom  
and all the nations who are called by my name,  
says the LORD who does this.

<sup>13</sup> The time is surely coming, says the LORD,  
when the one who ploughs shall overtake the one who reaps,  
and the treader of grapes the one who sows the seed;  
the mountains shall drip sweet wine,

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<sup>61</sup> Ps 85:11(10).

<sup>62</sup> Jer 32:40-42. Cf. Jer 33:9, 11, 14.

<sup>63</sup> ‘*Rosen und Lavendel statt Blut und Eisen*’. Julius Wellhausen, *Die Kleinen Propheten übersetzt und erklärt* (3rd ed.; Berlin: Reimer, 1898), 96.

<sup>64</sup> David Allan Hubbard, *Joel and Amos: An Introduction and Commentary* (TOTC 25; Nottingham: IVP, 1989), 250.

and all the hills shall flow with it.  
<sup>14</sup>I will restore the fortunes of my people Israel,  
 and they shall rebuild the ruined cities and inhabit them;  
 they shall plant vineyards and drink their wine,  
 and they shall make gardens and eat their fruit.  
<sup>15</sup>I will plant them upon their land,  
 and they shall never again be plucked up  
 out of the land that I have given them,  
 says the LORD your God. (Amos 9:11-15)

Much of the discussion in the commentaries concerns the dissimilarities between the epilogue (9:11-15) and the rest of the book. But a canonical reading has a vision of the whole; the challenge is to search for the meaning of the epilogue in the light of the whole. The newer literary approaches to the text have shown that the epilogue fits well structurally with the rest of the book.<sup>65</sup> Moreover, there are also important thematic connections which are evidence of continuity. In this final section, the same language and themes from the earlier chapters are re-introduced and given a new context, in the light of the new revelation. In declaring that he will 'restore the fortunes' of his people Israel (v. 14), Yahweh announces a reversal of the negative effects of his judgment: the terrible 'day' of 2:13, 8:3, 9, 13 becomes the glorious 'day' of 9:11, the 'falling' of Israel in 5:2 and 8:14 is reversed with the raising up of the booth of David (9:11), the breaches in the walls (4:3) will be repaired (9:11), the destruction of the gardens and vineyards (4:9) will be contrasted with the planting of new ones (9:14) and most important of all, the exile itself will be reversed and the people returned to their land (9:15).

But, and this is crucial, this restoring of fortunes is still in the future. The people must wait. This passage is usually understood to emanate from a time when Israel has returned from exile but life is still far from perfect, and the only hope seemed to lie in a future realm, a radical recreation, a world restored to its 'factory settings'. The proposal of a post-exilic setting, one sandwiched between the misery of the past and the actualization of future hope, provides a context for M. Daniel Carroll R.'s analysis of post-war Guatemala where the people are literally living 'between the lines'.<sup>66</sup> He argues that employing a literary reading of

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<sup>65</sup> See the useful discussion in Barton, *TBA*, 148-55.

<sup>66</sup> That is, between verses 10 and 11. Thirty-six years of armed conflict in Guatemala ended on 29<sup>th</sup> December 1996 with the signing of a peace treaty between the government and the guerrilla movement (the URNG), but although political progress has been made, Carroll points out that the peace is fragile. The drug trade flourishes and gang activity leads to violence of a different sort, no longer for political ends, but for money. Moreover, the judicial system is corrupt leaving people seek their own 'justice' through lynchings. Political reformation may

these verses which is ‘sensitive to the interplay between the imagination and the biblical literature’ might offer a means to ‘fund’ the counter-imagination necessary to enable the country to move forwards.<sup>67</sup> This funding of a counter-perspective was just as necessary in the days of Amos as it is today. The ‘dearth of vision’ which Carroll perceived in Latin America at the turn of the century is still a description of a humanity today. *Eudaimonia* is more than just external circumstances, it is also an internal state, an inner peace.

### 2.3. *ṭôb* as Yahweh

In the light of the previous discussion, we can return to the exhortation in Amos 5:14. Although not explicitly stated, the parallel expressions in Amos 5:4, 6 and 4-15 strongly imply synonymy, if not identity. Can it therefore be claimed that Yahweh himself is the ultimate good which the people are exhorted to seek?

While the declaration that God is good occurs frequently in the OT, it is equally often met with philosophical indignation in the face of that age-old problem of the existence of evil. Although the goodness of God inspired the psalmists to praise the Lord and give him thanks,<sup>68</sup> other psalms seem to cast doubt on that goodness.<sup>69</sup> However, the denial of this basic fact that God is good has serious implications, not only for the faith of the theist, but also for her ethical reflection. If we are to retain a place for God in theistic ethics, then that God *must* be in essence good. Goodness is a very thin ethical concept, and yet the psalmist is clear that the primary mark of God’s goodness is that his love (*hesed*) endures forever.<sup>70</sup> Höver-Johag describes this brief hymn (the *kî-ṭôḇ*) as ‘the central confessional statement of the OT, based on Israel’s concept of an historical and personal God’.<sup>71</sup>

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have led to greater strides towards democracy, and absence of war, but violence has re-emerged in different forms. As we noted in the Introduction, Carroll R. sees a radical change in ‘the moral climate’ as the only solution. M. Daniel Carroll R, “Living between the Lines: Reading Amos 9:11-15 in Post-War Guatemala”. *Religion and Theology* 6, no. 1 (1999): 50-64. See also Carroll R., “Seeking the Virtues”, 79-80.

<sup>67</sup> Carroll R, “Living between the Lines”, 54. Carroll R. appeals to the work of Walter Brueggemann and Martha Nussbaum here. Brueggemann believes that the task of the biblical expositor is ‘to fund – to provide the pieces, materials, and resources out of which a new world can be imagined’. Walter Brueggemann, *The Bible and Postmodern Imagination: Texts under Negotiation* (London: SCM Press, 1993), 20. Nussbaum argues that the imagination must be employed in a critical and evaluative way as it engages with the text; there must therefore be dialogue with others. Martha Craven Nussbaum, *Poetic Justice: The Literary Imagination and Public Life* (Boston, Mass: Beacon Press, 1995).

<sup>68</sup> E.g. Ps 106:1; 107:1; 118:1, 29; 136:1, and 1 Chron 16:34 for the same exhortation.

<sup>69</sup> E.g. Ps 22:1: ‘My God, my God, why have you forsaken me? Why are you so far from helping me?’

<sup>70</sup> E.g. Ps 106:1: ‘O give thanks to the LORD, for he is good (*kî-ṭôḇ*); for his steadfast love endures forever’.

<sup>71</sup> Höver-Johag, “טוֹב”, 315.

If it is true that the declaration that Yahweh is good is part of ‘the central confessional statement’ of the people of Israel, then it is perfectly plausible that the prophet intended an identity relation in the exhortations of chapter 5. We can therefore say that Amos envisaged Yahweh as the ultimate *telos*. Interestingly, while we saw in Chapter Two that *eudaimonia* for Aristotle was a life of activity according to virtue, we might also remember that he considered the *kalon* to be the aim of virtue, and also that he regarded the supreme human good as contemplation of the divine. In light of these facts, it is interesting that the translators of the LXX render the *ṭôb* of 5:14 as *kalon*, rather than the more generic *agathon*.

#### 2.4. Conclusion

The aim of this section was to test the idea that Amos’s conception of the good can be related to the concept of *telos* in a neo-Aristotelian VE theory. Concentrating our investigation on chapter 5 of Amos, we argued that the exhortations in this chapter did reveal a teleological aspect to the prophet’s thought. We saw that for the prophet, seeking Yahweh (5:4, 6) was a moral activity which involved both heart and will, and, moreover, was essential for life, as was the parallel exhortation to seek the good (5:14). We therefore argued that the *telos* of all ethical reflection could be construed as relating in some sense to Yahweh himself. It was further argued that it was possible to read Amos as envisaging a proto-Aristotelian concept of *eudaimonia*. Following on from our argument in Chapter Two, we suggested that in Amos *eudaimonia* could be construed as a life of relationship or fellowship with God, with virtue as instrumental to, and also constitutive of, that life. To be sure, that concept of *eudaimonia* would have to be reconstructed as the antithesis of life in the Israel of Amos’s day, but the conception is plausible. In addition, the text of Amos supports an understanding of the flourishing life which is not limited to the present but has a future dimension. The eschatological hope presented in the final section of Amos suggests that the perfection of human flourishing will only occur in a future time when Yahweh reverses all the negative effects of his judgment, and all human relationships, those between humans and those between the human and the divine, will be characterised by righteousness and therefore also by peace, and the land will consequently be forever fruitful.

We can conclude, therefore, that the text of Amos can be convincingly read as supporting a teleological, Aristotelian framework. On our interpretation, God can be understood to be not only the source of the goods without which *eudaimonia* is impossible, but also ‘the good’ itself; the perfection of *mišpāt* for the virtuous life is one pursued for the sake of the *kalon*,

and ultimately the *kalon* is Yahweh himself. A flourishing life according to Amos, then, is predicated on seeking the good, and seeking the good means correctly seeking Yahweh through a relationship with him, a relationship which is in turn maintained by virtuous living, and which would be perfected in a future time. This reading coheres with Aristotle's theory where virtue is both instrumental and constitutive of *eudaimonia*. When the people seek Yahweh correctly, they will seek the good, and in seeking the good they will live.

The theist who is drawn to VE now has a substantive concept of the *telos* to put to work in her theory. We shall next consider how, on the basis of the text, we can integrate the notion of the virtue of justice into our VE theory.

## **Part II. Justice as virtue in Amos**

### **3. Introduction**

In chapter Three we discussed the second condition of adequacy which we argued was necessary if a VE theory was to be normatively useful. This was the concept of virtue, and in particular the virtue of justice. But fitting this virtue into a teleological framework presents a major challenge to the biblical theist who is drawn to VE. We saw that, to Aristotle, possessing this virtue was the defining mark of the virtuous person, since, in addition to its more familiar 'particular' sense, he conceived of justice as complete virtue. We also noted Aristotle's problems concerning the ground of, and motive to, the virtue of justice. In our study of the OT conception of justice, we subsequently argued that there was a way to understand the virtue of justice in a theological sense which could not only address Aristotle's problems, but could also fit into a teleological framework and so underpin a theistic VE theory. If all human relationships, with God or with each other, are conceived of as covenant-based, and righteousness is a picture of a flourishing relationship, then justice is the means by which that relationship is maintained. The bending of *mišpāṭ*, on the other hand, severs the relationship and disrupts the harmony on which the covenant depends, so threatening both *šedeq* and *šālôm* and ultimately life itself. The virtue of justice, therefore, is not only complete virtue, but is also a necessary constituent of the flourishing life.

Since we have chosen the Book of Amos as the testing ground for our theistic version of VE theory, we shall now turn to the text and attempt to grasp how virtue was understood by the prophet, and if we can find evidence that Amos conceived of justice in the Aristotelian sense

outlined above. Our discussion of *telos* in the previous section, revealed that Amos thought of the good in terms of justice and righteousness. Just as the distributive sense of justice, where each is given her due, was only part of Aristotle's conception, so it could be argued that *mišpāṭ ūš<sup>e</sup>dāqâ* was also much more widely conceived in the prophet's mind.<sup>72</sup>

With the aim of assessing how central the virtue of justice was in the prophet's thinking, and to what extent the people have neglected the exercise of this virtue, we shall begin by investigating the sociological context of the prophet's ministry, as far as this is possible, and then review the nature of the people's transgressions and the identity of the oppressed. By means of antithesis, then, we will be able to ascertain how this particular virtue should look in practice, and the consequences of its neglect.

### 3.1. The centrality of justice in Amos

But let justice roll down like waters,  
and righteousness like an ever-flowing stream. (Amos 5:24)<sup>73</sup>

Unlike the other OT prophets, Amos says almost nothing about the sins of apostasy and idolatry, but is entirely focused on the moral question of the breakdown of justice in Israel and the reality of the coming judgment. We might recall that, the fact that justice is the primary moral concept in the book of Amos was one of the reasons for the discussion of that particular virtue. However, justice is conspicuous by its absence in Amos. And so, to construct a positive account of this virtue, and understand how it might be a constituent of *eudaimonia*, we must look behind the prophet's denunciations to see how the virtue of justice should have been manifest in the lives of a people who are intent on seeking the good.

As we attempt to do so, it is important to remind ourselves that the OT prophets were not philosophers in either the classical Greek or the modern sense, and we should not expect to see analytic or even systematic discussions of concepts. So, while Mays claims that in the

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<sup>72</sup> The hendiadys is often construed somewhat narrowly as 'social justice', and its meaning reduced to the combatting of exploitation and oppression. See for example, Walter J. Houston, *Contending for Justice: Ideologies and Theologies of Social Justice in the Old Testament* (London: T. & T. Clark, 2006), 61.

<sup>73</sup> The prophet's call for justice in Amos 5:24 may be one of the best-known in the Hebrew Bible. For example, it was famously quoted by Martin Luther King Jr. in his "Letter from Birmingham City Jail" as he attempted to convince the white clergy of the justice of the Civil Rights movement. Martin Luther King, *A Testament of Hope: The Essential Writings of Martin Luther King, Jr.* (ed. James M. Washington; San Francisco: Harper & Row, 1986), 297.

eighth-century prophets we see the ‘classic expression’ of justice, he also admits that the prophets ‘hurl the word out in their messages, as though it were self-evident what it means, never lingering to analyse, justify or explain’.<sup>74</sup> But a lack of philosophical categories does not mean that those early prophets are incapable of making a contribution to the philosophical discussion. Their searching questions still resonate today: What are the marks of a just society and how was Israel (or Judah) failing? How should the people of God deal with the questions of property and poverty? What is the relation between law and morality? Does moral character matter? What is the nature of the good life intended by God for his people? All these questions are relevant to the theist with an interest in VE theory.

As we stated in the Introduction, underlying the aim of this thesis is the building of bridges between the world of ancient Israel and the present time, so that a reading of the OT text would not only be interesting study, but also useful to the construction of a normative ethical theory. And so, it is crucial to be as clear as possible about the world we encounter in the biblical text. It was suggested that the bridges connecting the two worlds could be understood as the nature of man and the character of God. In this part of the current chapter, we will focus on the first of these bridges, human nature. According to Aristotle, where human nature is in a flourishing state, it is ruled by the virtue of justice. What we find in the text of Amos, on the other hand, is a picture of human nature ruled by the vice of injustice. And so, we must reconstruct Amos’s idea of the virtue of justice from the textual evidence of its antithesis. In order to understand the breakdown of justice in Israelite society, we will attempt to discern the social context of the prophet, the source and nature of the unjust practices which the prophet denounces, and the identity of the victims about whom he wrote. In doing so, however, we should bear in mind that any attempt at sociological reconstruction based on the biblical data alone is tentative at best and hazardous at worst, since, when parallels are suggested between the social world of the eighth century and the contemporary world, there can be a tendency, even with the best of intentions, to use the text to shore up the commentator’s own ideology.<sup>75</sup>

### **3.2. Sociological models**

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<sup>74</sup> James Luther Mays, “Justice: Perspectives from the Prophetic Tradition”. *Interpretation* 37, no. 1 (1983): 6.

<sup>75</sup> We could think of certain Marxist readings of Amos, such as those of Norman Gottwald or José Porfirio Miranda, for example.

As Carroll R. rightly points out, any sociological reconstruction of life in ancient Israel is a hazardous enterprise.<sup>76</sup> Although often presented as fact, proposed theories are often hypothetical at best, which is unsurprising given the often rather limited textual information and the equally limited data from the surrounding cultures. Nevertheless, they can form a useful framework for discussion and interpretation.

One plausible model for the economic system in Israel at the time of Amos is the ‘rent capitalism’ theory of Oswald Loretz and Bernhard Lang. This theory is based on the idea that ‘the poor’ in the prophetic texts were rural peasants. Certainly, some of the poor in the time of Amos must have been members of a farming community to be able to produce grain (5:11) and wine (2:8) and participate in the corn trade (8:5). According to Lang, this ‘peasant society’ was run by a ruling class who operated a mercantile system under which the peasants were ultimately dependent on, and often exploited by, the merchants and urban money-lenders.<sup>77</sup> Where once the ‘peasant’ could provide for his family and produce for the market, the changed modes of production demanded by the new market system removed the protection against environmental factors such as crop failure; the peasant then got into debt and had to sell all or part of his land, so being forced to pay rent on the land which he had previously owned.<sup>78</sup> Central to Lang’s model is the idea that, under the monarchy, Israel had moved from a rural, tribal society to an urban one. He lists some of the evidence he finds for rent capitalism in the book of Amos: the rich are often city-dwellers who live a life of ease and luxury (3:15; 4:1; 5:11, 22; 6:1,4ff); tenants are taxed and exploited by landlords (4:1; 5:11); debtors, at the mercy of their creditors, are exploited and eventually forced into slavery (2:6; 8:6).<sup>79</sup>

Another model which has been offered to explain the social and economic environment behind the prophetic texts is the ‘tributary mode of production’ advocated by Norman

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<sup>76</sup> Carroll R, *Contexts for Amos*, 45.

<sup>77</sup> Bernhard Lang, “The Social Organization of Peasant Poverty in Biblical Israel”, in Bernhard Lang (ed.), *Anthropological Approaches to the Old Testament* (London: SPCK, 1985). The term ‘rent capitalism’ had been used earlier by Oswald Loretz. See Carroll R, *Contexts for Amos*, 30. Mays favours a similar model and argues that the social life in 8<sup>th</sup> century Israel reflected an ‘early capitalism’. Mays, “Perspectives”, 9.

<sup>78</sup> Lang, “Social Organization”, 86-87. Lang observes that the keeping of a few cattle would have counteracted the effect of crop failure. Robert Coote notes that the peasant would also have had to pay rent on water, seed, tools, working animals and human labour. Robert B. Coote, *Amos among the Prophets: Composition and Theology* (Philadelphia: Fortress Press, 1981), 29.

<sup>79</sup> Lang, “Social Organization”, 93-95. Deportation of debtors to foreign countries was common practice in Greece and Rome.

Gottwald.<sup>80</sup> This widely accepted model presupposes the existence of various classes and attributes the exploitation and oppressive taxation of the peasants to the state and its agents.<sup>81</sup> Evidence from Amos in support of this theory might include the description of the oppressors as coming from Samaria, the place of royal residence (3:9, 12; 4:1; 6:1), the tax on the grain harvest (5:11), and the king's claim to crop production (7:1). However, no one economic model seems adequate to explain all the textual details of unfair taxation, corvée labour and the abuse of the patronage system which were established facts in the Israel of Jeroboam II.<sup>82</sup> It is to that textual data that we now turn to gain a picture of a society ruled by the vice of injustice rather than the virtue of justice.

### 3.3. A picture of an unjust society: the transgressions

Although precision is sometimes hard to achieve, it is necessary to attempt a description of the specific acts of oppression which the prophet condemns so that parallels with contemporary contexts can be found. We might note, firstly, that the word usually translated 'transgressions' (*peša'*), is used not only in the opening words of the judgment oracles against the nations (1:3-2:1), but also in the oracles against Judah (2:4), and Israel (2:6). In the prophet's eyes, Israel's transgressions are clearly on a par with the war crimes of the nations.<sup>83</sup> It has been suggested that this word has political connotations implying revolt against authority,<sup>84</sup> confirmation, perhaps, that the God of Israel is sovereign over the nations too.

#### 3.3.1. Exploitation

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<sup>80</sup> This theory is essentially the same as Marx's 'Asiatic mode of production'. See for example Norman K. Gottwald, "Social Class as an Analytic and Hermeneutical Category in Biblical Studies." *Journal of Biblical Literature* 112, no. 1 (1993): 3-22.

<sup>81</sup> Marvin Chaney follows Gottwald in his study of Micah, arguing that the state (Judah) engaged in a systematic programme of agricultural reform to produce goods for export (in particular oil and wine) in order to pay for the import of luxury goods desired by the ruling elite. Marvin L. Chaney, "Micah – Models Matter: Political Economy and Micah 6:9-15", in Philip Francis Esler (ed.), *Ancient Israel: The Old Testament in Its Social Context* (London: SCM Press, 2005), 148. For the suggestion of contemporary parallels see Matthew J. M. Coomber, "Prophets to Profits: Ancient Judah and Corporate Globalization", in Matthew J. M. Coomber (ed.), *Bible and Justice: Ancient Texts, Modern Challenges* (London: Equinox Publishing Ltd., 2011).

<sup>82</sup> Houston opts for a synthesis of various models, arguing that rent capitalism did not arrive before the 6<sup>th</sup> century and that the dominant mode of production in the eighth century was a 'communitarian' one which remained under the control of rural families. Houston, *Contending*, 48-51.

<sup>83</sup> The judgment by fire is also shared: 1:4, 7, 10, 12, 14; 2:2. Cf. 2:5; 7:4.

<sup>84</sup> Paul, *Amos*, 45; Mays, *Amos*, 28. Jeremias notes that *peša'* is the 'harshest designation for sin in the OT'. Jeremias, *Amos*, 93.

When forced into debt, the people became victims of further exploitation. If unable to repay their loans a real possibility was their being sold into slavery: ‘they sell the righteous for silver, and the needy for a pair of sandals’ (2:6b).<sup>85</sup> They might lose possessions which have been taken as a pledge: ‘they lay themselves down beside every altar on garments taken in pledge’ (2:8a).<sup>86</sup> Houston suggests that ‘the girl’ in 2:7 may be a ‘bondmaid’ who has been sexually abused:<sup>87</sup> ‘father and son go in to the same girl, so that my holy name is profaned’. The ‘taxes’ in 5:11 are clearly linked to oppressive practices and may be the means of ‘persuading’ farmers to abandon traditional subsistence crops: ‘Therefore because you trample on the poor and take from them levies of grain’. And finally, there is evidence of fraud and deceit in the corn trade (8:6).

### 3.3.2. Violence

No matter how the opening word in 2:7 is translated, the language is still graphic, and the message is the same:<sup>88</sup>

they who trample the head of the poor into the dust of the earth,  
and push the afflicted out of the way (2:7)

The verb in 4:1 is רָצַץ (‘to crush’). Whether the violence is physical or not (it may well be metaphorical), the message seems to be that at the very least the threat is real from those

who oppress the poor, who crush the needy,  
who say to their husbands, “Bring something to drink! (4:1)

In 3:10 we find a word which is much less likely to be used metaphorically: *hāmās* (‘violence’) always connotes ‘the cold-blooded and unscrupulous infringement of the

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<sup>85</sup> Cf. Neh 5:5.

<sup>86</sup> The technical term *hābūlīm* in this verse confirms that a debt is involved. Paul suggests that this term refers to distraint, since this notion underlies the meaning of the root verb *הבל* - the confiscation of property by a creditor due to defaulting on a loan. Paul, *Amos*, 83.

<sup>87</sup> Houston, *Contending*, 66.

<sup>88</sup> The MT reads *haššō’āpīm* (from root *השא*, ‘to pant after, swallow up’). Wolff suggests following the LXX (τὰ πατοῦντα), and reading *haššā’pīm* from the rarer root *הש* I, which would yield ‘those trampling’, as NRSV. Wolff, *Joel and Amos*, 133. So too Paul, *Amos*, 79. The same form of participle occurs in 8:4.

personal rights of others, motivated by greed and hate and often making use of physical violence and brutality'.<sup>89</sup>

They do not know how to do right, says the LORD,  
those who store up violence and robbery in their strongholds. (3:10)

Here, as is often the case, *ḥāmās* is linked with *šōd*, which means 'devastation', but is usually translated in this context as 'robbery' or 'oppression'. The two words often occur together<sup>90</sup> and may form a hendiadys as Houston suggests, which would emphasize the violence and ruthlessness of the exploitation.<sup>91</sup>

Although the accusations in 3:10 and 4:1 are devoid of specific detail,<sup>92</sup> the graphic language and severity of the consequent judgments testify to the seriousness of the allegations.

### 3.3.3. Corruption of the legal system

It should be remembered that there was no 'legal system' in ancient Israel as we conceive of one today. There were no professional lawyers. There was no legislature to enact fair laws of taxation (5:11) or a just system of fines (2:8b). And so, justice very much depended on the character of those forming the 'laws', on the personal integrity of the judge and on the testimony of the witnesses. Quite possibly those in charge of securing justice were from the section of society condemned by the prophet:

They hate the one who reproves in the gate,  
and they abhor the one who speaks the truth. (5:10)

you who afflict the righteous, who take a bribe,  
and push aside the needy in the gate. (5:12)

In 5:12, we see plain evidence of corruption in the courts.<sup>93</sup> It was in the space between the inner and outer gates of a city where cases were heard and justice was publicly

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<sup>89</sup> H. Haag, "סמח" *TDOT*, IV: 482.

<sup>90</sup> See for example Isa 60:18, Jer 6:7; 20:8; Ezek 45:9; Hab 1:3; 2:17.

<sup>91</sup> Houston, *Contending*, 68.

<sup>92</sup> The abstract noun *nēkōhâ* (right) in 3:10 is a general term for what is straight or right as well as what is honest or just. Mays comments that it is used normatively in trading as well as in the courts. Mays, *Amos*, 64.

<sup>93</sup> Houston argues that there is no obvious condemnation here of the practice of bribery itself, but only in situations where bribery perverts justice: it is, however, hard to see that this thought is justifiable from the

administered.<sup>94</sup> However, in these verses we find that the *môkîaḥ*, whose duty was to arbitrate and administer justice, had become the object of hate, along with the honest witnesses who spoke the truth.<sup>95</sup> Instead of seeking and loving justice,<sup>96</sup> the people had come to hate it. Moreover, the rich and powerful were subverting the system by accepting bribes, bullying the innocent, and turning away those who sought help. The shocking nature of this state of affairs is emphasised by the chiasmic structure of 5:10-12,<sup>97</sup> and by the prophet's use of *peša*'.<sup>98</sup>

As Mays writes:

The ninth word in the Decalogue (Ex. 20.13) made the prohibition of false witness a matter of the very policy of Israel's divine suzerain, and a number of the stipulations in the legal traditions of Israel are concerned with the integrity of courts. Therefore to hate the advocate of right and abhor those who speak 'the whole truth' is tantamount to personal opposition to the essence of the system.<sup>99</sup>

The people whom Amos condemns here are those who oppose justice, and in doing so oppose the very basis of the covenant community. As we saw in Chapter Three, the function of the virtue of justice was to restore righteousness to the community maintaining its harmony and peace, without which its very life was under threat. Therefore, the intentional perversion of justice through the abuse of privilege and power, and consequent breaching of the relationships of the community, was the most serious of offences and invited the divine judgment.

### 3.3.4. The identity of the oppressed

It is often assumed that 'the poor' refers simply to the economically poor, but in the understanding of the ANE, poverty had a wider frame of reference. Ownership of land, social status and power, as well as economic security, were the defining marks of being rich, and

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context. See Houston, *Contending*, 67. Cf. 2:7 where 'way' (*derek*) may be a synonym for justice. Mays, *Amos*, 46.

<sup>94</sup> Jeremias, *Amos*, 92. Wolff, *Joel and Amos*, 246.

<sup>95</sup> The expression is *dōbar tāmîm*, literally, 'the one speaking with integrity'.

<sup>96</sup> Cf. Amos 5:15.

<sup>97</sup> Paul, *Amos*, 170. Cf. Jeremias, *Amos*, 93.

<sup>98</sup> See n. 81 above.

<sup>99</sup> Mays, *Amos*, 93. Wolff suggests that *tāmîm* ('fully') refers to a character trait of the one speaking, that he is a person of truthfulness or integrity. Wolff, *Joel and Amos*, 246.

poverty and wealth should be understood in the context of shame and honour.<sup>100</sup> Poverty, therefore, was more to do with powerlessness and the shame that accompanied it. As Cyril Rodd points out, the resident aliens, widows and orphans whose protection is prescribed so often in the OT, are certainly powerless and vulnerable to being denied their legal and social rights, but not necessarily economically poor.<sup>101</sup> It is also clear from the text of Amos that ‘the poor’ are not all rural peasants as Lang had argued since some of them at least dwell in the cities (e.g. 3:9).

There are several Hebrew words which can be translated ‘poor’, but Amos uses only three of them, ‘*ānî*’/‘*ānāw*,<sup>102</sup> *dāl*, and ‘*ebyôn*.<sup>103</sup> Most commentators believe that the various terms refer to different groups of people, even when they are used in parallel,<sup>104</sup> but some minimize any semantic distinctions.<sup>105</sup> ‘*ānî*’/‘*ānāw* is used to describe those who have been brought to poverty and dependence through affliction or exploitation, for example by rich and corrupt merchants (8:4-6). Such people were entitled to special protection when they took out a loan.<sup>106</sup> For example, garments taken in distraint were to be returned before nightfall, since they were required for warmth, a procedure which Amos claims was being ignored (2:7-8).<sup>107</sup> *dāl* can refer to the weak and socially powerless, but most often it simply means ‘poor’. This group too are suffering oppression by the rich and powerful, and being denied their rights (2:7, 4:1, 5:11, 8:6): however, they cannot be destitute, since the text presumes they are able to pay taxes, however illegal the taxes may be (5:11). It is plausible that they are poor peasant

<sup>100</sup> See William Domeris, “עֲנִי” *NIDOTTE* 1, 228-32, 228.

<sup>101</sup> Rodd, *Glimpses*, 167.

<sup>102</sup> ‘*ānāw* is related to the commoner term ‘*ānî* (humble, poor, needy), although the degree of synonymy is debatable. William Dumbrell suggests that there is a distinction, and that ‘*ānāw* is more properly ‘humble through affliction’, while ‘*ānî* is ‘afflicted’ or ‘needy’. W.J. Dumbrell, “עֲנִי”, *NIDOTTE*, 3:454-64, 455.

<sup>103</sup> Domeris lists eight terms in the semantic field of ‘poverty’. “עֲנִי”, 228-9. See also G.J. Botterweck, “עֲנִי”, *TDOT*, I, 29-41. Phyllis Bird observes that none of the words occur in the feminine form in the Hebrew Bible, and suggests that this may be because justice is limited to those with rights, and since women in ancient Israel had no rights, they cannot be victims of injustice. Phyllis A. Bird, *Missing Persons and Mistaken Identities: Women and Gender in Ancient Israel* (Overtures to Biblical Theology; Minneapolis, Minn.: Fortress Press, 1997), 77.

<sup>104</sup> E.g., Wolff, *Joel and Amos*, 166.

<sup>105</sup> Houston, following Milton Schwantes, argues that Amos uses these terms synonymously to refer to the same social-economic condition, since they are often used in parallel to emphasise the message. Houston, *Contending*, 62. For example, *dāl* is used in parallel with ‘*ebyôn* in 2:7; 4:1; 5:11; 8:6, and with both ‘*ebyôn* and ‘*ānāw* in 2:7. See also See Rodd, *Glimpses*, 162-3.

<sup>106</sup> E. Gerstenberger, “עֲנִי” *TDOT*, XI, 230-52, 243.

<sup>107</sup> See Exod 22:25-6; Deut. 24:17.

farmers who have suffered the loss of dignity and honour following the loss of their lands.<sup>108</sup> This group is the focus of the violence mentioned in 2:7a. Finally, the *'ebyôn* (needy, poor) are people who are effectively destitute, without property and entirely dependent on others for their survival.<sup>109</sup>

Amos also uses *šaddîq* ('righteous') to refer to a victim of oppression (2:6; 5:12). In 2:6 *'ebyôn* is found in parallel with *šaddîq*, and a good translation is 'righteous poor'.<sup>110</sup> It should be noted that when a person who has been wronged is referred to as *šaddîq* in the OT, the implicit moral judgment concerns the action and not the person.<sup>111</sup> The *šaddîq* can be thought of not only as the person who is in the right, but also as the one who has rights: the *šaddîq* is wronged in 2:6 in that he loses his right to freedom because of the most trivial of debts (assuming this is a literal and not metaphorical selling into slavery), and the *šaddîq* is wronged in 5:12 in that he loses his right to impartial judgment.<sup>112</sup>

Rodd argues strongly that it was not 'absolute poverty' as such which the prophets condemned, but the changes in the structure in society which favoured the rich and oppressed the peasant.<sup>113</sup> He denies that any of the Hebrew terms for poverty imply outright destitution, since the poor possess a house, cattle and fields.<sup>114</sup> The terms 'poor' and 'rich' do not refer to material wealth, in either money or land; what was valued in Israelite society, Rodd argues, was rather honour and social status. Moreover, Rodd denies that the Exodus event should be regarded as the paradigm case of God's deliverance of the poor, since the motive clauses in Exodus and Deuteronomy were attached primarily to laws concerning strangers (*gērîm*) and slaves, and only later extended to include other vulnerable groups such as widows and orphans: the fact that these vulnerable people were also very often poor was not the point. The Israelites are never described as 'poor' during their time in Egypt but simply as *gērîm*, and so, to Rodd, the Exodus event was never intended to provide a motive for caring for the

<sup>108</sup> M.D. Carroll R., "לָל", *NIDOTTE*, 1:951-4, 951.

<sup>109</sup> Domeris describes them as 'day laborers'. "אֲבָיִם", 228.

<sup>110</sup> Andersen and Freedman, *Amos*, 310. The terms are 'complementary' rather than synonymous.

<sup>111</sup> *Ibid.*, 310-13; Wolff, *Joel and Amos*, 165.

<sup>112</sup> Houston, *Contending*, 67.

<sup>113</sup> Rodd, *Glimpses*, 174.

<sup>114</sup> Rodd observes that the Israelite 'poor' are never associated with the *'ebed*, 'the lowest strata in the population', but rather with the *gēr*, who are 'poor' because of their position in society. Rodd, *Glimpses*, 162-3.

poor as such, and the point of the deliverance was not to end poverty by overturning the structural features of an oppressive society.<sup>115</sup>

In ancient Israel poverty was a misfortune not a problem. No one, not even the prophets, thought of it as due to the ‘structures of society’ in any self-conscious way. The prophets were essentially conservatives, looking back to an older, stable society and condemning those who transgressed against the traditional norms of justice. In the same way that war, the position of women, and the treatment of animals were not ‘problems’ in ancient Israel, neither was the existence of the poor.<sup>116</sup>

Rodd may be correct to deny that ‘the Franciscan ideal of poverty’ can be found in ancient Israel.<sup>117</sup> However, it is a big leap from that observation to deny that Amos is speaking out on behalf of the poor simply because they are poor, and not simply because they are being denied justice.

Against such views, Gustavo Gutiérrez maintains that poverty *is* a central theme in Scripture. Following Albert Gelin’s analysis of the Hebrew terms,<sup>118</sup> he observes that the terms ‘*indigent, weak, bent over, wretched* . . . already insinuate a protest. They are not limited to description; they take a stand’.<sup>119</sup> Poverty is degrading, and because it opposes human dignity, scripture condemns it as contrary to the will of God.

To oppress the poor is to offend God; to know God is to work justice among human beings . . . the existence of poverty represents a sundering both of solidarity among persons and also of communion with God . . . Poverty is an evil, a scandalous condition, which in our times has taken on enormous proportions. To eliminate it is to bring closer the moment of seeing God face to face, in union with other persons.<sup>120</sup>

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<sup>115</sup> Ibid., 182-3.

<sup>116</sup> Ibid., 180-181.

<sup>117</sup> Ibid., 168. He points to the strong links in the OT between goodness and prosperity (especially in Deuteronomy and the wisdom writings) in support of his case.

<sup>118</sup> Gustavo Gutiérrez, *A Theology of Liberation: History, Politics, and Salvation* (trans and edited by Sister Caridad Inga and John Eagleson; Maryknoll, New York: Orbis Books, 1988), 165. To Arthur Gelin, the terms conjure up vivid images of real people; for example, the *'ebyôn* is ‘the one who desires, the beggar’; the *dāl* is the weak one, the frail one; the *'ānī* is ‘the bent over one, the one labouring under a weight’. Albert Gelin, *The Poor of Yahweh* (Collegeville, Minnesota: The Liturgical Press, 1964), 19. Cited in Gutiérrez, *A Theology of Liberation*, 165.

<sup>119</sup> Gutiérrez, *A Theology of Liberation*, 165.

<sup>120</sup> Ibid., 168.

In the OT, then, poverty is condemned because it opposes human dignity; justice is commanded, because justice, as we have argued is essential to restore righteousness, and righteousness is essential for the maintenance of the covenant relationship in which human dignity is preserved. The group or groups referred to by these Hebrew terms are part of Israel, and those who should have protected them have become their oppressors. With the covenant blessings came covenant responsibilities. When these are ignored, and the covenant is violated, and the poor cry out for justice, it is Yahweh, the covenant God who brought the people out of Egypt (2:10; 3:1; 9:7), who must act in justice to restore righteousness, and end the injustice of oppression and exploitation which breaches the covenant righteousness.

Amos is rightly called a prophet of justice, for it is the virtue of justice which is central for the maintenance of righteousness upon which the covenant depends.

### 3.4. Conclusion

The objective in this section was to test our theistic conception of Aristotelian justice against the book of Amos to see whether the text can support our idea of the function of the virtue of justice in a theistic VE theory. As we noted in Chapter Three, a major challenge before the biblical theist who is drawn to virtue ethics is to explain how biblical justice fits into a teleological framework. We argued there that Aristotle's conception of justice as having two senses could be successfully reinterpreted along OT lines if 'particular justice' was conceived of as corresponding to social justice (*mišpāṭ ūš<sup>e</sup>dāqā*), and universal justice was more widely conceived as the maintenance of the integrity of the covenant community.

Following Pedersen's thought, and understanding *šdq* as a description of a healthy soul, that is one in harmony and at peace, we saw that the life of the soul was only possible within the covenant. It was the function of *mišpāṭ* to maintain the peace of both the individual soul and the soul of the community. When justice is perverted, relationships are severed, both between the people and between God and the people, and the harmony on which the covenant depends is disrupted, threatening not only righteousness and peace but also the very life of the soul itself. We have seen much evidence of this in our study of Amos. Justice generates both a privilege and a claim, the weaker having a claim against the stronger, and the latter is enabled to meet that claim by virtue of his position of privilege and power. The one who possesses the virtue of justice not only ensures that these claims are met and that each receives her due honour and material goods, but also understands that this distribution is essential for the individual's link to the covenant, and so also for the very existence of the covenant itself. The

picture of life in Israel which Amos condemns depicts, not only a lack of concern, but also the widespread abuse of privilege and power; the claims of justice are turned into wormwood, and righteousness brought to the ground.<sup>121</sup> The vice of injustice destroys not only the relationships between people, but also those between the people and God. This is the force of Amos's words. We can now understand the virtue of justice in an Aristotelian sense. The people are exhorted to seek the good, which as we saw means in part to seek justice: but they are also exhorted to seek Yahweh, whom we have argued is identified as the good. Justice is therefore not a rule-bound concept in Amos, because it can be construed as action or character in accordance with the nature of a righteous soul; it is the good of this righteous soul, which is the prior notion. The virtue of justice is both instrumental to and constitutive of the *telos* of all ethical reflection, which, we are arguing, is relationship with God and is the theological equivalent of Aristotle's friendship which was 'justice in the fullest sense'.

We can therefore conclude that our theistic conception of Aristotelian justice is a successful heuristic device for the reading of Amos, and is compatible with our VE theory.

However, much hangs on the character which one ascribes to God, in particular the assertion that he is the ground and perfect exemplar of justice. In the next section, we will return to the concept of the *imitatio Dei*.

### **Part III. *Imitatio Dei* and the God of Amos**

#### **4. Introduction**

In Chapter Four we considered the concept of exemplarism, because, for a VE theory to be normatively useful, it requires a substantive and workable conception of the moral exemplar. We argued that, for the theist, God could be considered the supreme moral exemplar since he is standardly conceived to be morally perfect. We also argued that objections from Judaism and from negative theology, which found the idea of imitation of God's character to be problematic, could be overcome. Finally, we turned our attention to the text of the OT, and argued that *imitatio Dei*, suitably interpreted, could serve as a theistic alternative to imitation of the Aristotelian *phronimos*, and supply an adequate concept of the moral exemplar for a theistic VE theory. We have argued in this thesis for a theistic VE theory which declares the

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<sup>121</sup> Amos 5:7.

ultimate *telos* of a virtuous life to be a relationship with God, and we have also argued that the textual evidence from Amos suggests that God himself is the embodiment of the *tôb* or the *kalon*, and so it seems to follow naturally that God should also be the prime moral exemplar. In this part of the current chapter, we shall test this idea against the character of God as he is portrayed in the Book of Amos.

As we consider the text of Amos, we find that there are few candidates for the role of moral exemplar. The only characters pictured in the short narrative section are Amos and the priest Amaziah. The latter is clearly disqualified, for the cult legitimises the unjust practices, and little can be gleaned from the text about the character of the prophet apart from his desire for justice, his faithfulness to Yahweh and his obvious courage in the face of hostile opposition. The other prophets and the Nazirites, in whom we might have expected to see exemplary traits, have, it seems, been effectively silenced,<sup>122</sup> and we are told nothing about them. All other characters are hidden, including the king, who should also have been an exemplar of the virtues. Yahweh himself is the sole candidate.

#### **4.1. Imitation of the God of Amos: problems and possibilities**

We noted in Chapter Four that there are certain problems associated with the idea of the imitation of God. One of these was that imitation of God in his essence is clearly impossible, for he is omnipotent and omniscient. The God whom Amos describes is the ‘Lord God of Hosts’,<sup>123</sup> sovereign over the nations and their history and over creation itself; any person attempting to imitate the sovereignty of God, should such a person ever arise, could rightly be opposed. Imitation, then, is clearly limited to God’s communicable attributes. However, as we shall discover, there is no consensus among the biblical scholars that the text bears witness to the existence of these communicable attributes. So, does the self-disclosure of the character of God which was revealed to Moses in Exodus 34:6-7 match what we find in the text of Amos? Do we have a firm ground on which to stand and defend the character of Yahweh as supreme moral exemplar? Before we proceed to the textual evidence, we must first consider the question of the identity of Yahweh.

#### **4.2. Excursus: who is God?**

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<sup>122</sup> Amos 2:11-12.

<sup>123</sup> Amos 4:13; 5:14, 15, 16, 27; 6:8.

It is crucial before we proceed further that the question of the identity of Yahweh be clarified. Unless we have some degree of shared conception of who God is, and, in particular, a conception of his essential attributes, we will not have a common ground for a specifically theological ethical conversation. We might consider the words of Barton:

How far can we say that Amos or the editors of his book believed in the same God that modern Jews or Christians worship? To answer this, we would first have to decide how the God of Jews and Christians is generally conceived, and we would have to allow for difference both between and within these two religious traditions. There is no single Jewish or Christian notion of God, and there is no ‘Judaeo-Christian tradition’ that unites the two religions. Seen from within, moreover, they are very different from each other. Yet there are important features that are shared, and these certainly include an idea of divine freedom from external constraint that is clearly part of the message of Amos, together with a recognition that God’s commitment to his people (whoever exactly ‘his people’ is understood to designate, a point on which Jews and Christians tend to differ) is not presumed upon or taken for granted. For all their diversity, the religious beliefs of Amos, his editors, later Jews, and later Christians agree on the dialectical character of the divine-human relationship – it is not a relationship that can be relaxed into, as a kind of comfort blanket, but one that constantly and consistently *challenges* human beings. Amos stands at the head of the tradition, questioning the complacent religion of his day.<sup>124</sup>

These are indeed extremely challenging ideas and a detailed response is beyond the scope of this thesis. However, several thoughts occur which might deserve a mention.

There seem to be several problems with this thinking, but one in particular is crucial to the current discussion. We might agree that Judaism and Christianity are ‘very different from each other’, and it may well be that ‘there is no single Jewish or Christian notion of God’ in the finer details. But it does not follow from the fact that people differ in their interpretation of scripture, for we all ‘see through a glass darkly’, that there is therefore not one being who has revealed himself through the scriptures, who is worthy of worship, and whom we call God. If we doubt the basic idea that there is one God who stands behind the Old Testament scriptures and whose character is revealed throughout the narrative, one God who spoke to the patriarchs, judges, kings and prophets (including Amos), the same God who is worshipped by Jews and Christians today, and if the only shared features are the notion of divine freedom and ‘the dialectical character of the divine-human relationship’, then how can we use the Bible to inform our ethical thinking? We may not agree on every detail of

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<sup>124</sup> Barton, *TBA*, 186-7.

interpretation of the character of God, and indeed, if we did claim total understanding of the infinite our judgment might be thought suspect, but if we cannot agree that we are talking about the same God, how can a conversation take place at all? And, in the context of the current discussion, how can we appeal to God in any meaningful way as the ground of a normative ethical theory? We have suggested, after all, that one of our proposed bridges between the world of Amos and the present was the unchanging character of God.

However, the theist might yet take heart, for alongside the problems associated with the idea of the imitation of God there are also possibilities, and it is in a search for these possibilities that we now turn to the text of Amos. To provide a focus and framework for this discussion, we will take Exodus 34:6-7 as our guide to the moral character of God, the passage so central to the thinking of Maimonides. The God who speaks to Moses in these verses declares himself to be merciful and gracious, loving and faithful, and intrinsically just.

<sup>6</sup>The LORD passed before him, and proclaimed,  
 “The LORD, the LORD,  
 a God merciful and gracious,  
 slow to anger,  
 and abounding in steadfast love and faithfulness,  
<sup>7</sup>keeping steadfast love for the thousandth generation,  
 forgiving iniquity and transgression and sin,  
 yet by no means clearing the guilty” (Ex 34:6-7)<sup>125</sup>

Drawing on these verses, we will consider the character of Yahweh as we find him portrayed in Amos under three headings: the steadfast love and faithfulness of Yahweh, the mercy of Yahweh, and the justice of Yahweh.

#### **4.3. The steadfast love and faithfulness of Yahweh: ‘abounding in steadfast love and faithfulness’**

Compared to his contemporary Hosea, for example, whose prophecy contains many examples of the steadfast love and faithfulness of Yahweh,<sup>126</sup> Amos focusses less on this side of God’s character than on his justice. However, we still see enough glimpses of God’s love to remind

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<sup>125</sup> Commenting on these verses, Gordon notes: ‘It is as if the light of the glory/goodness of God is passed through a prism to reveal the variegated attributes of deity’. Gordon, “טוֹב”, 355. See n. 22 p. 107.

<sup>126</sup> For example, in Hosea 11:1-9 the prophet paints a moving picture of Yahweh as the broken-hearted father of a wayward child: ‘How can I give you up, Ephraim? . . . My heart recoils within me’ (11:8).

us that it is the same God about whom both prophets are writing. The most important of these glimpses is found in Amos 3:2:

‘You only have I known [*yāda ‘ti*] of all the families of the earth’.

רק אתכם ידעתי מכל משפחות האדמה

In this verse, we see an explicit statement of the relationship of Yahweh with his people.

However, this might appear to be contradicted by the statement in 9:7:

Are you not like the Ethiopians to me,  
O people of Israel? says the LORD.  
Did I not bring Israel up from the land of Egypt,  
and the Philistines from Caphtor and the Arameans from Kir? (Amos 9:7)

הלוא כבני כשטים אתם לי בני ישראל נאם יהוה הלוא את ישראל העליתי מארץ מצרים  
ופלשתים מפפזור וארם מקיר:

Many have argued that this latter verse quite clearly states that Israel’s relationship with Yahweh is no different to his relationship with other nations; even their exodus was not a unique event, for Yahweh declares that it was he, himself, who was in charge of the ‘exoduses’ of the Philistines and Arameans. Is this evidence of tension within the book, or perhaps a change of mind of either the prophet or later redactors? Did Yahweh himself perhaps change his mind? Can these two verses to be reconciled and if so how?

The first point to remember here is that there is no evidence in 9:7 that Yahweh had formed relationships with the other nations. Secondly, 3:2 suggests that the basis of the relationship was the election of Yahweh, and not the Exodus event. The fact that as sovereign over all the nations, God has the power to move the nations around, so that Israel’s own ‘exodus’ is in that sense nothing special, has no bearing on the continuing relationship of Yahweh with the people of Israel.

#### 4.3.1. Covenant or no covenant? The argument for

Admittedly, the above line of argument rests on the assumption that a covenant relationship existed between Israel and Yahweh. And much hangs on the interpretation of the verb ‘know’

(*yd'*) in 3:2a.<sup>127</sup> In arguing for the covenant, Paul suggests that the use of *yd'* here refers to the act of selecting or choosing, and so signifies ‘an emotional and experiential relationship’ between the people and Yahweh.<sup>128</sup> He admits that while the election formula used here is distinct from the Deuteronomic one,<sup>129</sup> it does share similarities with the patriarchal blessings, and since those are the only other places where the expression is found, the formula of 3:2 most likely refers to this tradition.<sup>130</sup> Another clue to the fact that Israel’s relationship with Yahweh is special is highlighted by the emphatic placing of the direct object, ‘only you’ (*raq 'etkem*), before the verb. Moreover, it is the existence of this covenant relationship which is given as the reason for the judgment: ‘*therefore* I will punish you for all your iniquities’.<sup>131</sup> The prophet makes a clear logical connection between the punishment and the breach of covenant. If there was no relationship, the ‘*therefore*’ would make little sense.

Amos clearly views the relation between Israel and Yahweh as one of cause and effect and therefore similar to the examples in the following verses.<sup>132</sup> This ‘*therefore*’ clause must have come as such a shock to Amos’s hearers who apparently believed in the unconditional blessing and protection of Yahweh: the prophet turns the logic, with which his audience were apparently familiar, against them, thereby challenging their most fundamental presuppositions about their relationship with Yahweh.<sup>133</sup> The people did not doubt that such a relationship existed; they just seemed to be ignorant of its implications.<sup>134</sup>

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<sup>127</sup> Studies on covenantal terminology have shown that cognates of the verb (*yd'*) in Akkadian and Hittite appear in vassal treaties where they have a technical legal meaning conferring ‘mutual legal recognition on the part of suzerain and vassal’. Herbert Huffmon suggests that a similar technical usage also occurs in the Bible. Herbert B. Huffmon, “The Treaty Background of Hebrew *Yāda*.” *Bulletin of the American Schools of Oriental Research*, no. 181 (1966): 34.

<sup>128</sup> Paul, *Amos*, 101. Paul suggests some other texts where (*yd'*) could have this meaning: Gen 18:19; Exod 33:12, 17; Deut 9:24; Jer 1:5; Hos 13:5.

<sup>129</sup> e.g. Deut 10:15 ( *רַק . . . וְיִבְחַר . . . מִכָּל-הָעַמִּים* )

<sup>130</sup> e.g. Gen 12:3: ‘and in you all the families of the earth ( *כָּל מִשְׁפָּחֹת הָאָדָמָה* ) shall be blessed. Cf. Gen 28:14. Paul, *Amos*, 101.

<sup>131</sup> Amos 3:2b. My emphasis.

<sup>132</sup> See Amos 3:3-6. Cf. 3:7-8.

<sup>133</sup> Cf. 5:14. The people were at ease (6:1), confidently believing that the Lord was with them (5:14) and they were safe from evil (9:10). After all were they not prospering economically and enjoying military success? (4:1; 6:4-6; 6:13). For other ‘upsets’ to the popular theology of the day see 5:18-20; 9:7. As Artur Weiser noted a century ago, ‘*Antithese und Paradoxie sind die Form seiner Gedankenführung*’ (‘Antithesis and paradox are the model for his train of thought’). *Die Prophetie des Amos* (BZAW 53; Giesen:Töpelmann, 1929), 102.

<sup>134</sup> In favour of the covenant argument, Moshe Weinfeld notes that the word for ‘iniquities’ in 3:2b (*עֲוֹן*), is often used to denote a violation of a treaty. Moshe Weinfeld, *Deuteronomy and the Deuteronomic school*. (Oxford: Clarendon, 1972), 111, n. 5.

### 4.3.2. Covenant or no covenant? The argument against

Other commentators dismiss the idea that a covenant relationship was in place at all. Barton, for example, while admitting that the story of Moses and the exodus must have been known in some form (or the statements in 9:7 would make little sense), and that some idea of some sort of relationship was apparently appreciated by the people (or 3:2 would make no sense), argues, nevertheless, that substantive ideas about the workings of such a relationship, such as those of a ‘covenant’ or ‘election’ were ‘later theological interpretations of what was felt to be a purely natural relationship’.<sup>135</sup> According to Barton, Israel understood Yahweh to be the nation’s protector or ‘helper’, to use Wellhausen’s term, just as the other nations of the ANE understood their gods as protectors and helpers. It was this understanding which grounded Israel’s confidence that the Lord God of hosts was with them.<sup>136</sup>

Moreover, Barton believes, largely, it seems, on the basis of 9:7, that the relationship with Yahweh was conditional, and that this notion of conditionality is further evidence that Amos was a theological innovator. It is known from archaeological findings that Israel was polytheistic at the time of Amos and that Yahweh was worshipped alongside other deities.<sup>137</sup> Barton argues that while in many ways Yahweh was considered to be much like the gods of the other ANE nations, in that he was believed to have control over his people and heard their prayers, it was his concern for relations between the neighbouring nations which set him apart from the rest. Moreover, it is clear from 9:7 that Yahweh is not the God of Israel alone, but the God of the whole world, and because of this he is not ‘necessarily benevolent’ to Israel:<sup>138</sup> he will judge Israel through natural forces or by means of other enemy nations, just as he will judge those other nations. Finally, while there is evidence that ANE gods could act

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<sup>135</sup> Barton, *TBA*, 54.

<sup>136</sup> Amos 5:14.

<sup>137</sup> Barton suggests that, since Yahweh may have been considered the preferred God or even the chief God, ‘henotheism’ may be the better description. *TBA*, 183, n. 1.

<sup>138</sup> A century ago Rudolf Kittel voiced a similar idea: ‘For the prophets the people was no longer the special possession of Yahweh in a merely external and natural sense as the majority supposed, but in the sense of ethical obligation’. Rudolf Kittel, *The Religion of the People of Israel* (London: George Allen & Unwin, 1925), 135.

against their people,<sup>139</sup> it was unheard of for a god to threaten his people with ‘annihilation’.<sup>140</sup>

Is Yahweh faithful then? Barton’s analysis would seem to render the idea redundant and run counter to Exodus 34:7. He argues that because of Amos’s innovative ideas, a tension arises in the popular conception of Yahweh’s relation to his people. Yahweh could no longer be seen as Israel’s ‘helper’ as Wellhausen has asserted: ‘From the time of Amos onwards, the YHWH-Israel relationship will never again be simple and reassuring, but always prone to dialectic’.<sup>141</sup> Amos’s monotheism portrayed a God who was sovereignly free to make and break relationships at will, and since there were now no hostile gods to blame for Israel’s troubles, the people had to face the fact that those troubles actually came from the one they considered their ‘helper’.

#### **4.3.3. Concluding thoughts: moral exemplarism and the steadfast love of Yahweh**

If we follow Barton’s interpretation, and agree that the relationship between Israel and Yahweh has become ‘conflicted’, it is extremely hard to argue for the steadfast love and faithfulness of Yahweh. But this is not the only way to read the text. And once more, the canonical reading advocated in this thesis can shed light on the difficulties. Such a reading enables us to agree with Paul who sees no contradiction between 3:2 and 9:7, because he accepts the existence of the covenant. As we noted, it is the covenant, and not the exodus referred to in 9:7 which makes the people distinct: ‘the exodus, qua exodus, is not a unique event and grants them no special priority or immunity’.<sup>142</sup> Moreover, the notion of covenant provides a framework for comprehending the coming judgment, for with the covenant comes responsibilities, and, where these responsibilities are ignored, punishment is inevitable.<sup>143</sup>

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<sup>139</sup> For example, from the Mesha stele we learn that ‘Omri, king of Israel, he humbled Moab many days for Chemosh was angry at his land’. *ANET*, 320. Mesha was the king of Moab (see 2 Kings 3:5).

<sup>140</sup> This is Barton’s choice of words. He sees the text as containing the notion that YHWH ‘is actually going to *destroy* Israel and annul his relationship with his chosen people altogether’. Barton, *TBA*, 186.

<sup>141</sup> *Ibid.*, 186.

<sup>142</sup> Paul, *Amos*, 284. Paul suggests that while the exodus motif carried great weight in the north, it was not theologically significant in Judah (*Amos*, 283, n. 17). It is perfectly conceivable that there were more people movements which could have been mentioned in 9:7. The selection of Ethiopia might have been due to its remoteness in the minds of the people of Israel to impress upon them the fact that even the most inaccessible of nations was still under the sovereignty of Yahweh. Ethiopia is mentioned as the farthest reach of the kingdom of Ahasuerus, in Esther 1:1 and 8:9 (‘from India to Ethiopia’). Interestingly, Paul notes that Homer refers to the Ethiopians in the *Odyssey* as ἔσχατοι ἀνδρῶν (‘the most remote of mankind’), *Amos*, 282-3, n. 8.

<sup>143</sup> Of course, as we see from the oracles in the opening chapters (1:3-2:3), the fact that these nations may have been delivered by Yahweh in the past did not mean they would be exempt from punishment any more than Israel would. Ultimately Yahweh is just.

The punishment is therefore a sign that a covenant relationship exists. When the faithfulness and love of God is set within the framework of a covenant, we can appreciate God's justice within the sphere of his love, and so we have a sound model for imitation of that love.

#### **4.4. The mercy of Yahweh: 'merciful and gracious, slow to anger'**

The mercy of Yahweh could arguably be seen at various points throughout the book of Amos. For example, we see that the judgment was preceded by repeated warnings, that a remnant will be spared, that Yahweh twice responded to the prophet's intercession, and finally that there is hope beyond the judgment.<sup>144</sup> We shall now consider the evidence that Yahweh is 'merciful and gracious, slow to anger'.

##### **4.4.1. The repeated warnings**

The first indication in the book that Yahweh is merciful and slow to anger comes in chapter 2: Yahweh had already sent the prophets, we presume to warn the people, but they were forbidden from speaking.<sup>145</sup> Then, in chapter 4:6-11 we find a list of the measures which God has taken for the purpose of drawing the people back to himself and averting the final judgment. The land was first afflicted with famine, drought, blight and mildew and locusts, and finally the people themselves suffered from an unspecified plague and some were killed in battle. Yahweh's aim seems clear: he desires that the people seek him again so that they might live. Yet after each affliction is recounted, we hear the same refrain:

“yet you did not return to me”, says the LORD. (Amos 4:6, 8, 9, 10, 11)

Since the warnings have been ignored, the judgment is imminent:

“prepare to meet your God, O Israel!” (Amos 4:12)

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<sup>144</sup> In addition to these four examples of the mercy of Yahweh as he is portrayed in Amos, a further suggestion which has not been developed in this thesis but should be noted is that Yahweh's gracious restraint is not reserved for his own people, but can also be seen in the oracles against the nations: judgment does not immediately follow the first transgression; on the contrary, three (or four) transgressions are necessary before the divine patience is exhausted. See M. Daniel Carroll R., “I Will Send Fire: Reflections on the Violence of God in Amos”, in M. Daniel Carroll R. and J. Blair Wilgus (eds), *Wrestling with the Violence of God: Soundings in the Old Testament* (Winona Lake, Indiana; Eisenbrauns, 2015), 128. Carroll R. also suggests that the pathos of God is revealed in the lament voiced by the prophet in 5:1-3: Yahweh takes no delight in, and indeed is deeply pained by, the effects of the punishment that his justice requires. *Ibid.*, 125-8. See also M. Daniel Carroll R., “Seek Yahweh, Establish Justice: Probing Prophetic Ethics. An Orientation from Amos 5:1-17”, in Cynthia Long Westfall and Bryan R. Dyer (eds), *The Bible and Social Justice: Old Testament and New Testament Foundations for the Church's Urgent Call* (Eugene, Oregon: Pickwick, 2015).

<sup>145</sup> Amos 2:12.

The prophet's mission is certainly to proclaim the coming judgment, but in the very act of sending Amos<sup>146</sup> with a final warning, Yahweh demonstrates his mercy.

We can, no doubt, hear the voices of objection. What sort of God would think that these actions were a demonstration of mercy? And what sort of a prophet would agree? How can such seemingly indiscriminate acts, which presumably affect the righteous as well as the unrighteous, be considered fair warnings? As we have already emphasised, we either accept that the God of Amos is the same God of whom Moses speaks or he is a different being altogether, if indeed a 'being' at all, and not simply a figure of popular religious imagination. If the jury remains out over the question of the existence of the OT God, where does this leave our ethical reflection? Certainly, any thought that Yahweh could be the supreme moral exemplar in a normative ethical theory such as the one we are advocating here, is futile. We seem to face a choice in these more difficult texts: either we abandon the idea that Yahweh is the sort of God we should attempt to imitate, or we try to understand these more difficult texts in the light of the canonical books as a whole. This fundamental idea bears repeating; if God is to ground our ethical reflection, and God is assumed to be the character revealed in the OT, then he must be assumed to be worthy of worship and so essentially good.

It may help to remind ourselves of the catalogue of injustices which we find in the prophecy, and to re-orient our focus from the 'innocent victims' of these acts of divine discipline to the ones who have suffered oppression from fellow human beings with whom they shared a covenant relationship. It may also help to remember that when a child is heading for danger, stern warnings are the most loving course of action. If we see in these texts a demonstration of mercy prior to judgment, we can see the possibility for imitation of Yahweh in human situations of judging.

#### **4.4.2. The sparing of a remnant?**

If God is merciful, we might expect that he would allow a remnant to escape the judgment, for surely there is a righteous remnant of God's people. The prophecy in its final form does seem to suggest this, but is the text really so unequivocal? The idea that a remnant will

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<sup>146</sup> Amos 7:14-15.

survive the judgment is in fact the subject of much debate. How, then, should we understand the remnant motif in Amos?<sup>147</sup> We need to consider some key texts:

### Amos 5:15

Hate evil and love good,  
and establish justice in the gate;  
it may be that the LORD, the God of hosts,  
will be gracious to the remnant of Joseph. (Amos 5:15)

שְׂנֵאוּ-רָע וְאָהֲבוּ טוֹב וְהִצִּיגוּ בַשַּׁעַר מִשְׁפָּט אוֹלֵי יַחֲנֹן יְהוָה אֱלֹהֵי-יִצְחָק וְשָׂאֲרִית יוֹסֵף:

The ‘perhaps’ ( אוֹלֵי ), or ‘it may be’, here is crucial. There is no guarantee that Yahweh will be gracious even to the remnant of Israel. Implicit in the verb ‘to be gracious’ (*hnn*) is the notion that someone in a superior position is showing grace and favour to a person in a position of dependence.<sup>148</sup> Yahweh is under no cultic or legal obligation to be gracious. Yahweh is not simply the national god of Israel; he is sovereign over all the nations and will be gracious to whom he wills.<sup>149</sup> The promise that he will be gracious, even to a remnant, is still a sign of his mercy, and slowness to anger, even in the face of the widespread injustice in the land.

### Amos 9:8

In the final judgment oracle, we find words of hope that Yahweh will not utterly destroy the “house of Jacob” (9:8b), and yet the previous part of the same verse seems to contradict this hope.<sup>150</sup>

The eyes of the Lord GOD are upon the sinful kingdom,  
and I will destroy it from the face of the earth  
—except that I will not utterly destroy the house of Jacob,  
says the LORD. (Amos 9:8)

<sup>147</sup> Although the actual word ‘remnant’ does appear in the text, it only refers to Israel once, in 5:15 ( שְׂאֲרִית יוֹסֵף ): the other two occasions are the remnants of the Philistines in 1:8 ( שְׂאֲרִית פְּלִשְׁתִּים ) and of Edom in 9:12 ( שְׂאֲרִית אֱדוֹם ). But even in the absence of the word itself, the remnant motif is arguably still present.

<sup>148</sup> Paul, *Amos*, 178.

<sup>149</sup> Cf. Exod 33:19.

<sup>150</sup> It is of course the appearance of stark contradiction within this verse which has understandably led most commentators to ascribe the second half of the verse to a later redactor.

הַיָּה עֵינַי אֲדַגֵּי יְהוָה בַּמַּמְלָכָה הַחֹטְאָה וְהַשְּׂמֵדָתִי אֶתָּה מֵעַל פְּנֵי הָאֲדָמָה אֲפֹס כִּי לֹא הַשְּׂמִיד אֲשַׁמִּיד  
 אֶת־בַּיִת יַעֲקֹב נְאֻם־יְהוָה:

There are other texts too which can be interpreted as a denial of any real hope. In 7:8 and 8:2, for example, the judgment seems total: “I will never again pass them by”. And 9:10 is often used to argue against the remnant idea: ‘All the sinners of my people shall die by the sword, who say, “Evil shall not overtake or meet us”’.

Amos is clear that the God of Israel is also sovereign over all nations, and holds them all accountable for their ethical behavior. Any nation which breaches his ethical standards, any ‘sinful kingdom’ ( מַמְלָכָה הַחֹטְאָה ), faces the threat of utter destruction. And Israel is no exception. Is this fact contradicted by the statement that Yahweh will not utterly destroy ‘the house of Jacob’ ( אֶת־בַּיִת יַעֲקֹב )?<sup>151</sup> Not necessarily. We might follow Paul’s suggestion and read ‘sinful kingdom’ as the political entity of Israel which will cease to exist, and ‘the house of Jacob’ as its people, some of whom will survive albeit in exile.<sup>152</sup> This seems a reasonable way of removing the apparent contradiction and contextually it fits with the next verse: the people of Israel will not be ‘utterly destroyed’ (9:8); they will be shaken in a sieve (9:9), but a remnant will survive.<sup>153</sup> Even in judgment, we see God’s mercy in operation.

#### 4.4.3. Yahweh relents. Or does he?

How do we understand God’s mercy in relation to the prophet’s intercession? The final chapters of Amos depict five visions of the coming judgment related in the form of a dialogue between Amos and Yahweh.<sup>154</sup> The emphasis throughout is the absolute sovereignty of Yahweh over the natural and the supernatural. The first two visions show terrifying events for a community dependent on agriculture, a plague of locusts and then a devastating fire: the message is clear. The next two show objects, a plumb-line and a basket of summer fruit; this

<sup>151</sup> Most commentators assume such a contradiction, and reason that 9:8b is a later addition. See Mays, *Amos*, 157; Cripps, *Amos*, 265; Wolff, *Joel and Amos*, 346.

<sup>152</sup> Paul, *Amos*, 284.

<sup>153</sup> Paul argues from syntax as well as from context, and compares other uses where the statement following the rare expression כִּי אֲפֹס, is integral to the whole section. See Num 13:27-28; Deut 15:3-4; Judges 4:9; 2 Sam 12:13-14. Paul, *Amos*, 285.

<sup>154</sup> Amos 7:1-3, 4-6, 7-8; 8:1-2; 9:1. These visions are grouped into two pairs and then a final solitary one which forms the climax, and correspond to the five warnings in chapter 4.

time the message is not so clear and Yahweh gives the interpretation. In the final and climactic vision, Amos sees Yahweh himself, ‘standing by the altar’: the sanctuary is to be destroyed and all who try to escape will be tracked down. After the first two visions the text relates a short dialogue in which Amos successfully appeals to the mercy and compassion of Yahweh. Following the next two, Amos says only a word or two, and after the final one the prophet is silent.

The problem challenging interpreters is this: is Yahweh truly merciful if he only relents after the first two visions? Was it not his purpose all along to destroy the whole nation? Is it really mercy which we are seeing here? To try to address this challenge, we will take a closer look at the text of these vision reports.

### Visions 1 and 2: Amos’s successful intercession.

On seeing the devastation of the locusts Amos cries out

“O Lord GOD, forgive, I beg you!  
How can Jacob stand?  
He is so small!” (Amos 7:2b)

אֲדַגֵּי יְהוָה סְלַח-נָא מִי יְקוּם יַעֲקֹב כִּי קָטָן הוּא:

Perhaps we can see a parallel here with Abraham’s intercession on behalf of Sodom (Gen 18:22-33)?<sup>155</sup> Some commentators have suggested that Amos is interceding here as covenant-mediator, and virtually accusing Yahweh of breaking his covenant with Jacob whose smallness signified total dependence on Yahweh’s favour.<sup>156</sup> Amos does not question Israel’s guilt, but his plea is for an unconditional pardon.<sup>157</sup> The plea, however, is not met: Yahweh does not agree to forgive and his response is merely a stay of execution.

The LORD relented concerning this;  
“It shall not be,” said the LORD. (Amos 7:3)

<sup>158</sup>נָתַם יְהוָה עַל-זֵאת לֹא תִהְיֶה אִמֵּר יְהוָה:

<sup>155</sup> Cf. Gen 20:7 where Abimelech is told to ask Abraham to intercede for him ‘for he is a prophet’.

<sup>156</sup> See W. Brueggemann, “Amos’ Intercessory Formula”, *VT* 19, (1969): 383-399. On this reading, the next two vision reports could be seen as Yahweh’s response to Amos: it was the people and not himself who had broken the covenant.

<sup>157</sup> Interestingly, the word (סלח) is only ever used in connection with Yahweh, and refers to ‘an absolute and total pardon of sin’. Paul, *Amos*, 228. The verb used for forgiveness between humans is מחל.

<sup>158</sup> The root (נחם) here is in the niph'al, and so means ‘to be sorry’.

Amos does not repeat this plea. Following the vision of the fire, Amos offers a similar plea, but replaces ‘forgive’ ( סָלַח-נָא ) with ‘cease’ ( תַּדַּל-נָא ):

“O Lord GOD, cease, I beg you!  
How can Jacob stand?  
He is so small!” (Amos 7:5)

ואמר אדוני יהוה תדל-נא מי יקום יעקב כי קטן הוא:

### Visions 3 and 4: no intercession

In these next two visions, there is no plea offered by the prophet. They are quite different in form and style: the prophet sees objects, not events, and it is Yahweh who initiates the dialogue asking the prophet to describe what he sees and then giving an explanation of the symbolism behind the objects. Both these visions are followed by a judgment oracle (7:9, and 8:4-14) and the final declaration of Yahweh is: ‘I will never again pass them by’.

“See, I am setting a plumb line<sup>159</sup>  
in the midst of my people Israel;  
I will never again pass them by; (Amos 7:8)

ויאמר יהוה אלי מה-אתה ראה עמוס ואמר אגוד ויאמר אדוני הנני שם אגוד בקרב עמי ישראל לא-  
אוסף עוד עבור לך:

“The end has come upon my people Israel;  
I will never again pass them by. (Amos 8:2)

ויאמר מה-אתה ראה עמוס ואמר פלוב קניץ ויאמר יהוה אלי בא הקץ אל-עמי ישראל לא-אוסף  
עוד עבור לך:

<sup>159</sup> Interpretation of the text of the third vision is complicated by the word often translated ‘plumb-line’ ( אָגוּד ), which occurs three times in vv. 7-8 and nowhere else in the Hebrew Bible. The usual understanding is that Yahweh is measuring Israel according to his standards of righteousness (see also Amos 5:7, 24; 6:12), as he is measuring the wall upon which he stands to see if it is in plumb. He finds that it is not, and hence the reason why judgment is coming.

How, then, do we interpret the change in the prophet's response to the visions? If we assume that the plumb line is a measure of God's standard of righteousness, then this vision contains a graphic representation of the seriousness of Israel's violation of this standard by the people's wilful disregard for justice (5:7; 6:12). Did this cause Amos to change his mind between the second and third visions? This seems plausible. Although Yahweh had relented concerning the locusts and the fire, it seems that only now did Amos realise that the time for mercy was past.<sup>160</sup> God's longsuffering towards Israel's endemic injustice had reached a limit. Righteousness had to be restored and Yahweh had to act in justice to restore it.

#### **4.4.4. Concluding thoughts: moral exemplarism and the mercy of Yahweh**

From the above discussion, it could be argued that the book of Amos does contain evidence of the mercy of God in tandem with his acts of judgment. We have noted that the intention behind the series of disasters in chapter 4 was to turn the people back to himself, to warn them of the seriousness of their predicament before the final judgment took place, giving them time to repent. We also saw that, although the nation will perish, the lives of a righteous remnant will be spared, even though they will be carried into exile. And Yahweh twice withheld his intended judgment in response to Amos's plea, until the prophet realised that the tipping point had been reached. Finally, as we have previously discussed, we see in the closing section of Amos the mercy of God in the promise of a future hope beyond the judgment, when Yahweh will 'restore the fortunes' of his people,<sup>161</sup> and reverse the negative effects of his judgment.<sup>162</sup>

Our final consideration in this section on the character of God as an example to follow is whether the text provides evidence that Yahweh is a God of justice.

#### **4.5. The justice of Yahweh: 'yet by no means clears the guilty'**

In Chapter Four we discussed the idea that God is just, and noted that this is often the most fiercely resisted claim regarding the character of God.<sup>163</sup> Yet, it is also an essential claim for

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<sup>160</sup> Hubbard suggests that the first two visions belong to the earliest stages of Amos's call and his first encounter with Yahweh, before he himself appreciated the extent of the sins of Israel. Hubbard, *Joel and Amos*, 215.

<sup>161</sup> Amos 9:14.

<sup>162</sup> See section 2.2.2. above.

<sup>163</sup> See Chapter 4, section 4.1.1.

the theist who seeks to argue that God could be considered the supreme moral exemplar for her VE theory. Firstly, the virtue of justice is non-negotiable for a VE theory which follows Aristotle in viewing justice as complete virtue. And secondly, the just person in the OT is the person who acts in accordance with righteousness. And so, we must be clear that when God exercises the virtue of justice, his aim is to restore righteousness to the covenant community, and when he does so, his justice is always tempered by his mercy and love. Such a God is not only worthy of worship, but is also worthy of imitation. The final question before us in the current section, then, is to determine whether Yahweh, as he is portrayed in Amos, is such a God.

The central theme in Amos's prophecy is the notion that Yahweh is going to act in justice. Israel has suffered from a bending of *mišpāṭ* and a consequent breach of *š<sup>e</sup>dāqâ*. God must therefore act to restore righteousness. We might well assume that the ones suffering oppression received the news of the coming judgment with relief and rejoiced that Yahweh 'by no means clears the guilty'. But in the text the reader encounters a potential problem for the idea that God is just, and this problem impacts the notion that Yahweh could be construed as moral exemplar. For the text apparently tells us that God judges his people collectively, and not according to their individual responsibility.

#### **4.5.1. Amos and collective responsibility**

Some descriptions of the judgment which Amos declares can be understood as having limited applicability. For example, turning feasts into mourning (8:10) would presumably not apply to the oppressed poor, and the judgment by sword on the house of Jeroboam (7:9) appears to be a straightforward instance of retributive justice towards those guilty of transgression. However, other descriptions have an apparently universal application. For example, we can presume that the darkness and inescapable terror of the Day of the Lord (5:18-20; 8:9; 9:1-3) will affect both the righteous and the unrighteous, as will the period of famine of the words of the Lord (8:11). Indeed, the events which are recorded in 4:6-11 must have already caused widespread suffering to the people in general. While one can be glad that God 'by no means clears the guilty', one might also wonder in what sense a whole nation could be guilty, or even the entire house of Jeroboam. Is corporate or collective punishment ever just? Can God be just if he allows such widespread suffering? Moreover, since it appears that the covenant community will shortly cease to exist, even though on certain readings a remnant will escape, how can we continue to understand God's justice in terms of the righteousness of that

covenant community? And finally, what are the implications for the role of Yahweh as supreme moral exemplar?

At this point we might note that any theist brave enough to argue that God is just must be prepared to face the hostility which may follow. For many voices have criticised Yahweh as a vengeful God who condemns the righteous along with the unrighteous. Those who have already suffered under oppression, they say, are now going to suffer some more; after all it is the whole nation which is heading for exile. David Clines, for example, in his role as metacommentator, has harsh words for those who blindly accept what he sees as ‘Amos’s simple moral defeatism’:

Not one of them has the courage – or the intellectual capacity – to extract himself (they are all males) from the ideology of the text and to pronounce a moral judgment upon the prophecy. To be sure, the future *was* very much as the prophecy says – whether it predicted it or wrote it up in hindsight. Things *were* awful, for rich and poor alike. But it is even more awful to ascribe the destruction of a state and the forcible deportation of its citizens to an avenging God. If that is how a believer finds himself or herself impelled to conclude, that it is a terrible thing to fall into the hands of the living God, the metacommentator can respect that. But to affirm it casually, to pretend that it is unproblematic – *that* is not scholarly, it is not even human.<sup>164</sup>

Most commentators believe that the notion of national collective responsibility evidenced in Amos is a mark of his being an innovator. To Barton, for example, the idea that the whole nation would perish ‘for the sins of a few’, is one of Amos’s ‘radical’ ideas.<sup>165</sup> To imagine, therefore, that it was only the wicked who would perish was to indulge in ‘wishful thinking’.<sup>166</sup> However, this idea was later ‘toned down’ by the book’s editors who introduced the concept of divine sieving (9:9), and added that a declaration by Yahweh that [only] ‘the sinners’ of his people would die (9:10). Barton claims, therefore, that there are two different

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<sup>164</sup> David J. A. Clines, ‘Metacommentating Amos’, in Heather A. McKay, David J. A. Clines, and R. N. Whybray (eds.), *Of Prophets’ Visions and the Wisdom of Sages: Essays in Honour of R. Norman Whybray on His Seventieth Birthday* (JSOTSup 162; Sheffield: Sheffield Academic Press, 1993), 158-9 [original italics].

<sup>165</sup> Barton, *TBA*, 187. Barton partially contributes this radical idea to the fact that Amos was ‘a realist’, and, as such, he recognised that ancient warfare was just as indiscriminate a process as earthquakes (*TBA*, 188).

<sup>166</sup> Barton, *TBA*, 188. Barton notes that modern scholarship rejects the somewhat simplistic view from the past that individualism in religion and ethics was a later development, arising at the time of Jeremiah and Ezekiel, and flourishing during the postexilic period. It was in such a culture, so it was thought, that the wisdom literature was born. A more common view today is that both individual and collective responsibility were, and still are, features of the ‘popular consciousness’, *ibid.*, 187-8. For a classic article on the related concept of ‘corporate personality’, see J. W. Rogerson, ‘The Hebrew Conception of Corporate Personality: A Re-Examination.’ *JTS* 21, no. 1 (1970): 1-16.

ideas present in the book. Amos's view of divine justice is in line with that of the other OT prophets who were 'utterly obsessed'<sup>167</sup> with the topic of God's justice, believing that they were called simply to announce the coming judgment and develop a theodicy to justify it before the guilty people. But does the text itself justify such a reading? Most commentators do believe that the idea of sieving among the nations is later addition.<sup>168</sup> However, some accept it as 'authentic' Amos. Mays, for example, reasons that the agricultural metaphor, the idea of the sword as the instrument of punishment, and the use of the people's own words as evidence against them (10b), are all marks of the prophet's style.<sup>169</sup> Moreover, 9:9 does seem to follow naturally from 9:8b; the nation will be sieved and not totally destroyed. And, finally, the idea that Yahweh is also master of the nations (1:3-2:3; 9:7), as well as Lord of Israel (9:9), fits with the prophecy as a whole.<sup>170</sup> So was Amos really unconcerned with moral exhortations or calls for repentance?

Firstly, is the judgment really only about 'the sins of a few' as Barton claims?<sup>171</sup> Or does the problem go deeper than the elite minority in Israel? According to Abraham Heschel, the prophetic view of collective responsibility is based on the idea that individual crimes are an evidence of the general corruption of society.<sup>172</sup> It might be helpful to bear in mind that this sovereign God who has authority over the nations (9:7), and the created order (8:8, 9; 9:5-6), from whose presence flight is impossible (9:2-4), is also the God who searches and knows individual hearts and minds,<sup>173</sup> and so bases his judgments on perfect knowledge. Secondly, the repeated use of the possessive pronoun 'my' in the phrase 'my people Israel',<sup>174</sup> is testimony to the compassion of God which we considered earlier. Even in judgment Yahweh has not forgotten the special relationship: the people belong to him in their judgment (7:8, 15;

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<sup>167</sup> Barton, *TBA*, 189.

<sup>168</sup> E.g. Cripps, *Amos*, 265, Wolff, *Joel and Amos*, 348-9.

<sup>169</sup> Mays, *Amos*, 161-2. See also Paul, *Amos*, 285-7.

<sup>170</sup> See Paul, *Amos*, 286, n. 36.

<sup>171</sup> Barton, *TBA*, 187.

<sup>172</sup> 'If we admit that the individual is in some measure conditioned or affected by the spirit of society, an individual's crime discloses society's corruption. In a community not indifferent to suffering, uncompromisingly impatient with cruelty and falsehood, continually concerned for God and every man, crime would be infrequent rather than common'. Abraham Joshua Heschel, *The Prophets* (New York: Harper & Row, 1962), 16.

<sup>173</sup> Cf. Ps 139.

<sup>174</sup> Amos (7:8, 15; 8:2; cf. 9:14). This phrase ( עַמִּי יִשְׂרָאֵל ) is first used in 1 Samuel 9:16, where Yahweh says to Samuel 'you shall anoint him [Saul] to be ruler over my people Israel'. This phrase is also found in 2 Samuel (2x), Kings (4x), Chronicles (4x), Jeremiah (2x), Ezekiel (6x), Daniel (1x) as well as in Amos.

8:2) as much as in their restoration (9:14). Thirdly, when our focus is mainly on the judgment, it is easy to forget the point of the judgment in the first place, which was the injustice suffered by the weak and oppressed in Israel. It is the evident lack of the virtue of justice which drives the prophecy after all.

The benefit of our canonical reading, and the appealing to the final form of the text, is that we can accept 9:10 at face value – in his judgment God distinguishes the sinners from the righteous – and not get sidetracked by theories of composition. It may well be that the prophet had a different perspective to that of later editors, but, as we noted early on in this chapter, all redaction theories are just theories in the end, and although they can be hugely useful to our understanding of the process of the text's construction, it is the canonical text which gives us a solid foundation on which to base a normative ethical theory. And as we read the canonical text, we find evidence for the perfect justice of God, both in his just judgments, and also in his tempering of those judgments with mercy. Only the sinners will die, the death of the nation of Israel does not entail the death of the individual 'righteous'. When the people of God are suffering oppression, and cry out for deliverance, they need assurance that the God whom they worship not only hears them but will 'by no means clear the guilty'.

#### **4.5.2. Concluding thoughts: moral exemplarism and Yahweh's justice**

While it is relatively unproblematic to look to the love, faithfulness and mercy of God for examples of how humans should behave, it is much less straightforward to do the same for God's justice. Nevertheless, we have found nothing in the text of Amos to make us doubt the justice of God, or to reject the idea that his justice provides us with an example to follow. We can accept Clines' point that to be casual in our approach to the human suffering in the wake of what is represented as God's judgment would be evidence of something lacking in our humanity. But if we are to understand the prophecy at all, ideology included, we must surely attempt to discern the reasons given for that judgment in the light of the character of God as he is portrayed in the Old Testament as a whole, and not simply dismiss him as an 'avenging' deity. If the text is held to have any authority at all, and any meaningful input into theological ethics, then the theist must courageously stand her ground against the sort of ideology expressed by Clines, and speak out for another view of God, a God, perhaps, whose character is less the 'avenging' deity and more the 'glory and goodness' of Exodus 34:6-7.

Divine judgment is indeed the focus of Amos, but justice, understood along Aristotelian lines, cannot be reduced to judgment; it has a much wider frame of reference. Just as a God who is intrinsically good can only do good, so too a God who is intrinsically just will always act with perfect justice and according to the standard of perfect righteousness. Our study of the text gives us no good reason to doubt the justice of God, or to reject that the justice which drives his actions should be an example for human ethics of the virtue of justice in action.

#### 4.6. Conclusion

In this section, we revisited the suggestion made in Chapter Four that *imitatio Dei*, suitably interpreted, could serve as a theistic alternative to imitation of the Aristotelian *phronimos*, and supply a substantive and workable concept of the moral exemplar for our theistic VE theory. In applying this suggestion to the text of Amos, we acknowledged that many commentators doubt that the character of God, as he is depicted in the text, is a suitable candidate for imitation at all, even if imitation is restricted to his ‘communicable’ attributes. However, using God’s self-revelation to Moses in Exodus 34 as a framework, we argued that the love, faithfulness and mercy of God can be seen in the text of Amos, even in the shadow of his judgment, giving support to the argument that God can be viewed as the supreme moral exemplar. Admittedly, the matter of God’s justice was less straightforward. When it comes to God’s particular acts of judgment, such as those described in Amos, imitation is clearly inappropriate and inadvisable, for God, understood in the classical sense, and distinct from humans, not only sees all things and has all knowledge, but is also essentially good and capable of perfectly righteous judgements and so perfect justice. However, imitation of God *is* a possibility with regard to the virtue of justice and makes perfect sense on an Aristotelian reading. Firstly, the virtue of justice, as we argued above, is essential for the restoration of righteousness to the covenant community, and just as this is the aim of God, so too should it be the aim of the individual. Secondly, according to Aristotle, the just person is conceived to be identical to the virtuous person, possessing all virtues. To possess the virtue of justice necessitates the possession of love and compassion too. God’s justice, as we argued in Chapter 4,<sup>175</sup> should always be seen in the light of his covenant love.

We noted at the start of this chapter that the reader of Amos encounters, for the most part, the dark side of the deity. Yet we have shown that, even from the text of Amos, it can be argued that Yahweh, the God of justice, is also clearly portrayed as a God of love and mercy. The

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<sup>175</sup> See Chapter 4, section 4.4.1.

text, therefore, need not cause us to doubt the essential goodness of the character of God and his suitability for the role of moral exemplar. Although human beings will never accomplish complete imitation of a morally perfect being, they have, in God as embodiment of the *kalon*, a standard at which to aim. We can therefore conclude that, in the character of God, we have found a substantive and utilisable conception of the moral exemplar which our VE theory requires in order to make it normatively useful.

#### **Part IV. The normative question and Amos**

In Chapter 5 we discussed the inability of CVE theory to answer what we called ‘the normative question’, which is the demand for the justification of the claims which morality makes on us, and noted that *eudaimonia*-based theories struggled to overcome the circularity objection. We then suggested that a solution could be found in a partnership with paradigmatic natural law theory. Furthermore, if this natural law theory is modified according to Mark Murphy’s idea of moral concurrentism, whereby the goods which do the moral necessitating are theistic facts, then our VE theory and its natural law partner are both thoroughly theocentric.

We have assumed in this thesis the existence of some form of covenant (Amos 3:2), a covenant based on righteousness and maintained by justice. This covenant provided the framework for our theistic version of VE, where *eudaimonia* was understood in terms of flourishing covenant relationships, which depend ultimately on the relationships between human beings and God. But our VE theory is as vulnerable to the circularity objection as its secular counterparts. It is interesting, therefore, to consider how the text of Amos can be read in the light of a modified natural law theory.

The adoption of natural law theory provides us with a means of explaining the moral responsibility of the other nations, who are not bound by the norms inherent in a covenant with Yahweh. At several points in Amos, the prophet points out that Yahweh is sovereign, not only over Israel, but over all nations. Moreover, their destinies are bound up with their ethical practice, which implies moral accountability to Yahweh.<sup>176</sup> We must therefore assume they had access to some form of ‘natural law’, whose goods they have violated in various

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<sup>176</sup> Amos 1:3-2:3; 9:8.

ways.<sup>177</sup> For example, they have attacked the good of life with a degree of violence which, we can assume, transgressed the generally accepted ‘codes’ of warfare (1:3, 11, 13). Disrespect for the dead (2:1) could be considered another instance of an attack on a fundamental good,<sup>178</sup> and finally, we see evidence of violation of the good of friendship or brotherhood (1:9).

And if we accept the theory of moral concurrentism, where the goods which do the work of moral necessitation are theistic facts, we can make sense of Amos’s claim that all peoples are accountable to Yahweh for any violation of these goods. On this theory, the goods which are being violated, both by the nations and by Israel, *are* theistic facts. That is, their goodness is a participation in the divine goodness, but specified in creaturely nature. All the acts of injustice in Israel which the prophet condemns are therefore attacks, not only against the goods, but also against God himself. This coheres well with the text of Amos: to seek God is to seek the good, and to seek the good is to seek life, but, as Gutiérrez writes, ‘oppression in any of its forms means death’.<sup>179</sup>

We therefore now have a thoroughly theocentric explanation of the moral responsibility of the nations, as well as Israel. And we also have a thoroughly theocentric answer to the normative question.

## Conclusion

In this chapter, we reached the final stage in our investigation, which was to test our theistic version of VE theory against the text of the book of Amos.

The primary aim of this thesis was to construct a specifically theistic version of VE theory. We noted at the start that there were four conditions of adequacy which any normative theory based on virtue must meet: an adequate concept of *telos*, as the end of all ethical reflection; a substantive notion of virtue, and, since our version could be termed neo-Aristotelian, this

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<sup>177</sup> Barton sees Amos 1:3-2:5 as a clear OT example of a natural law theory which is based on ‘the common moral sense of all right-minded men’, the existence of which the prophet clearly assumed. John Barton, *Amos’s Oracles against the Nations: A Study of Amos 1.3 - 2.5* (SOTSMS 6; Cambridge: CUP, 1980), 44. Moreover, it is clear from the three “hymnic” passages in Amos 4:13, 5:8-9 and 9:5-6, that the God who, as ultimate *telos*, stands behind the requirements of the natural law, is not only the creator, but also wields incomparable power over the created order: the nations therefore ignore his moral demands at their peril. It is interesting to note that 5:8-9 is the climax of the chiasm formed by 5:1-17, which we noted was a central passage for an understanding of teleology in Amos. See p. 166ff. See also Carroll R., “Seek Yahweh, Establish Justice”, 78-9.

<sup>178</sup> We remember the plea of Antigone.

<sup>179</sup> Gutiérrez, *The God of Life*, 3.

meant primarily the virtue of justice; a workable conception of the moral exemplar; and finally, a satisfactory answer to the normative question. Having argued that the first three conditions could be met by our proposed theistic version alone, and the fourth if it is partnered by a modified natural law theory, the final stage was to test our theory against the biblical text. This final chapter, therefore, was devoted to re-examining our theory in the light of the text of Amos, dealing in turn with each of our four conditions of adequacy.

We will now briefly summarise our conclusions.<sup>180</sup> In the first part, we concluded that it was possible to interpret Amos's concept of the good as a remarkably similar idea to Aristotle's *eudaimonia*. Since seeking the good meant correctly seeking Yahweh, we argued that the ultimate *telos* of all ethical reflection was God, and that *eudaimonia*, or the flourishing life, was a life of relationship or fellowship with God. We then argued that the notion of justice was more widely conceived by the prophet than simply referring to social justice, for he also appears to share the Aristotelian idea that justice was complete virtue. Justice was necessary for the maintenance of the covenant relationships and the restoration of righteousness, and was therefore both instrumental to, and constitutive of, *eudaimonia*. In the third part, we revisited the idea that God could be considered supreme moral exemplar, and inquired whether the character of Yahweh as he is portrayed in the text of Amos, was a suitable candidate for imitation. We concluded that the text spoke clearly of the love and mercy of God, and that even the justice of God, correctly interpreted, provided a model for imitation. There was nothing in the text of Amos which strongly challenged our suggestion that the *imitatio Dei* could serve as a viable theistic alternative to imitation of the Aristotelian *phronimos*. Finally, we argued that a modified natural law theory could provide justification of the claims which morality makes, not only on Israel, but also on the surrounding nations.

On the basis of the findings in this chapter, we can conclude that our theistic version of VE theory has passed the test which we set at the start. It is not only a satisfactory heuristic device by which to read the ethics of the OT, but has also been proved to be a normatively useful ethical theory.

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<sup>180</sup> For more detailed summaries, see the conclusions at the end of each part of the current chapter.

## Conclusion

This thesis has aimed to critique the ancient, but recently rejuvenated, theory of virtue ethics, and to construct a theistic version, which would not only be normatively useful, but could also serve as a heuristic device for reading the biblical text. We began by noting that, while a return to an ethics based on character was welcome, claims by the proponents of VE that it can function as an independent normative theory needed to be investigated. The method used to conduct this investigation was to identify the essential features of a virtue-based theory (Chapter One), subject them to critical analysis, and then suggest theological interpretations of each based on the text of the OT. These interpretations would finally be tested by a canonical reading of the Book of Amos.

From our critique of CVE theory, we concluded that a neo-Aristotelian variety not only produced the most persuasive and substantive explanation of the relation between *telos* and virtue, but also provided the best framework for the construction of a theistic version. According to Aristotle, the good or *telos* of all ethical reflection was a flourishing life or *eudaimonia*, understood as a life of activity according to virtue. Aristotle's relation, we suggested, could be interpreted along biblical lines if *eudaimonia* was construed as a relationship with God (Chapter Two), and the virtue of justice, the overarching virtue in Aristotle's scheme, as essential for the maintenance of that relationship (Chapter Three). Noting the difficulties inherent in the concept of the moral exemplar within naturalistic theories such as Aristotle's, we suggested a theological alternative in the idea of *imitatio Dei* (Chapter Four). With these theological modifications, we were near to achieving our primary goal: the construction of a theistic version of VE theory.

However, in the final stage of our critique of CVE theory (Chapter Five), we encountered a major problem for all VE theories, whether theistic or otherwise. This was an inability to justify its account of right action and so provide an answer to the normative question. This lack of explanatory power, it was argued, was ultimately damaging to the claims of the proponents of VE that the theory could function independently. As we looked elsewhere for help, we found two alternatives available to the theist: natural law and theological voluntarism. We noted that, while VE has an ideal partner in natural law theory, in its paradigmatic form natural law theory was insufficiently theocentric to ground a biblically based virtue ethics. However, we argued that this problem could be overcome by adopting moral concurrentism. And so, it was concluded that VE, supplemented by a suitably modified

natural law theory, can serve as a useful normative ethical theory for the biblically minded theist.

The closing phase of our investigation was the testing of our theistic revision of VE theory against the text of book of the prophet Amos (Chapter Six). As we stated at the outset, the overall aim was to see whether a bridge could be built between the world of Amos and the context of contemporary ethical theory. So, is our theistic VE theory a useful heuristic device by which to study the ethics of the OT and make the text relevant to the contemporary theological ethicist?

Our reading of the text showed that Amos's conception of the good was fundamentally teleological, and that the parallel exhortations in 5:4, 6 and 5:14 supported the argument that the *telos* of all ethical reflection could be construed as standing in some relation to Yahweh himself. To seek the good was to seek Yahweh, and both were necessary for life. Moreover, we argued that this life could be understood along Aristotelian lines as *eudaimonia*. The flourishing life, so conspicuous by its absence in Amos's Israel, could therefore be interpreted as a life of relationship with God, and would reach its perfection in a future time. On this theistic Aristotelian reading, Yahweh is not only the source of the 'external' goods without which *eudaimonia* is impossible, but is, himself, also the good (the *kalon*). When the people seek Yahweh correctly, they are seeking the good, and in seeking the good they will live. The virtuous life is thus both instrumental to, and constitutive of, *eudaimonia*. Thus, the theist has a substantive concept of *telos* to underpin her VE theory.

We then considered whether the prophet's idea of justice could be related to an Aristotelian conception, where it was understood, not only as one virtue among many, but also as the overarching virtue essential for *eudaimonia*. Through our study of *mišpāt* and *šdq* we found that Amos had a view of justice which was wider than its standard distributive sense (*mišpāt ûš<sup>e</sup>dāqâ*), and that the role of *mišpāt* was ultimately to maintain the integrity, or righteousness, of the covenant community. The perversion of justice in the Israel of Amos's day threatened the integrity of the community, leading not only to a loss of righteousness and peace, but also to the severing of the life-giving covenant relationship between God and the people. This conception of justice is virtue ethical because the prior notion is the good of the covenant relationship and not any rules inherent in it. The virtue of justice is therefore both instrumental to and constitutive of *eudaimonia*, which we are arguing is relationship with God and the theological equivalent of Aristotle's friendship as 'justice in the fullest sense'.

The third condition of adequacy which we examined in our reading of Amos was the concept of the moral exemplar, and our suggestion that Yahweh himself was the best candidate to fulfil this role. The success of this argument depends entirely on the interpretation of the character of Yahweh as the text reveals him. Taking Yahweh's self-revelation in Exodus 34:6-7 as our framework, we argued that Amos portrays a God who is merciful and gracious, loving and faithful, but who is also essentially just and therefore must act to judge injustice. We acknowledged that, while human imitation of the love, faithfulness and mercy of God was conceivable and indeed desirable, imitation of the justice of God was not such a straightforward notion. Certainly, any thought of imitation of his specific acts of judgment is always inappropriate, for God, as we conceive him in the classical sense, is not only omniscient but is also essentially good, meaning that his judgments will always be perfectly righteous and just. However, this does not preclude the idea of imitation of the virtue of justice which lies behind the judgments, if this virtue is conceived along Aristotelian lines as essential for the restoration of righteousness to the covenant community. Moreover, if we follow Aristotle and hold that the just person *is* the virtuous person, then declaring God to be just is to also declare him to be in possession of all the virtues. And so, a just God will necessarily be loving and compassionate too, his justice always tempered by his covenant love. Although humans will never perfectly imitate a morally perfect being, if God is their moral exemplar, they do have a standard of excellence at which to aim. And if God is the good (*tôb* or *kalon*) as Amos suggests, and the aim of all virtuous activity is the *kalon*, as Aristotle declares, then, arguably, we have a bridge between an Aristotelian ethics of virtue, and the rudiments of a VE theory in the prophet Amos. In our theistic VE theory, *eudaimonia*, the *telos* of all human virtuous activity, is a relationship with God, who can be understood as the embodiment of the *kalon*, and therefore also as the perfect moral exemplar.

Lastly, we discussed how we might read Amos in the light of the modified natural law theory which we suggested could supplement our neo-Aristotelian VE theory, and so enable it to respond to 'the normative question'. We argued that the moral responsibility of the nations can be explained by the concept of natural law theory in which the goods do the work of moral necessitation, and ground the claims which morality makes. Further, we argued that, to the theist, moral concurrentism was an appealing modification, for, on this account, the goods which do the moral necessitating also participate in the divine goodness: that is, they are theistic facts. Amos is clear that Yahweh is sovereign over all the nations, and so any violation of these goods, whether through Israel's systemic injustice, or through the war

crimes of the nations, is therefore an offence against God who is both the source of good and the ultimate good or *telos*. We therefore have an explanation of the source of normativity which applies to Israel as well as the surrounding nations.

It seems clear from our discussion, that VE theory has much to offer contemporary ethical debate. We have also concluded that a neo-Aristotelian type of VE can be plausibly re-interpreted as a theistic theory if that framework is constructed with theological versions of the concepts of *telos*, virtue and moral exemplar. Although our theistic version suffers from the same malady as all CVE theories, in that it is unable to provide an account of the source of normativity and so cannot ultimately function as an independent normative ethical theory, a partnership with moral concurrentism can make good this lack. The result is a normatively useful and thoroughly theocentric version of VE which can be a useful heuristic device for reading the biblical text. And lastly, this theistic presentation of VE theory fulfils our secondary objective, which was to build a bridge between the Israel of the eighth century and the contemporary ethical context, a bridge constructed on the twin presuppositions of a common human nature and the reality of the God revealed in the biblical text.

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