

BOOK NOTES

Book Notes by Fritz Allhoff (University of California, Santa Barbara), Amy L. Peikoff (University of North Carolina at Chapel Hill), Stephen H. Phillips (University of Texas at Austin), Avital Simhony (Arizona State University), and George Streeeter (University of Missouri—St. Louis).

Arkes, Hadley. *Natural Rights and the Right to Choose*. Cambridge: Cambridge University Press, 2002. Pp. xiv+302. \$28.00 (cloth); \$21.99 (paper).

This book defends the philosophy and strategy of many antiabortion academics and activists. Hadley Arkes, architect of the Born-Alive Infants Protection Act, argues that many Americans have absorbed the skepticism, nihilism, moral relativism, and legal positivism prevalent in academia. He thinks these premises negate the “axioms” or “first principles” of a government of laws, most importantly the idea of a fixed human nature (which, at minimum, upholds humans’ distinguishing characteristic: their ability to pronounce meaningful moral judgments). This idea, he argues, provides the basis for rights, because it both justifies them and determines who possesses them. In fact, Arkes thinks that one who rejects this idea is guilty of a form of treason because he can no longer defend rights—his own or others’—against a government of “might makes right.”

To show the influence of antirights premises, Arkes compares the reasoning used in significant judicial opinions and political pronouncements of the last twenty-five years—primarily those concerning the right to abortion—with that used in such writings during America’s founding and Civil War eras. The centerpiece is chapter 5, in which Arkes analyzes federal decisions striking down state laws banning partial-birth abortion. He argues that these decisions display an “antijural jurisprudence” which negates the foundations of any proper jurisprudence: (1) it treats clear language as “vague” in order to avoid the case-and-controversy requirement, and (2) it labels “unborn children” as “fetuses,” without justification. Arkes adopts Justice James Wilson’s view that human life begins when an unborn child “stirs in the womb” (p. 139). Earlier chapters explain Arkes’s historical and theoretical framework and the context in which these cases arose. In chapter 6, Arkes warns that this antijural jurisprudence has created a “crisis in the regime”: many Americans act like citizens of a free republic while in reality furthering despotism. As strategy, he suggests “modest” federal antiabortion legislation: (1) its enactment would install antiabortion premises in the law, and (2) the debate itself would educate Americans about the improper breadth of abortion rights under the current law; Arkes thinks an educated

Permission to reprint a book note printed in this section may be obtained only from the author.

public would support further restrictions and, eventually, an outright ban. In chapter 7 he argues that such enactments would be constitutional. Chapter 8 recounts Arkes's experiences in Washington.

Readers may find Arkes's defense of natural rights refreshing. However, he asserts that any prochoice stance necessarily undermines such rights; he simply dismisses, as a "thin pretext," the idea that the metaphysical separateness of an infant as against a fetus could distinguish infanticide from abortion (p. 133). As if unconvinced by his own theoretical presentation, Arkes needlessly repeats graphic descriptions of the partial-birth procedure. And, while Arkes's personal experiences add relevance and vitality, in the early chapters their placement makes it somewhat difficult to follow his argument. A. L. P.

Carter, Matt. *T. H. Green and the Development of Ethical Socialism*. Thorverton: Imprint Academic, 2003. Pp. 230. £25.00 (cloth).

Carter's book joins a growing crop of books on the philosophy of T. H. Green. Unlike other recent books which focus solely on Green's philosophical ideas, Carter situates Green's ideas in context. His central claim "is that Green and his followers have played a significant role in the creation of a type of ethical socialism that has been adopted by figures such as R. H. Tawney" (p. 3), who, in turn, influenced socialists within the Labour Party. This is a challenging task to which Carter measures up nicely.

Much as empiricist philosophy could be said to propel classical liberalism, he claims, the British idealists, led by Green, established an alternative and "new philosophical settlement" (pp. 3, 21, 76), which, in turn, inspired a new liberal political ideology. Its key concepts—the common good, positive freedom, equality of opportunity, and the state as an enabling agency—were used by later idealists to justify ethical socialism. Indeed, Carter's definition of ethical socialism, in terms of individual moral development and organic social relations (p. 7), is virtually identical to Green's idealist philosophical settlement (pp. 3, 21–27, 76). As well, Carter claims that the key concepts of the idealist ideology underpin Tawney's own socialism, albeit with the relevant adjustments required by different circumstances (pp. 27–44, chap. 6).

This argument depends on the claim that ideological labels are not fixed. Green's liberalism was the root of Tawney's ethical socialism. Carter's point is that Green's influence was not bounded by the label "liberalism." Thus, though he strongly disagrees with Freedon's marginalizing of Green's influence beyond the wall of academia, Carter's study is an illustration of Freedon's analysis of ideologies on which indeed he explicitly draws. Freedon, a preeminent scholar of ideologies, argues that "ideologies are particular patterned clusters and configurations of political concepts" (*Ideologies and Political Theory: A Conceptual Approach* [Oxford, 1996], p. 54).

The path from Green's liberalism to Tawney's socialism was, however, mediated by Green's followers. Tawney himself declared his indebtedness to the "intellectual and moral tradition which . . . especially, I imagine, Green helped to create" (p. 168). Carter's main contribution lies with unearthing that tradition.

He carefully and thoroughly brings to life the way Green's followers not only carried on but expanded his ideology with regard to Darwinism, competition and economics, equality of opportunity, education, and, importantly, state interference. He further reconstructs the Christian socialist phase of that tradition not least because its idea of "a socially conscious Christianity became the guiding theme of Tawney's practical and intellectual career" (p. 170). Students of British political thought and ideology as well as of Green will learn much from Carter's book. A. S.

DePaul, Michael, and Zagzebski, Linda, eds. *Intellectual Virtue: Perspectives from Ethics and Epistemology*. New York: Oxford University Press, 2003. Pp. 298. \$55.00 (cloth).

This is the first major anthology devoted primarily to the topic of intellectual virtue and its potential for developing research projects at the intersection of ethics and epistemology. While there is disagreement between the contributors about the nature of intellectual virtue, they are unified in their aim of exploring what ethicists can learn from thought about the life of the mind and what epistemologists can gain from thought about moral character. Each paper strives in its own way to establish channels of communication between areas of practical and theoretical philosophy that have become artificially estranged from each other. The marriage of ethics and epistemology performed by this collection gives new life to a wide range of problems and questions that until recently have lacked an adequate forum.

Specific topics discussed by the contributors include problems of historical interpretation focused on ancient debates about the role of skill, luck, and emotion in virtuous activity; structural questions about virtue theory's relation to the dialectic between deontological and instrumental accounts of practical reason; and problems in applying the framework of virtue to particular regions of intellectual life, such as the disposition toward humility in cognitive endeavors. Papers by John Greco, Ernest Sosa, and Linda Zagzebski address the problem of explaining what makes knowledge more valuable than true belief, as well as questions about the analogy between epistemic and moral responsibility. In one of the more ambitious papers, Christopher Hookway invokes the notion of intellectual virtue as a way of shifting the focus in epistemology from narrow analyses of requirements for knowledge to thick evaluations of practices of inquiry and their standards of excellence.

A number of the contributors sound a note of caution to those interested in co-opting the language of virtue for epistemological purposes. Julia Annas, for one, points out that the success requirements for virtue in ethics are structurally different from the success requirements for virtue in epistemology, which complicates efforts to define knowledge in terms of virtue. Still, the underlying spirit of the anthology is one of optimism about the prospects for unifying ethics and epistemology by reorienting the terms of debate in both fields.

With the exception of Christine McKinnon's refreshing approach to the problem of self-knowledge, the book is more successful at teaching us what

epistemologists can incorporate from the legacy of virtue ethics than it is at showing us how moral theorists can benefit from the development of virtue-based theories of knowledge. I suspect that this asymmetry may have something to do with the fact that many of the essays in this volume by epistemologists tend to fall back into the idiom of belief-theoretic accounts of knowledge. This is a problem if only because the turn to virtue in ethics, in its most compelling guise, signals a break from the instrumentalist belief-desire psychology that continues to permeate mainstream moral philosophy. On the other hand, one indication of the importance and timeliness of this anthology is that it makes room for fundamental critiques of mainstream epistemology. G. H. S.

Kupperman, Joel J. *Learning from Asian Philosophy*. New York: Oxford University Press, 1999. Pp. 208. \$45.00 (cloth); \$19.95 (paper).

This integrated collection of papers (some dating back thirty years) probes the great systems of ethical teaching of Chinese philosophy, with a glance or two at Indian thought. Kupperman takes Confucius and company seriously, championing a focus on character and development of a “second self” as appropriate for ethical philosophy. He brings in resources of Western ethical reflection, in which he is most accomplished, to engage the non-Western philosophers on important issues, including the very nature of philosophy. This is not a historical study, but itself a fine work of ethical analysis. The book’s strengths include many carefully worked out distinctions, such as that between the supererogatory demands of religion as opposed to the “free-play” areas of life, outside the scope of ethics according to what Kupperman calls contemporary Western philosophical common sense. Its chief weakness is its title, along with promise of scope, given the scant and misleading treatment of Indian traditions. Typical is the repeated misspelling of the name of the warrior Arjuna in the *Bhagavad Gita* (“Arjona”; cf. “Jesus”). The central and much discussed distinction of dimensions of value—pleasure, wealth, moral duty, and religious salvation—is practically repeated by Kupperman in his own analyses but is not identified. Even with Buddhism, the intellectual bridge between China and India, where, given the evident effort to master other Chinese philosophy, one might expect some pertinent insight, Kupperman fails to mention the ideal of the Bodhisattva and the six “perfections” or virtues that one tries, as a Mahayanist, to develop in oneself. Nevertheless, the book could be appropriately titled, “Learning from Chinese Philosophy.” The actual title, however, and pronouncements on the *Gita* and Upanishads, as well as the enormous gaps, perpetuate the worst of superficial takes on the philosophy of India, even considering only the ethical philosophy of India, all the more if we include the epistemology and metaphysics.

S. H. P.

Singer, Peter. *The President of Good and Evil: The Ethics of George W. Bush*. Melbourne: Text Publishing Co., 2004. Pp. 303. \$30.00 (paper); also published by Dutton Books, 2004. Pp. 288. \$24.95 (paper).

In this book, Peter Singer critically evaluates the ethics of President Bush, who he deems America's "most prominent moralist," given the president's constant invocation of overtly moral language (e.g., "axis of evil," "just war," "moral imperative," etc.) during his first term in office.

The book is divided into two parts: "Bush's America" and "America and the World." In the first part of the book, Singer evaluates Bush's stance on justice and opportunity, value for life, freedom, and religious faith. In the second part of the book, Singer discusses Bush's attitudes toward sharing the world, the war in Afghanistan, the war in Iraq, the moral legitimacy of preemptive strikes, and America's role in the United Nations. In each of these arenas, Singer finds Bush's ethics lacking and, more severely, finds Bush's overall ethic to be either incoherent or inconsistent.

Given Singer's ethical views, the conclusions that he draws are not likely to elicit much surprise. But what I find notable about this book is not the conclusions that Singer draws but, rather, the overall approach and tenor he adopts. First, the book is fair: it lacks the hyperbole and vitriol that often accompany discussions of Bush's morality. Second, it is respectful: Singer treats the president as he would any other moral philosopher and avoids any of the derision that we have come to expect. One criticism of the book might be that an American president's ethics should not be held to the level of scrutiny that a Princeton ethicist would provide, but I think that this criticism is inappropriate. In my opinion, if Bush wants to use moral language, then he steps into the purview of moral philosophers and, as such, is subject to their critiques. And, finally, the book is easily accessible to nonspecialists.

I do, however, think that Bush is on firmer ethical ground than Singer would lead us to think. For example, Singer claims that Bush is inconsistent when he claims that he wants to "leave no child behind" while, at the same time, to return the taxpayers' money to the taxpayers. The former goal requires money; the latter goal costs money. Certainly the goals are not conceptually inconsistent; they are, at best, pragmatically inconsistent. And they are really not even that: Bush could cut money elsewhere in order to serve both of these goals. Similarly, Singer argues that Bush cannot simultaneously oppose stem-cell research and support the death penalty. Here, the president could argue that the death penalty is requisite to promote his so-called culture of life (presumably by invoking deterrence), thus allowing him to maintain his positions. F. A.