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Two Forms of Virtue Ethics: Two Sets of Virtuous Action in the Fire Service Dispute?

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Area:
Philosophical Foundations

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Abstract

There has been increasing interest in the relevance of virtue approaches to ethics over the past 15 years. However, debate surrounding the virtue approach in the business, management and organisational studies literature has lacked progress. First, this literature focuses on a narrow range of philosophers and, second, it has failed to analyse properly the consequences of virtue theory for action in practical settings other than in abstract terms. In order to begin addressing these issues, this paper compares what two virtue frameworks - one focused on virtue in the context of community and the other on individuals as virtuous agents - lead to when evaluating the actions of parties to the 2002-2004 UK Fire Service dispute.

The analysis argues that the virtue frameworks proposed by MacIntyre and Slote offer different but complimentary evaluations. Both point to potential problems with industrial disputes, but also recognise the legitimacy of action that is based in good motivations and carried out with regard for the virtues. It seems that fire fighters and their immediate supervisors, on the whole, met the conditions of virtue, but that it is open to question if the leaders of the Fire Brigades Union and the Government did the same. The analysis goes on to suggest which modes of negotiation would be acceptable under the virtue frameworks, and the implications for those involved in industrial dispute.

Key Words: Business Ethics, Employee Relations, Fire Fighters, Industrial Action, MacIntyre, Negotiation, Slote, Strike, Virtue Ethics.

Two Forms of Virtue Ethics: Two Sets of Virtuous Action in the Fire Service Dispute?

Introduction

There has been increasing interest in the relevance of virtue approaches, or virtue ethics, to business, management and organisations over the past 15 years. What is common to virtue ethicists' theories is that they emphasise peoples' character. They stress how the good habits, or virtues, inherent in a person's character give them the propensity to act in ways that are good. Good through virtue is variously defined as fostering the ultimate end of humans, satisfying the fundamental nature of being human, or the intrinsic goods of the virtues themselves. So, when virtuous people act they do so for their good and the good of their communities, country and society.

Nevertheless, the debate surrounding the virtue approach in the business, management and organisational studies literature has lacked progress in a number of respects, two of which this paper will begin to tackle. The first issue is the literature's treatment of virtue ethics frameworks. Where it has examined frameworks put forward by virtue ethicists, it has focused on a narrow range of philosophers, and whilst not exclusively, mainly on the work of Alisdair MacIntyre. Whilst MacIntyre's work is exemplary, it is only one example of virtue ethics. MacIntyre offers a radical critique of management that, even when moderated, could lead to a quite demanding shift in the way business is carried out (Beadle 2001, 2002, Bertland 2009 and Dobson 1997). As a result much debate has focused on supporting (Sundman 2000), refuting (Maitland 1997, Shaw 1997 and Warren 1996) or assimilating (Dawson and Bartholomew 2003 and Morse 1999) MacIntyre's views. Irrespective of the position adopted on MacIntyre's critique, it needs to be recognised that

it is only one framework for virtue ethics. Other frameworks with a wealth of potential are available.

However, searching for virtue frameworks developed in business, management and organisational studies is, unfortunately, not fruitful. Where this literature does develop its own theories related to virtue, they are limited in scope. Although authors including Audi (2012), Bertland (2009), Brennan (2012), McPherson (2013), Moore (2002, 2003, 2005, 2012 and 2013), Morse (1999), Provis (2013) and Randels (1998) have made particular points well, there is still a need to develop a more comprehensive account of how virtue fits with business. Even Solomon's (1992) account does not come up to this standard. It only remains, then, to search for other views of virtue from philosophy. This is not a problem as the philosophical literature has a range of virtue ethics frameworks to offer. These frameworks can be split between those that focus on virtue constituted by social relationships (e.g. MacIntyre 1985) and others that focus on virtues as centred on individuals (e.g. Foot 2001, 2002a, 2002b, Slote 1996 and 2001, Swanton 2001 and 2003). This paper will compare MacIntyre's (1985, 1988, 1990 and 1999) to Slote's (1996) framework in an attempt to compare and contrast their implications for virtue in a practical setting, whilst broadening the range of virtue frameworks applied in business, management and organisational studies literature.

The second issue is that the literature has failed to analyse properly the consequences of virtue theory for action in the context of organisations or management other than in abstract terms. This is a failing that is recognised by many in the field, but that is only beginning to be addressed with the work of people including Beadle (2013), Bull and Adam (2011), Chun (2005), Robinson et al. (2013) and Whetstone (2003). What this paper provides is an analysis of virtue in a particular context, the 2002 – 2004 UK Fire Service dispute, in an attempt to see the issues involved. Indeed,

anecdotal evidence from Fire Service personnel shows that the ethical dilemmas presented by a call for strike caused significant angst for some and created considerable debate between Fire Brigade Union (FBU) members. In examining virtue ethics in this context three questions are addressed. First, by way of background, what happened in the dispute. Second, to what extent did the parties involved display virtue and, third, what implications do these virtue approaches have for dispute resolution.

The paper will start by outlining 'How Virtue Guides Our Actions' before continuing to examine 'Two Virtue Frameworks' and the structures for virtue developed by MacIntyre (1985, 1988, 1990 and 1999) and Slote (1996) and in doing so develop evaluative criteria. To examine the implications in light of practice, the position of fire fighters, union and government representatives who are faced with the decision to strike in the UK are considered. The background and nature of the 2002-2004 dispute is examined when considering 'Modernisation, Working Practices and Pay in the Fire Service'. An evaluation of the parties in the dispute in light of MacIntyrian and Sloteian criteria is presented when discussing 'A Virtue Based Evaluation of the Dispute'. Indeed, what expectations do virtue frameworks place on the parties? This leads to an analysis of how the parties might move 'From Existing Systems to Virtuous Modes of Action in Industrial Dispute'. Finally, the paper concludes by discussing the issues this analysis raises for those interested in developing and applying virtue approaches to ethics.

How Virtue Guides Our Actions

As noted above, the virtue approach to ethics stresses how the virtues in a person's character lead them to act for the good. In this, it emphasises the person and his or her motives in acting rather

than specific actions. This is a distinctly different approach to the deontological and consequentialist theories that have dominated over the past hundred or so years. These differences lead some to question a shift to virtue. In Louden's (1984: 227) words "Is there a price to be paid for its different perspective, and if so, is the price worth paying?"

Indeed, the virtue approach has encountered some criticism. Two criticisms stand out as most important. First, Schneewind (1990) gives voice to the most common criticism, arguing that virtue ethics does little to help people know who is virtuous and hence, how to determine whose action is virtuous. Echoing this view Louden (1984) argues that Virtue Ethics cannot give guidance in solving specific ethical problems or state what is morally unacceptable. Second, it has been argued that virtue is misguided in relying on character. Louden (1984) argues that virtue cannot account for changes in character over long periods of time. Similarly, Doris (1998) and Harman (2000 and 2003) ask if there is such a thing as stable character. They assert that character is determined by subtle situational differences and cannot be relied on for moral guidance. It is important that these criticisms are addressed before specific virtue frameworks are considered.

Virtue and Action

Schneewind (1990) and Louden's (1984) criticism, that virtue cannot offer guidance on how to act, is the most significant as it sets the context for other concerns. Specifically, acceptance of this argument allows the critics of virtue to argue that virtue cannot state what is morally unacceptable or help those who do not already know what virtue is. It is, therefore, important for proponents of the virtue approach to provide a robust response on this key issue. In *On Virtue,* Hursthouse counters arguments by those from other ethical approaches that suggest virtue ethics cannot guide action and the complaint 'virtue does not tell people what to do'.   She does this through

consideration of three issues, the structure of ethical premises, the nature of ethical rules and the role of practical reason.

First, Hursthouse (1999) argues that the structure of virtue ethic's premises place its foundations as close to action as deontological and utilitarian approaches to ethics. By way of example[1] she presents the structure of deontology as

    p.1.   An action is right iff it is in accordance with a correct moral rule or principle.

    p.2.   A correct moral rule (principle) is one that….

and p.2. can be completed with 'is on the following list', 'is laid down by God', 'can be universally applied' and so on (Hursthouse 1999:26). She compares this to a structure for virtue where

    p.1.   An action is right iff it is what a virtuous agent (one who has, and exercises, certain character traits, namely, the virtues) would characteristically (i.e. acting in character) do in the circumstances.

    p.2.   A virtue is a character trait that...

and 'is on this list', 'is helpful to human flourishing' or 'is an admirable trait' and so on could be added at the end of p.2. Both sets of principles have first premises which by themselves let agents act in many different ways depending on what an appropriate rule or virtue is. Both need step two to get at how people should act. That there is the same distance between the founding principles and action, that each approach needs to specify a second principle, means that there is little ground for saying that virtue is too detached to guide action. However, accepting this only leads to the next potential barrier between virtue and action.

Indeed, a second element of the objection to the ability of virtue to guide action comes in the nature of rules. For some, to stipulate like a deontologist would, 'do not lie' is more helpful in guiding people than the virtue equivalent 'act by the virtue of honesty'. The former is to make a clear and actionable direction whereas the latter encompasses a much broader concept where people may be less than truthful if it would be crass and harmful to tell the truth. Louden (1984) argues that this means virtue ethics cannot tell people what is morally unacceptable. It cannot set clear rules like deontology. At first glance the critics may have a point. The stipulation 'do not' is not the same as that to 'act by'. But when the virtue of honesty is looked into it can be seen that it provides a set of virtue rules that might contribute to people being honest including 'do not intentionally deceive to your advantage' and 'do not reveal confidential information without warrant'. This is an approach that tells people what to do, but also admits to the complexity of situations. Moreover, in reality, the level of specification in virtue stipulations is not so different from the other ethical approaches that read the words 'do not' as 'never' only at their extremes.

One further objection to the idea that virtue can guide action leads to a third issue, the development of practical wisdom. The critics point out that the virtue ethicist's first premise tells people to do as a virtuous agent does. But how, they ask, if people are not already virtuous, will they know exactly whose actions are virtuous? Who should be mimicked? However, this is only the same as asking which set of rules or which route to the best benefit should be followed. It is an issue of ethical education. Ethical education is a strength of virtue ethics and Hursthouse (1999) discusses it by focusing on the development of practical wisdom. She argues that agents who aspire to virtue, by developing practical wisdom, learn to work consistently towards the good.

Virtue rules help people start this process of learning. By asking their moral betters (still hopefully embodied in the role of parents, teachers and the like irrespective of which approach to ethics is followed), debating issues with their peers and practice in the application of virtue rules, people begin to acquire the skills, habits and attitudes of a virtuous agent. However, following rules is only the first step towards becoming a fully virtuous agent and only through learning from their actions can people raise themselves to the level of the thinking, autonomous and moral agents who can make judgements in the way that a virtuous agent will. Actions are not just guided by virtue; virtue and action are developed as one. So, the stipulation to act by the virtue of honesty will lead the virtuous agent to draw on rich experiences of trying to act by honesty in the past and knowledge of the complexities it led them to encounter. This will provide much more meaningful action guidance than the more abstract and less subtle rules of other ethical approaches.

Virtue and Character

So far it has been argued that virtue can guide action and that action is actually integral to virtue. Still, there is quite another set of concerns that unsettle critics of virtue. These concerns surround the central role of character: specifically the influence it has on the way moral evaluations of agents are made, the potential for situational differences in character, and the effect of long-term changes in character.

By focusing on character the virtue approach is led to a long-term evaluation of people's acts. Good character cannot be evaluated from one act. It must be evaluated through a focus on how a person is over many acts. This leads to a situation where people may commit acts that do not contribute to the good, but will still be evaluated as virtuous. In what circumstances might such

acts be found? Three sets of circumstances seem apparent. The first set of circumstances is where, acting with good motivations and character, people make mistakes. Acting through virtue involves practical wisdom, or to use a broader term, judgement. These judgements, inevitably, come with some element of risk; the possibility that people will harm rather than create good.

The second set of circumstances is where people are put in a position where they can only take the least bad action. A winner is chosen - the best candidate for the job – and others are disappointed. The decision is based in virtue, but the act creates some 'harm' (disappointment). This 'harm' is called remainder. And thirdly, people sometimes face decisions, tragic dilemmas, where little or no good can come from the choices available. In fact, the choice may be based in virtue, but the action is bound to be abhorrent from that perspective. In each of these circumstances the label virtuous may be withheld from the particular act, but it may not be appropriate to apply the label of vicious or withhold the evaluation of a person as overall virtuous. This leads critics of virtue, including Louden (1984), to question its ability to properly evaluate moral behaviour. How many mistakes can a person make and still be virtuous? Are there no acts that are prohibited?

What the critics' questions miss is that, whilst virtue accepts that in real life people cannot always act with ethical purity, that a positive evaluation depends on an agent's conscience leading them to reflect on those actions that create remainder or are not worthy of virtue at all. This reflection must lead agents to either avoid similar situations in the future or improve their skills so that they avoid creating harm. So, if agents are just ignorant, thoughtless or disengaged (Koehn 1998) and are not actually conscious of working against the human good they will not warrant a positive evaluation. They are not taking proper responsibility for their actions. Moreover, the actions of those who consistently act against the good, or act in some way that constitutes gross negligence (e.g. murder

without provocation) will count as vicious. So, virtue ethicists do have a clear basis for their evaluations.

Doris (1998) and Harman (2000 and 2003) put forward the second concern about character. They ask if there is such a thing as stable character, and assert that character is determined by subtle situational differences. Using the examples of the Milgram (1974) and Darley (1973) experiments, amongst others, they put the case that situational differences, such as being in a hurry or taking directions from superiors, will determine how agents act. Because of these situational variations, they argue that character cannot give a stable basis for moral behaviour. Even if the methodological inadequacies of the experiments that Doris (1998) and Harman (2000 and 2003) cite are put aside (see Athanassoulas 2000, Solomon 2003 and Sreenivasan 2002 for a discussion of these points), their arguments are flawed because they make the assumption that the studies' participants were actually virtuous. Of course, people will act differently in different situations, and virtuous people would be expected to be no different. But, as already noted, when someone acts fundamentally against the good the conclusion has to be that they are not actually virtuous. Virtue ethics does not assume that most people are virtuous. Rather, the assumption is that it takes much time and effort to refine virtuous character. It should be no surprise if many of people, especially early in their lives, are not actually virtuous.

This leads to the third concern surrounding character, shifts in character. Louden (1984) points out that a person's character can change over time. Whereas a person may have been sensitive to certain moral concerns at one point in time, through lack of practice or some other event(s) he or she may lose this sensitivity. People may move from being sensitive to issues of honesty and become dishonest. This leads Louden (1984:231) to call for a "more character free way of assessing action" one that, being more abstract, will provide a more "reliable yardstick" of moral

behaviour. However, in making this argument Louden (1984) has confused the individual's character and the standards of character that virtue ethics use to assess people. Because some people lose virtue – become dishonest – does not mean that the concepts and standards of virtue are corrupted. It just means that the person is no longer found to be virtuous.

So, it has been demonstrated that virtue can guide people's actions, and that concepts of character based in the virtues can provide the standards with which to evaluate behaviour. But this discussion has not got through to the detail of how virtue should influence individuals' judgements and, in turn, their actions. To do this the specific elements of virtue frameworks have to be considered and criteria established for the evaluation of action as being virtuous.

Two Virtue Frameworks

As has already been noted, virtue frameworks can be differentiated depending on whether they focus on virtue as constituted by social relationships or virtue as centred on individuals. In order to compare virtue frameworks that adopt these different foci the paper will focus on two in more detail. By examining MacIntyre's (1985) framework not only is one of the most commonly cited in the business, management and organisational studies literature being adopted, but also one of the most developed examples of virtue ethics based in social relationships. In using Slote's (1996) framework, one that focuses on the individual, but also one that takes a radically different approach by abandoning moral standards for non-moral standards when evaluating behaviour is being examined.

Alisdair MacIntyre has been argued by Clarke and Simpson (1989) to take an anti-theorist position. Whether or not this is actually the case, and MacIntyre himself argues that it is not (MacIntyre and Dunne 2002), his framework for virtue does not display the reductionist tendencies and unwillingness to admit complexity seen in other approaches, and concentrates more on the development of a broad plan for the establishment of virtue. MacIntyre (1985 and 1988) develops a Neo-Aristotelian framework that focuses on community as a context for virtue (MacIntyre 1999). His framework is based in the virtues of practice, where practices, such as medicine, fishing, farming and, it might be assumed[2], fire fighting contribute to human good in the community and, moreover, are intrinsic elements of that community (MacIntyre 1985 and 1988). He argues that the virtues are intrinsic to the pursuit of excellence in the practices in which a person partakes. Excellence is reached through the mastery of the internal goods of a practice. For instance, obtaining a deep understanding and mastery of the strategy of fighting fires would be characteristic of mastering an internal good. Two other elements are central to this framework. Traditions help communicate and sustain practices; they are the means by which people are educated into a community's practices. Institutions provide structures that sustain practices by providing support and resources.

With this framework, evaluation of agents takes place using a standard of excellence based in the virtues that emphasises the moral good of the community. First, virtuous agents strive to perform their practice in an excellent way. A fire fighter will strive to be excellent in putting out fires and saving life. Second, agents also bear in mind the target of virtue and the good of the community.

For the fire fighter to act well in his or her practice, but not to act in the interest of the community is not to be virtuous. A fire fighter may put out a fire quickly using chemicals that contaminate the surrounding area. This may be good practice in some circumstances, but misses the target of human flourishing if it contaminates homes. Of course agents may make mistakes and act in ways that turn out not to be excellent or for some reason do not hit the target of virtue, but as long as his or her actions do not fundamentally work against the good (for example by not saving life through malice) the agent can be seen as overall virtuous.
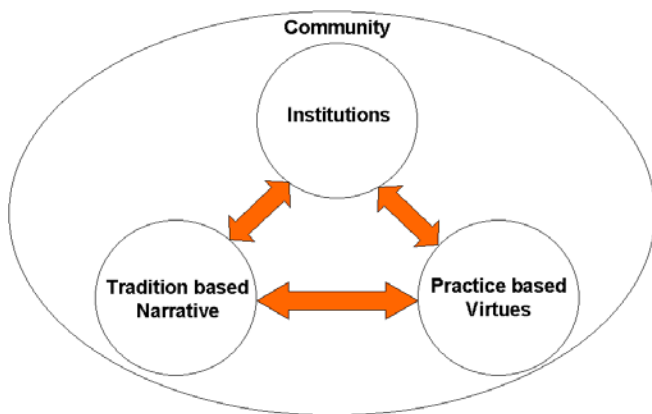
Figure 1: MacIntyre's Virtue Ethics Framework

MacIntyre's standards are demanding on the individual. Agents need to strive for objectives that may require a great deal of sacrifice with little or no personal benefit. Indeed, the demands of virtue are characterised by their basis in community, with complex social relationships based on non-reciprocal debt. A fire fighter helps the victims of fire, sometimes taking great personal risks, but victims do not necessarily pay a due (with external goods or otherwise) to those who help them. Instead, victims are obliged to perform other tasks that will contribute to the community. A community depends on these non-reciprocal relationships for its long-term survival, and the good of the community as a whole.

In MacIntyre's framework, what is understood to be in the community's good will depend on the narrative of the accepted tradition. Traditions determine what is discussable and what is not; where attention should be focused when considering moral issues. Indeed, MacIntyre (1988) shows at length how a tradition, through the stories associated with it, effects individuals' perceptions of events and issues. By developing an understanding of, and education into, a tradition people become aware of what is accepted as the good for the community. As such it is important that a virtuous individual pays attention to his or her tradition and helps, not only in its sustenance, but also its progress. Here, the fire fighter will follow his or her tradition and, through debate and argument within related institutions, contribute to the advancement of fire fighting. Better ways of saving lives will be adopted and changes in the wider environment acted on.

It is here that the link between virtue and action can be seen. The narrative present in a tradition, in educating individuals, affects their concept of practical rationality, which will, in turn, influence the way they think and act. For example, MacIntyre (1988) makes the case that the type of practical reasoning adopted has to fit with the tradition's understanding of what he sees as the key virtue, justice. This, in turn, influences all of the virtues that surround justice. The virtuous fire fighter will develop not only techniques and abilities, but also ways of thinking and attitudes that underpin fire fighting. This will include acting with justice in mind. Indeed, justice acts as the mechanism through which virtue is translated into action. The just fire fighter, acting through virtue, will be able to make the difficult decisions he or she might face. Is it worthwhile to enter a fire when additional lives will be put at risk? How does he or she distinguish between different casualties who are in need? By acting with justice in mind fire fighters will be contributing to their community's wellbeing.

So, on MacIntyre's account, virtuous action takes place when a person:

m1) focuses on community good;

m2) works within traditions, institutions and practices;

m3) strives for excellence;

m4) does not expect personal return for his or her actions;

m5) acts with practical rationality based in justice.

Michael Slote's Virtue Ethic

Michael Slote (1996 and 2001) takes a theoretical view of ethics. He considers simplicity, scope and explanatory power as central to the development of his framework. As such, he is concerned with developing a framework that avoids paradox and incoherence that would lead to the acceptance of asymmetry and the problems of moral luck. In *From Morality to Virtue*, Slote takes a Neo-Aristotelian position, but one that emphasises symmetry, balance and unity in a way that MacIntyre (1985) does not. Later, in his 2001 book *Morals from Motives*, Slote moves away from a Neo-Aristotelian basis to one that uses the British sentimentalism of Hume and Hutchensen. This paper will focus on his earlier work as, in rejecting moral standards, it presents a radically different view of virtue.

It is Slote's (1996) argument that other approaches to ethics present frameworks that are biased towards the individual (egoism) or towards others (deontology and utilitarianism). He argues that neither is acceptable. Instead, he proposes a framework where ethical action is based in balanced relationships between two categories of people, the agent and others. So, in developing his framework, Slote (1996) develops a balanced notion of the good where both the needs of the

individual agent and others are taken into account. An ethical individual should look after his or her own welfare as well as the welfare of others. This gives symmetry in the relationships the agent has with other individuals, his or her community and society. So fire fighters will pay proper regard for their own welfare and safety as well as the welfare and safety of the victims of fire. For instance, it is not incumbent on fire fighters to enter a fire that is in its advanced stages at great risk to their own safety if there is little chance of saving life.

This balance is reflected in the range of virtues adopted by the agent. Slote (1996) argues that there are virtues that are self regarding, other regarding and mixed. By adopting a range of legitimate virtues, virtues that do not exclude others (e.g. selfishness and selflessness will not be considered legitimate as they preclude someone from adopting a balanced set of virtues) the individual develops a balanced range of skills and attitudes that will allow him or her to function ethically. Fire fighters may be praised for being prudent (self regarding), benevolent (other regarding) and courageous (mixed); and it can be seen how in combination these virtues would be appropriate for their role. So, whilst acknowledging that individual virtues can still have particular foci, virtues act overall to support a balanced view of the good.

It is, then, through the adoption of a balanced set of virtues that Slote's (1996) framework provides for overall balanced action. But this has greater significance for the framework than just requiring the balancing of the individual's and other peoples' needs in the actions taken. Because what would be excellent for the agent's good may be different than what is excellent for other people's good, a compromise has to be found. In compromising it has to be accepted that what would be an optimum outcome if the agent or another were the sole focus of action will not often be obtained. It is no longer healthy for an agent to strive for excellence, instead it is better to aim for what is

sufficient. Slote (1996) goes on to argue that a virtuous agent's intuitions will tell him or her when they have satisfied the needs of virtue.
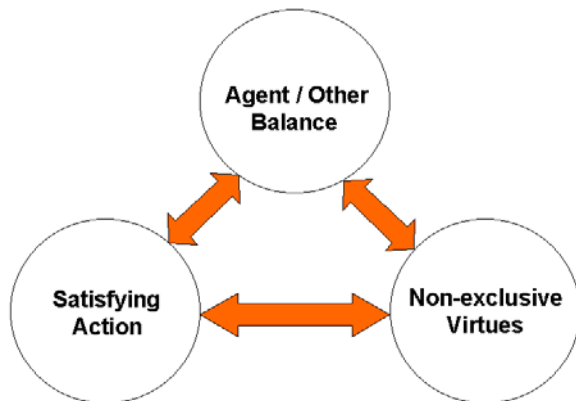
Figure 2: Slote's Virtue Ethic Framework

So, Slote (1996) abandons maximising for satisficing, but he also makes a much more significant move when developing evaluative standards in his framework by abandoning morality. Slote argues that adopting moral standards, where the focus is on the right or good of others, just acts to reinforce the paradoxes and inconsistencies that he wants his framework to eliminate. Instead, he introduces a non-moral standard of admirability (with its opposite, deplorability) to underpin his ethic. In order to understand the benefit of this move, consider an example where fire fighters enter a fire but because the fire is so ferocious fail to reach the victims. By a moral standard they will have failed; they did not show excellence in saving life. However, by adopting a standard that focuses on the fire fighters' motivations and objectives it can be acknowledged that their actions were admirable. The fact that the fire fighters were unlucky in coming across an unusually ferocious fire is no longer a factor. What is relevant is that they acted by courage and other appropriate virtues. This is a standard for virtue that is less demanding. It requires less sacrifice than a moral approach.

The emphasis on symmetry between the agent and others, a balanced set of virtues, and less demanding standards are embedded in an alternative notion of practical rationality. A virtuous agent will be adept at assessing where the balance between his or her needs and the needs of others lies. As well as being able to make the fine distinctions this will require, this form of practical rationality will enable the virtuous agent to go about his or her roles in a way that the parties involved recognise to provide overall balance. So a fire fighter will be able to act in a way that generates a consensus on what is good.

So, with Slote's framework, virtuous action takes place when a person:

s1)   focuses on a balanced good for the individual and others;

s2)   works through self regarding, other regarding and mixed virtues;

s3)   strives for satisfaction of virtue through agents and others' needs.;

s4)   pays proper regard for our own welfare and the welfare of others;

s5)   acts with practical rationality based in what is admirable.

Two Sets of Criteria

So, MacIntyre (1985, 1988, 1990 and 1999) and Slote (1996) develop very different frameworks of ethics. Both put virtue central to action but, nevertheless, they present very different concepts of what might be accepted as being virtuous. In effect they present two competing bases for acting virtuously. In turn, they generate two sets of criteria with which to judge if actions are virtuous (Table 1). Next the paper will explore the background to the Fire Service dispute before

considering whether the parties to the dispute have a claim to virtue on the basis of the criteria presented here.

Table 1: Criteria For Action Derived from MacIntyre's and Slote's Virtue Frameworks

Criteria	MacIntyre (1985, 1988, 1990 and 1999)	Slote (1996)
Focus	Community good.	Balanced good for the individual and others.
Elements	Work through virtues based in traditions, institutions and practices.	Work through self-regarding, other-regarding and mixed virtues.
Targets	Excellence in virtue.	Strive for satisfaction of virtue through agents and others' needs.
Demands	Not to expect personal return for our actions.	Pay proper regard for our own welfare and the welfare of others.
Action	Act with practical rationality based in justice.	Act with practical rationality based in what is admirable.

Modernisation, Working Practices and Pay in the Fire Service

Between 2002 and 2004 fire fighters in the UK were in dispute with their employers (the local authorities) and the Government. Here the first of three questions raised about the Fire Service dispute at the start of the paper will be considered: 'what happened in the dispute?' To provide a context for the application of virtue theory and a basis for analysis, the arguments of the parties and the events of the strike in the context of the main issues will be examined. Indeed, the dispute has focused on three main issues, modernisation, working practices and negotiations on these issues and pay.

Modernisation

From the Employers' perspectives, there was, for some time, a need to modernise the Fire Service (Fitzgerald and Stirling 1999). The focus, here, is on four points, innovation in technical expertise,

a move to a greater focus on prevention than response, new ways of working, and efficiency savings. The first and second points may not seem controversial in themselves, but the impact they have on working practices mean that they are serious issues (Fitzgerald and Stirling 1999 and White and Maguire 2002). Moreover, their link to pay, in that fire fighters with additional skills may expect higher levels of reward, made them central to the dispute. Still, first, what the emphasis on modernisation meant for the Fire Service will be considered. In doing this, three examples will be focused on: paramedic skills, the move to joint service control centres and the increased emphasis on education about fire risks in the community. Other areas not discussed here include changing the role of retained fire fighters, the promotion of equal opportunities, restructuring of fire cover (the number of appliances required to attend an incident, maximum arrival times, and the location of fire stations) and the increased reliance on technology.

First, the move to medical training for the Fire Service personnel meant that personnel would receive training in first order medical care similar to that provided to paramedics. This meant that where Fire Service staff are either first on the scene of an incident, or the only ones with access to a victim, they would administer medical treatment. This approach accepts a vision of fire fighters as part of a wider emergency service rather than a service limited to fighting fires. This model aims at saving lives through creating a quicker response by breaking down existing demarcations. However, it also means that the nature of some fire fighters' roles would change significantly as the level of expertise, and therefore training, increases.

Second, the provision of an effective response has also led to the integration of emergency service control rooms. The Police and Ambulance services in most regions of the country share control centres. Fire Service control rooms, although sometimes in the same building, are still physically

separate. The idea was to integrate the assessment and response to emergency calls so that better co-ordination exists between the services.

Third, although education of the community about fire risks (e.g. school visits to the fire station and statutory fire inspections) had been a feature of the Fire Service's work for some time, there was a drive to increase contact with the community. In particular, reducing cover for low risk areas (e.g. inspection of newly certified buildings) and transferring it to educating those most at risk (i.e. the young, elderly and socially excluded). This approach would be operationalised through initiatives that work with at risk groups and the investigation of suspicious fires. Retained fire fighters may be used in this role.

Whilst the Government presented these moves in a positive light the FBU's leadership had misgivings. In particular, it argued that the increased emphasis on medical and other similar skills would detract fire fighters from their central concern, fighting fires. They were also concerned that fire fighters would not be able to deliver the standard of medical skills offered by specialist paramedics. The FBU's leaders also argued that the introduction of joint control rooms degrades the service. People in call centres would no longer have the local knowledge that will help them understand the callers' requirements. This may have an impact on the appropriateness of the response. And whilst the FBU's leaders accepted the need for better education about fire risks in the community, it had misgivings about the staffing arrangements and resourcing of these projects. Indeed, many of these issues spill over into more specific issues about working practices.

Working Practices

The changes anticipated by the plans to modernise the Fire Service had a range of consequences for both career and working structures. Almost inevitably, a wider variety of roles, many of them more demanding, would emerge. On the one hand, this was more work, on the other, it gave the opportunity to develop a more attractive career structure. Whilst the FBU's leadership was wary of work intensification, it welcomed negotiations on career structures as being congruent with their aim of obtaining modern pay and conditions for the union's membership through a new national framework. However, the FBU's leadership resisted other changes to working practices arguing that they were about reducing staff numbers and increasing workloads (Fitzgerald and Stirling 1999). This they said put communities' safety at risk.

In looking for efficiency improvements, the modernisation programme was also likely to impact on four other working practices: the operation of stand down time, the structure of shifts, the use of overtime, and fire fighters' use of second jobs to supplement incomes. The structure of shift patterns and the operation of stand down time, where fire fighters had time to sleep on their night shifts, had made it possible for many to hold second jobs. The plans for modernisation would make this much more difficult. Less regular shift patterns allied to the requirement to work planned overtime of up to 24 hours a month would make keeping regular working hours in another job less realistic. Moreover, the move to make fire fighters carry out maintenance and training on night shifts, reducing any stand down time, may protect the flexibility of the Fire Service but would also prohibit the freedom of fire fighters to earn extra pay. Indeed, a key issue for fire fighters was pay.

Negotiation for Pay and Conditions

Pay was a core element in the decision of fire fighters to strike. The FBU pulled out of a no strike deal, made at the resolution of the 1977-1978 Fire Service dispute, in April 2002 (Maguire 2002a). This agreement had given fire fighters pay rises in line with the average of the top 25% of awards made in industrial sector wage deals. This formula had worked well for the fire fighters until the mid 1990's, but the changing nature of the economy and fire fighters' work meant that both the FBU and Employers admitted that it needed to be renegotiated. The FBU's initial pay claim, in May 2002, was for a 40% pay rise (Burchill 2004 and Sherman 2002). This would have put a typical fire fighter's wage up from £21500 a year to £30000 (Sherman 2002), in a context of a national average income of £24700 (Income Data Services 2003). This the FBU's leadership argued would give fire fighters a professional wage in return for what would become professional roles.

The Employers started negotiations with a 4% one-year offer, with other increases having to be linked to modernisation and cost savings (Gillan 2002). With the background of strike action, in October and November 2002 (Fire Brigades Union 2003a), the Employers acceded to a 16% rise (Burchill 2004 and Collett 2003). However, Government Ministers, fearing this would set a precedent for other public sector claims, faced with a request for more funding, and estimating that the settlement was really worth 21%, overruled the Employers (Burchill 2004). This move led to the intensification of the dispute, and the third strike, of 8 days, took place in late November 2002 (Fire Brigades Union 2003a). The Government insisted that pay rises beyond 4% be funded by efficiency savings and looked to the independent Bain Review for an indication of how this could be done. The Bain report recommended an 11% pay rise over 2 years, with 4% in year 1, and 7% linked to modernisation targets in year 2 (Bain et al. 2002) and the Government and Employers adopted this as their negotiating position.

After the Government intervention in the negotiations the dispute became increasingly polarised as the Government focused on the 11% pay rise and the FBU's leaders on the nature of modernisation. However, over the New Year the dispute entered a new phase. The 8 day strike had lost a lot of public support (The Guardian 2003, Maguire 2003a), and many FBU members were also reluctant to loose pay through 8-day strikes (Sherman et al. 2002). This led the FBU's leadership to revise its strategy with more emphasis on negotiation through the Advisory Conciliation and Arbitration Service (ACAS), the UK's independent employment advisory body (Maguire and White 2002) and 24 and 48 hour strikes.

It was during March 2003 that a framework agreement was reached between the FBU and Employers' negotiation team. However, it was only on June 12th 2003 that a settlement of 16% over two and a half years was accepted (Fire Brigades Union 2003b). Still, rises in pay were dependent on modernisation targets being met (Burchill 2004 and Fire Service Pay and Conditions Agreement 2003). Indeed, implementation of this plan did not take place as intended, the modernisation targets not being met (Scott 2003). As a result, sporadic unofficial industrial action took place between November 2003 and May 2004 (Scott 2003 and Maguire 2004a). As late as May 20th 2004 negotiations between the FBU and Employers over the fine detail within the framework were still taking place (Maguire 2004a), and the threat of official strike action was made by the FBU's leadership in June 2004 (Fire Brigades Union 2004a). However, a final settlement was made on August 26th 2004 (Maguire 2004b).

So, the dispute centred on the negotiation of pay and conditions. The threat of strike was used as a negotiation tool. However, this tool had costs, for the fire fighters in lost wages, the community in increased risk to life and property, and the FBU's position itself where it was used without regard for public support. Indeed, all these costs have to be weighed against any damage that would be

done to the Employers and Government. Would a strike, and the £70m it was estimated to have cost to provide alternative fire cover during the strike (Sherman 2003), effect the Government's popularity? Moreover, would it really act to stop the changes the FBU's leadership was resisting? The final agreement suggests that there might have been some success here. The Employers and Government agreed that the FBU would keep negotiation rights and have a veto on changes to some working conditions (Maguire 2003b). However, some dramatic changes were still included in the proposed legislation, the July 2003 Fire and Rescue Service White Paper presenting the merger of some Fire Brigades and station closures (Maguire 2004b).

A Virtue Based Evaluation of the Dispute

Having examined what happened in the dispute it is important to consider the second question raised in the introduction: to what extent was virtue displayed by those involved in the dispute? On the evidence available, how would the actions of the fire fighters, FBU's leadership, Employers and Government fit with MacIntyre's (1985) and Slote's (1996) frameworks and their associated criteria?

The Fire Fighters

There are a number of roles associated with the position of fire fighter. Some of these are intrinsic to the role, and fighting fires is the most obvious here. Other roles associated with the job may also include colleague, union member, student and educator. It is also important to recognise that the fire fighter may have roles that are not associated with his or her work. Partner, parent, social club member or just general member of the community would be counted here. It is in the context of

these roles that the fire fighters' actions in the dispute have to be evaluated. Indeed, it seems that these roles and the tensions between them have a particular bearing on the ethical evaluation of a fire fighter's actions.

When evaluating the fire fighters' actions one issue stands out in the analysis, the impact of the decision to strike. Indeed, the withdrawal of labour presents one of the main threats to evaluating fire fighters as virtuous in the dispute. Participation in strike meant that communities no longer had specialist fire cover. Instead, they had to rely on temporary cover by the armed forces who were neither trained to the same standards nor equipped with the same specialist equipment. This meant the risk to life in strike periods increased. Taking a short-term view would lead to the conclusion that fire fighters were not acting for the communities' good (M1) or striving for excellence in performing their work (M3). They may also be acting for themselves at the expense of others (S1 and S2) in a way that could be interpreted as selfish.

Nevertheless, there is evidence that the fire fighters acted to reduce the potential harm to their communities, whist still trying to cause disruption to the authorities. The anxiety that some fire fighters expressed at striking (BBC 2003) meant that many left picket lines to attend incidents throughout the strike (Maguire 2002c). Fire fighters both monitored and advised the armed forces, and in some instances assisted with specialist equipment. So there is evidence that the fire fighters were not withdrawing total support from the community (M1) and were working for a balance between their own and others' good (S1) through self regarding and other regarding virtues (S2). So, taking a short-term view of the strike action a mixed evaluation can be drawn. It does not seem that the action itself could be fully virtuous, but the fire fighters acted to reduce any harm and this means that the action was not vicious.

When the move is made from considering the fire fighters' actions in the strike to considering their motivations in the dispute, three scenarios present themselves. In the first scenario, it is accepted that the fire fighters were defending a long-standing tradition of providing communities high quality fire cover (Fitzgerald and Stirling 1999). MacIntyre (1999) applauds the defence of practice-based traditions. Rather than seeing strike as withdrawal from the community, he would see it as a legitimate action within the community (M1), to protect a tradition (M2) that strives for excellence (M3) and justice (M5). Indeed, people who strike put their employment at risk, and sacrifice wages purely for the good of the community are taking on some quite considerable demands (M4). So, a much more positive evaluation emerges.

In the second scenario, it is argued that it would be naïve to think that fire fighters took strike action solely for the benefit of the community. Instead, a case that a balanced set of needs motivated the fire fighters is built. Indeed, it is not difficult to start building such a case. Fire fighters were paid below average wages for both risky and technical work. Their level of reward made it difficult for many to afford housing in more expensive areas of the country (Addley 2002). This also made it difficult for some to provide properly for their families. Rather than taking on second jobs through greed, they were taking on second jobs through necessity. So striking in the face of a government that was taking a hard line on pay showed a proper regard for their welfare and the welfare of their families (S1 and S4). Fire fighters were acting with balance to satisfy their and their families' needs in the wider context of service to the community (S1 and S3). Again a positive evaluation seems to result.

In the third scenario fire fighters were reacting with anger at modernisation proposals that, they thought, aimed to work them harder for little or no extra reward. The virtues are forgotten and practical rationality is disregarded in the heat of the moment. Coercion and blatant intimidation,

via web sites including scabs-r-us, that listed fire fighters who were still working (Charter et al. 2002), is used to pressurise those who are uncomfortable with striking to take action. Indeed, 12% of the 52000 fire fighters had not voted when the ballot results were announced in October 2002 (Maguire 2002b) suggesting that they abdicated responsibility for the decision or felt under pressure not to vote. In this scenario, fire fighters are neither motivated by community good and excellence (M1) or a balanced notion of good based in satisfaction of needs (S1) but rather by self-interest that is displayed in reactionary thought processes that have little regard for justice (M5) or what is admirable (S5). It is only this final scenario that results in a negative evaluation of the fire fighters' actions.

So, the evidence presents three scenarios that support very different evaluations. It is likely that for a minority of the fire fighters that the third scenario holds true. For some fire fighters their action was based in anger and in some areas of the country intimidation against those who did not support the FBU's position was blatant. But anecdotal evidence suggests that this scenario does not reflect most fire fighters' experience of the dispute. Rather, the other scenarios seem to better reflect the events as they experienced them. Still, there is some tension between these two accounts. A positive assessment on the basis of both MacIntyre's and Slote's criteria cannot be accepted. A positive evaluation under MacIntyre's criteria gives precedence to the communities' good, and under Slote's precedence is given to the fire fighter and their family in conjunction with the community. A review of the press shows an emphasis put on a balance between the good of the community and the fire fighters' good. Assuming that this properly reflects the fire fighters' motivations, this leads to a positive evaluation under Slote's criteria rather than MacIntyre's. Whilst MacIntyre (1985 and 1999) accepts that people need to have a certain amount of wealth to support virtuous behaviour, he emphasises the community to an extent that the fire fighters did not.

The second party to the dispute for consideration is the FBU as represented by its leaders and the administration that supported them. Again, the FBU through its leadership undertakes a number of roles. However, these roles are not personal as they are with the individual fire fighters, but institutional in nature. The primary role of the FBU's leadership is to represent its membership. This involves representing fire fighters in pay negotiations with employers through the National Joint Council (NJC). It also involves the FBU in publicising the fire fighters' position on current issues associated with their work. The FBU's leadership also has two roles that are not as closely linked to representation of their individual members' views. As members of the Trades Union Council, the FBU has a political role in maintaining the place of trade unionism in UK industrial relations. It also plays a wider social campaigning role where it works for better fire prevention, fire fighting and employment conditions across the UK and internationally.

It is in the light of these roles that the FBU leadership's actions during the dispute have to be examined. The political role will be examined first as it provides the context for the negotiations surrounding the 2002-2004 industrial dispute. One analysis of the FBU leadership's actions suggests that they were focused on a political agenda that emphasised the need to create union dominance in UK industrial relations. More specifically, there is evidence that at least some members of the leadership saw the chance to pressurise the Labour Party who had been promoting industrial relations based in partnership between unions and employers. Some unions, especially in the public sector, faced with little progress on pay and conditions, had become disenchanted with this approach.

It seems that the FBU's leaders, heading one of the more militant unions, saw the opportunity to score political points against the government. By adopting a particularly hard line in the negotiations the FBU's leadership increased the likelihood of strike and asserted the power of the unions. Indeed, the FBU's General Secretary Andy Gilchrist's statement in a private speech that he wanted to "replace New Labour with what I'm prepared to call real Labour" (White and Maguire 2002:1) gives some basis for the view that the FBU's leaders were deliberately entering into conflict with the government. Accepting this to be the case suggests that the FBU's leaders were driven to use rhetorical argument when presenting their position to members and the public, rather than entering into open debate. Recognising this approach as legitimate, in the context of this evaluation, depends on an acceptance that this sort of political confrontation supports communities (M1) or creates balance between the needs of individuals and others (S1). Subsequent discussion focused on how the leadership discharged the FBU's other roles will demonstrate that it is not clear that this was the case.

So, what evidence is there that the FBU's leadership was motivated to resist modernisation by the need to provide the best fire prevention and fire fighting? It has already been noted that the fire fighters could be argued to be defending a tradition of excellent fire fighting based in the community. Inevitably for some fire fighters this was the case. Whether this is what motivated the FBU leadership's opposition to the modernisation initiatives is open to question. Did the modernisation initiatives as a whole pose a challenge to good practice fire fighting? Some changes, including the move to regional joint control rooms, would reduce the ability to offer a localised service in the traditional manner. However, improving the medical skills of fire fighters was likely to benefit communities by increasing the level of service. This suggests that it is unlikely that the FBU leadership's rejection of modernisation was based solely in the satisfaction

of the standards of good fire fighting (M3 and S3). Rather, a mixed picture emerges which makes

it difficult to evaluate the FBU leadership's actions as virtuous on this basis.

Moving on to consider the FBU leadership's role as the representative of its membership

emphasises the protection of fire fighters from onerous demands (S4). Using acceptance of

modernisation as a negotiation tool with employers when negotiating on pay should help ensure a

fair balance (s1) between the needs of members and other groups. Indeed, it is likely that this case

could be accepted. However, two other issues need to be taken into account when evaluating the

FBU leadership's representation of its members. First, anecdotal evidence shows that many fire

fighters, especially those with some supervisory or managerial responsibility, questioned the FBU

leadership's resistance to modernisation. It is clear that some members were clear that at least

some of the modernisation initiatives were worthwhile and were frustrated by a lack of progress

caused by the Union's stance. Indeed, significant sections of the union's membership felt

disenfranchised throughout the dispute, and felt that their views were not being properly

represented. This must put in to question whether the FBU's leadership was representing its

members in a way that promoted balance between the interests of different groups in their

membership, and their members and others in the community (M1 and S1).

Second, some commentators have questioned the tactics used by the FBU's leadership. In

particular, the opening claim for a 40% pay rise has been cited as being unrealistic. This meant

that employers and government did not take the offer seriously and the claim also got less public

support. Moreover, although public support for short strikes of one or two days was high, the

introduction of eight-day strikes was seen as unwarranted. The FBU's members also questioned

the need for longer strikes that would lose them more pay in the run up to Christmas. These

represented tactical errors on the part of the FBU's leadership that suggests that they were failing

to meet standards of excellence in their roles (M2 and M3). However, overall the FBU's leadership did have some success in achieving higher pay for its members and ensuring further consultation over modernisation initiatives. Such successes show that some balance (S1) was achieved for fire fighters.

What is left when evaluating the FBU leadership's actions is a messy picture where the political context of the dispute introduces conflict that seems to run counter to the communities' good and the promotion of balance between the fire fighters' and others' needs as they are based in practical rationality. Both the positive elements of modernisation and some of the FBU members' objectives are put at risk. This makes it difficult to give a positive evaluation of the FBU's leadership as virtuous under either MacIntyre's (1985) or Slote's (1996) frameworks. However, it should be noted that at the conclusion of the dispute that both some modernisation and a sense of balance had been achieved. So it is the motivations and the methods used by the FBU's leadership that are at question here, not the outcome.

The Employers and Government

The Government (ministers and advisors in central government) and the Employers acted as separate entities in the dispute. The government maintained executive authority over structures through legislation and funding through the treasury. The Employers (LGAs) distribute funding locally and influence the operation of their local fire service.   Although the Government and LGAs (G/LGAs) are separate entities, and sometimes contradicted each other in the dispute (Burchill 2004), their objectives and motivations are similar and so they will be evaluated together.

Between them the G/LGAs perform the roles of community representatives, standard setters, co-ordinators, distributors of resources, and employers. As with the other parties, it is within the context of these roles that an ethical evaluation of their conduct in the dispute has to be carried out. Indeed, the diverse nature of the roles presents an unusual set of demands. The G/LGAs were facing demands from communities for a more modern, extensive and cheaper fire services, whilst also facing demands from fire fighters and the FBU for renegotiated pay and career structures. It is how they faced these conflicting demands that will lead the evaluation of their actions and whether they can claim to be virtuous.

It seems that three main issues underpinned the G/LGA's actions in the dispute: the drive for modernisation, the need for efficiency, and the reform of reward structures. Each will be considered in turn. Throughout the dispute the G/LGAs argued that they were trying to forge a modernised fire provision and progressing the values of the Fire Service for the good of local communities. In their eyes resistance to this agenda only prevented what was legitimate progress in a way that put communities at risk. If the changes were limited in this way, it might be accepted that modernisation to equipment and increasing the skills of fire fighters may reduce the risk from fire in communities and that the drive for modernisation was motivated by the good of the community (M1) through practice based virtue (M2). So, although the changes were demanding (M4), they would promote justice (M5). However, it is not clear that all of the changes proposed by the G/LGAs were motivated by the provision of a better service. Efficiency seemed to be just as important.

Resource constraints meant that efficiency was a priority for the G/LGAs (Fitzgerald and Stirling 1999). It is clear that faced with a political environment where it was going to be difficult to raise tax levels and an economic environment where it was not clear if growth would lead to an increase

or decrease in overall tax income, that the G/LGAs would either have to withdraw funding from other services or fund changes to the Fire Service within a fixed budget. Not wanting to degrade other public services that had in many cases already gone through modernisation, the G/LGAs needed to create change with existing resources. This decision put a key constraint on the progress of the dispute, committing the government to a position where pay increases had to be funded by efficiency savings. This evaluation may be seen as putting the needs of the community first (M1) and looking for the fire fighters to make sacrifices (M4). But whether these actions can be accepted as virtuous under MacIntyre's framework depends on whether the efficiency savings act to support the practice of fire fighting. Where some of the changes that the efficiency savings required would both intensify work so that less reflection on practice could take place, and draw the service out of the communities they served (for instance by moving fire stations out of towns) whether this is the case is bought in to question. The emphasis on the fire fighters, where efficiency savings are concerned, and the suspicion that jobs would be lost, also suggests that the action was not virtuous under Slote's criteria. The drive for efficiency does not balance the demands of fire fighters and others (S1 and S4), but puts the onus on the fire fighters. Even if some get better working conditions, others may be in a much worse position especially if they lose their jobs. Again, it is difficult to come to a positive evaluation.

Modernisation and efficiency set the context for an overall reform of work and employment structures in the Fire Service. It is in this context that it can be seen that the G/LGAs were motivated to create some balance between communities' needs for an efficient fire service and the fire fighters' need for greater reward and a better career structure (M1 and S1). However, as with the evaluation of the FBU's leadership, the level of conflict and rhetorical nature of the debate on these issues make it difficult to give and overall positive account of the G/LGAs in relation to virtue. This leads to the suspicion that the battle with the FBU, and the need to maintain

dominance over the unions, took precedence over any objectives that focused on the community or the balance between demands on, and rewards for, fire fighters.

From Existing Systems to Virtuous Modes of Action in Industrial Dispute

So, evaluation of the FBU's leadership and G/LGAs' actions in the dispute is mixed and messy in relation to virtue. In both cases it has been difficult to provide a positive evaluation of the parties' actions in this dispute. Analysis leads to the conclusion that both the FBU leadership's and G/LGA's motives in the dispute can be questioned from the virtue perspective, the FBU's leadership mixing political objectives with those focused on their members and the G/LGAs focusing on efficiency to the detriment of fire fighting practice.

The conduct and tactics adopted by these parties are also bought in to question from a virtue perspective. Aggressive positioning and heavy use of rhetoric in the process of negotiation sits uneasily with the focus on community-based excellence and balance between parties that virtue may require. The way the parties engaged with one another in the dispute, the modes of negotiation adopted, run counter to virtue. If this case is accepted, it is important to consider the wider question of which systems of industrial relations and modes of negotiation are likely to be congruent with virtue frameworks. In response, this section will address the third question: 'what implications do these virtue approaches have for dispute resolution'.

Dunlop (1958) argues that there are four main components to an industrial relations system: the actors, context, rules, and ideology. Examining each of these components for the Fire Service

dispute can help identify the steps that need to be taken to promote alternative modes of dispute resolution based in virtue.

Shifting Focus: Direct Fire Fighter and Community Representation

When considering the actors and their representatives, it is apparent that some parties were much more central to the negotiations than others. At the inner core, the union officers and the officers of the LGAs who formed the negotiation teams and were members of the National Joint Council had direct influence on the formation and implementation of negotiation strategies. A step further away, the fire fighters and local councils themselves were excluded from direct involvement in the negotiation process, although they had the ability to veto any proposed agreement and therefore had a formal role in the system as it was set up.

It is only after a third step that the communities the fire fighters served were reached. They had no role or veto in the system. Although members of communities voted for representatives (local councillors) who were, in turn, represented by the local government association when it came to negotiations, they had little ability to influence specific areas of policy at national level. Indeed, the general view of local communities was more likely to be reflected in press coverage than through formal structures. This suggests that the system of dispute resolution as it was constituted, by relying on representative democratic systems, was detached from the fire fighters the FBU's leadership represented and even more so from the local communities that fire fighters served. As a result it is difficult to see how there could be certainty that a focus on balance between fire fighter and community needs was being promoted or to what extent the resolution of the dispute was being based in the needs of those communities.

To fit with virtue approaches the negotiation process would need to broaden access to fire fighters and local communities through direct representation. Three routes might be used to broaden access; making the negotiation proceedings public, including wider consultation as part of the process (Robbins et al. 2008), and including lay members from these groups (as opposed to their representatives) in the negotiation meetings and processes. Making the negotiation proceedings public, by allowing the public to view them directly or filming proceedings and streaming them through the internet, would allow fire fighters and local communities access. Whilst this does not allow these groups any direct influence on the process, it will allow them to be better informed when they attempt to influence negotiators indirectly through public commentary in a variety of forums.

Including independently led consultation with a broad range of fire fighters and members of local communities within the structure of the negotiation process provides a second route to ensuring their views are taken in to account. It would allow these actors to directly influence the negotiation process even though they will not be directly present. This allows these actors' views to contribute to the development of a common narrative on route to a negotiated settlement. Broadening the range of participants involved directly in the negotiations to include some fire fighters and lay community members provides the third route. By allowing these groups to provide commentary on the process directly to the negotiators affords them a direct voice and opportunities to impact on negotiators' positions.

Each example has the potential to promote a more direct conversation with previously excluded actors. Opening proceedings to the public has been shown to have an impact on the forms of negotiation and decision making strategies adopted in public services (Abelson and Gouvin 2006 and Gastil 2000). It has been shown to lead to a reduction in contentious, confrontational tactics

and a move to coproduction of services (Yang et al. 2011) that would better fit with virtue approaches.

Managing Contexts: Shifting from Political Story to Fire Fighting Narrative

The industrial dispute took place in the context of technological change and budgetary constraints which introduced the issues of modernisation, working practices and pay structures already noted. Broader legal and social contexts also played a role. Legislation set the boundaries on what was acceptable action for the parties to take in the dispute. On the one hand the employees' ability to enter into a dispute is recognised and, on the other hand, employers can ultimately terminate employment of those who are seen to have breached their contract of employment. However, the dispute took place against a broader political backdrop where the Labour Government had been promoting more cooperative relationships between unions, employers and government (Johnstone, et al. 2009, Bacon and Storey 2000, Howell 2004 and Undy 1999). Indeed, the dominance of third way politics and cooperative approaches set the norm for industrial relations throughout this period (Howell 2004) and the dispute ran counter to this. At the same time, the Government had taken the position that negotiations across the public sector should be devolved to employer level and that politicians at national level should only get involved as a last resort (Howell 2004). As such, the dispute takes place against a political backdrop where aggressive tactics such as strike would be frowned upon by government, but where the government would also be reluctant to openly intervene.

It is also the FBU's and G/LGA's focus on this political context and a focus on gaining power in the context of prevailing government policy, rather than the substantive issues of the particular

dispute that have contributed to the conclusion that they cannot be found to have acted by virtue. From a virtue perspective, the parties need to refocus on how they will together strengthen and improve the practice of fire fighting (e.g. enable medical training of some personnel), provide institutions that are robust in their support of these practices (e.g. well run physical / organisational infrastructure with the right funding for appropriately qualified fire fighters), and a commonly held, but developing narrative that reflects the tradition. Indeed, adopting aggressive tactics such as strike is unlikely to enable these outcomes. Rather, negotiators need to work collaboratively, through balanced virtues, towards a shared narrative of fire fighting.

Rules for Overall Good

Like the context, rules play a significant part in shaping the system and channelling negotiations. Procedural rules shape the way negotiations take place and substantive rules result from those negotiations. Whilst procedural rules were in place the parties had not used them for 25 years as substantive agreements had removed the need for yearly negotiation rounds. There was a sense that the rules may not be fit for purpose, and the form of new procedural rules introduced another dimension to the negotiation process. It seems that both parties felt they had to play a strong hand in order to ensure that new rules favoured them. Both the FBU's leadership and G/LGAs referred to their need for dominance going into the future.

It is clear that for negotiators to work within a virtue approach they cannot aim at dominance by contriving for rules and procedures that favour one side over another. Rather, the rules and procedures in place need to aim for the overall good in a way that tempers self-interest. To ensure

that the parties can develop rules that fit with this approach it seems sensible that they are developed separately from substantive issues.

Focusing on the rules and procedures themselves, it has already been argued that they must allow for the inclusion of a wider range of actors. It is also clear that to fit with the virtue approach they also need to set a structure that promotes debate and strengthens the practice of fire fighting within a context of collaborative working that discourages confrontation. This reframes the procedures so that they build a partnership based in on-going dialogue, consultation, and collaborative problem solving rather than the set-piece confrontational exchanges typical of traditional negotiation strategies (Johnstone et al. 2010).

Shifting Ideologies

The approach taken to the rule setting process in the dispute is symptomatic of the wider ideologies held by the FBU's leadership and G/LGA's. They both acted on ideologies based in confrontation and the belief that one side can only gain at the expense of the other. The union's use of strike and the government's intervention to prevent the initial agreement at 16% are both examples of the confrontational tactics that resulted.

This approach has its roots in deeper ideologies where the union and G/LGAs believe that they each have a distinct set of roles and interests which cannot be reconciled other than at the expense of the other side. It is the FBU leadership's role to protect the workforce from employers' attempts to reduce costs at the expense of fire fighters' hard work. On the opposing side G/LGAs, whilst

admitting the need to review fire fighters' pay, abide by ideologies which put efficiency, effectiveness, and balancing budgets first.

To fit with virtue approaches the parties need to move away from ideologies that lead them to modes based in conflict. MacIntyre would suggest that refocusing on ideologies based in excellence and sustained practice and Slote on the promotion of balance of demands between the parties. Both of these underlying ideological principles could conceivably be maintained under an ideology of partnership, collaborative working, and co creation (Bouvaird 2007). This is clearly in line with the Labour government's objectives for the employee relations climate in the period of the dispute, but in this particular instance would require a significant shift in foci for both sides.

Lessons from successful employer – union partnerships show that to sustain such a shift the G/LGAs and FBU need to be able to accommodate a new approach to working. They need to work together for the objectives of managers, unions and the success of the organisation as a whole. In doing so they need to share information more freely and celebrate success together (Ackers and Payne 1998, Johnstone et al 2010). The G/LGAs will need to accept that they need to accommodate security of employment and secured representation of the workforce (Ackers and Payne 1998), whilst the union needs to accept "that ultimately with a partnership framework management retains the right to manage and to make the final decision" (Johnstone et al. 2010: 393).

Alternative Systems and Modes from Virtue

The analysis of what it would take for employee relations congruent with virtue approaches suggest several changes to the process of negotiation observed in the Fire Service dispute. First it suggests moving from a reliance on ideologies that lead to conflict based modes of operation to those based in partnership and co creation. Whilst this may be a challenging move for both sides, it is clear that other unions have managed to move to partnership approaches (Bacon and Storey 2000, Haynes and Allen 2001).

Second, it suggests providing wider access to negotiation proceedings, potentially making the proceedings public, but certainly including consultation with periphery stakeholders – in this case fire fighters and local communities. This goes hand in hand with the third change, the need for rules and processes of engagement that allow for this consultation, but also on-going discussion and debate that aims to solve problems. In this case, this would require a radical overhaul of the structures of engagement. Fourth, the content of the discussion needs to focus on the debate in hand rather than the playing out of a wider political agenda. Although in some cases these changes would lead to radical change, they will allow for the application of practical rationality through a focus on what is excellent and/or admirable.

Conclusions

This paper began by raising two overarching issues. First, it pointed out that the examination of virtue ethics in the business, management and organisational studies literature has focused on a narrow range of philosophers and mainly on the work of MacIntyre (1985). Second, it is argued that not enough work has been done to apply virtue ethics to practical situations.

In addressing the first issue, Slote's (1996) virtue ethic framework is applied as a comparator to that proposed by Macintyre (1985 and 1989). Review of the analysis shows that whilst taking different perspectives, that overall the two frameworks lead to similar outcomes when evaluating the parties to the 2002-2004 Fire Service dispute. Where there are differences they hinge on Slote's use of what is admirable and striving for balance of outcomes as opposed to MacIntyre's use of the more demanding excellence based in community as criteria. Both frameworks have proven useful as tools for the evaluation of action. Where there are discrepancies between the frameworks they do not seem irresolvable. Substituting Slote's concept of what is admirable through balanced virtues into the context of MacIntyre's practices based in narrative traditions and institutions would not, on the face of it, lead to an incoherent and instable framework. Further work on this point would be useful.

When addressing the second issue, and applying the frameworks to a practical setting, the preceding analysis leads to an evaluation of each party that is not clear-cut. There is, however, evidence to suggest that the fire fighters were motivated to balance the demands of their communities and their obligations to their own and their families' welfare. This leads to an evaluation of them as overall virtuous in the dispute on the basis of Slote's (1996) criteria even though under MacIntyre's they seem to fall short. It is noticeable that the analysis does not lead to the conclusion that the FBU's leadership or G/LGAs were overall virtuous in the dispute on the basis of Slote' (1996) or MacIntyre's (1985) frameworks. It is a focus on the political context that distracted the FBU's leadership and G/LGAs from the practice of fire fighting and the ends of the community or a focus on balance between community and fire fighters' needs. It also led them to adopt confrontational tactics.

The virtue frameworks also provide a basis for clearly stating what would be acceptable practice in industrial relations from a virtue perspective. Four conditions need to be met. First ideologies based in partnership and on-going dialogue, consultation and collaborative problem solving need to be adopted. Second, improving practices and their supporting institutions needs to be maintained as the main focus of negotiations. Third employers and unions need to develop shared narratives on what they are trying to achieve together. Finally, the inclusion of direct representation from employees and community members in the dialogue would be important. It is clear that employers and unions that align themselves with the virtues will adopt radically different modes of negotiation to those seen in the Fire Service dispute.

References

Abelson, J. and F. Gouvin (2006). Assessing the impacts of public participation: Concepts, evidence and policy implications. Canadian Policy Research Networks.

Ackers, P. and J. Payne (1998). British trade unions and social partnership: Rhetoric, reality and strategy. International Journal of Human Resource Management 9(3), 529-550.

Addley, E. (2002). Real lives: Feeling the heat. The Guardian (London). October 18, 4.

Athanassoulis, N. (2000). A response to Harman: Virtue ethics and character traits. Proceedings of the Aristotelian Society. 100, 215-222.

Audi, R. (2012). Virtue ethics as a resource in business. Business Ethics Quarterly. 22(2), 273-291.

Bacon, N. and Storey, J. (2000). New employee relations strategies in Britain: Towards individualism or partnership?. British Journal of Industrial Relations. 38(3), 407–427.

Bain, G., Lyons, M. and Young, A. (2002). Independent review of the fire service. December 2002.

BBC, (2003). Firefighters' mixed emotions. BBC.co.uk. 12 July (retrieved 28/07/04).

Beadle, R. (2001). MacIntyre and the amorality of management. Paper presented at the Second International Conference of Critical Management Studies. UMIST.

Beadle, R. (2002). The misappropriation of MacIntyre. Reason in Practice. 2(2), 45-54.

Beadle, R. (2013). Managerial work in a practice-embodying institution: The role of calling, the virtue of constancy. Journal of Business Ethics. 113, 679-690.

Bertland, A. (2009). Virtue ethics in business and the capabilities approach. Journal of Business Ethics. 84, 25-32.

Brennan, J. (2012). For-profit business as civic virtue. Journal of Business Ethics. 106(3), 313-324.

Bouvaird, T. (2007). Beyond engagement and participation: User and community coproduction of public services. Public Administration Review. 67(5), 846-860.

Bull, C. and Adam, A. (2011). Virtue ethics and customer relationship management: Towards a more holistic approach for the development of 'best practice'. Business Ethics: A European Review. 20(2), 121-130.

Burchill, F. (2004). The UK fire service dispute. Employee Relations. 26(4), 404-421.

Charter, D. Hurst, G. and Buckley, C. (2002). Fire union in all-night talks on strike. The Times (London). October 24, 1.

Chun, R. (2005). Ethical character and virtue of organizations: An empirical assessment and strategic implications. Journal of Business Ethics. 57, 269-284.

Clarke, S.G. and Simpson, E. (1989). Anti-theory in ethics and moral conservatism. State University of New York Press, New York.

Collett, B. (2003). Behind the scenes of the fire dispute. www.findarticles.com (retrieved 26/07/04).

Darley, J. (1973). From Jerusalem to Jericho: A study of situational and dispositional variables in helping behaviour. Cambridge University Press, New York.

Dawson, D. and Bartholomew, C. (2003). Virtues, managers and business people: Finding a place for MacIntyre in a business context. Journal of Business Ethics. 48, 127-138.

Dobson, J. (1997). Virtue ethics as a foundation for business ethics: A MacIntyre based critique. Unpublished paper presented at the Second International Symposium on Catholic Social Thought and Management Education. University of Antwerp, Belgium.

Doris, J. (1998). Persons, situations, and virtue ethics. Nous. 32(4), 504-530.

Dunlop, J. (1958). Industrial relations systems. Holt Dryden, New York.

Dunn, J. (2003). Arguing for teaching as practice: A reply to Alasdair MacIntyre. Journal of Philosophy of Education. 37(2), 353-369.

Fire Brigades Union (2003a). Strike dates. www.fbu.org.uk (retrieved 26/07/04).

Fire Brigades Union (2003b). Recall conference news. www.fbu.org.uk 12 June (retrieved 26/07/2004).

Fire Brigades Union (2004a). Press release: FBU recommend ballot for industrial action over continued refusal to honour pay deal. www.fbu.org.uk 9 June (retrieved 26/07/2004).

Fire Service Pay and Conditions Agreement 2003.

Fitzgerald, I . and Stirling, J. (1999). A slow burning flame? Organisational change and industrial relations in the fire service. Industrial Relations Journal. 30(1), 46-60.

Foot, P. (2001). Natural goodness. Oxford University Press, Oxford.

Foot, P. (2002a). Virtues and vices and other essays in moral philosophy. Oxford University Press, Oxford.

Foot, P. (2002b). Moral dilemmas. Oxford University Press, Oxford.

Gastil, J. (2000). By popular demand. University of California Press, Berkeley.

Gillan, A. (2002). Fires, chemicals, road crashes, water rescues, terrorism - All for £22,400 a year: Why blue watch is hot enough under the collar to strike. The Guardian (London). September 7, 9.

Harman, G. (2000). The nonexistence of character traits. Proceedings of the Aristotelian Society. 100, 223-226.

Harman, G. (2003). No character or personality. Business Ethics Quarterly. 13(1), 87-94.

Howell, C. (2004). Is there a third way for industrial relations?. British Journal of Industrial Relations. 42(1), 1-22.

Haynes, P. and Allen, M. (2001). Partnership as union strategy: A preliminary evaluation. Employee Relations. 23(2), 164-187.

Hursthouse, R. (1999). On virtue ethics. Oxford University Press, Oxford.

Income Data Services (2003). Pay Report 893. November.

Johnstone, S., Ackers, P. and. Wilkinson, A. (2009). The British partnership phenomenon: A ten year review. Human Resource Management Journal. 19(3), 260-279.

Johnstone, S., Wilkinson A. and Ackers, P. (2010). Critical incidents of partnership: Five years' experience at NatBank. Industrial Relations Journal. 41(4), 382–398.

Koehn, D. (1998). Virtue ethics, the firm, and moral psychology. Business Ethics Quarterly. 8(3), 497-513.

Louden, R. B. (1984). On some vices of virtue ethics. American Philosophical Quarterly. 21(3), 227-236.

MacIntyre, A. (1985). After virtue. Duckworth, London.

MacIntyre, A. (1988). Whose justice? Which rationality?. Duckworth, London.

MacIntyre, A. (1990). Three rival versions of moral enquiry. Duckworth, London.

MacIntyre, A. (1999). Dependant rational animals. Open Court, Chicago.

MacIntyre, A. and Dunne, J. (2002). Alisdair MacIntyre on education: In dialogue with Joseph Dunne. Journal of Philosophy of Education. 36(1), 1-19.

Maguire, K. (2002a). Fire union to end no-strike accord: Winter of industrial turmoil threatened over pay claim. The Guardian (London). April 18, 5.

Maguire, K. (2002b). Fire crews in 36 days of strikes: Nine to one vote backs action for 40% pay rise. The Guardian (London). October 19, 1.

Maguire, K. (2002c). Bitter start to fire strike: Night watch at 6pm yesterday walked out for first time in 25 years. The Guardian (London). November 14, 1.

Maguire, K. (2003a). Fire walkout on hold as train strikes loom: Union reconsiders stoppages fearing tabloid backlash. The Guardian (London). March 18, 15.

Maguire, K. (2003b). Fire union chiefs back new offer: Strike due to start tomorrow called off. The Guardian (London). March 19, 12.

Maguire, K. (2004a). Strike threat as fire crews take action: Many brigades turn out for emergency calls only after greater Manchester colleagues suspended in lingering pay and duties dispute. The Guardian (London). May 20, 6.

Maguire, K. (2004b). Two-year fire dispute ends. The Guardian (London). August 26, 5.

Maguire, K. and White M. (2002). Fire strike off for new peace talks: Union denies weakened resolve after shock move. The Guardian (London). December 3, 1.

Maitland, I. (1997). Virtuous markets: The market as school of the virtues. Business Ethics Quarterly. 7(1),17-31.

McPherson, D. (2013). Vocational virtue ethics: Prospects for a virtue ethic approach to business. Journal of Business Ethics. 116, 283-296.

Milgram, S. (1974). Obedience and Authority. New York, Harper Row.

Moore, G. (2002). On the implications of the practice institution distinction: MacIntyre and the application of modern virtue ethics to business. Business Ethics Quarterly. 12(1), 19-32.

Moore, G. (2003). Hives and horseshoes, Mintzberg or MacIntyre: What future for corporate social responsibility. Business Ethics: A European Review. 12(1), 41-54.

Moore, G. (2005). Humanizing business: A modern virtue ethics approach. Business Ethics Quarterly. 15(2), 237-255.

Moore, G. (2012). The virtue of governance, the governance of virtue. Business Ethics Quarterly. 22(2), 293-318.

Moore, G. (2013). Re-imagining the morality of management: A modern virtue ethics approach. In H. Harris, G. Wijesinghe and S. McKenzie (eds.), The heart of the good institution: Virtue ethics as a framework for responsible management. Springer, Netherlands.

Morse, J. (1999). The missing link between virtue theory and business ethics. Journal of Applied Philosophy. 16(1), 47-58.

Provis, C. (2013). Judgement, Virtue and Social Practice. In H. Harris, G. Wijesinghe and S. McKenzie (eds.), The heart of the good institution: Virtue ethics as a framework for responsible management. Springer, Netherlands.

Randels, G. (1998). The contingency of business: Narrative, metaphor, and ethics. Journal of Business Ethics. 17, 1299-1310.

Robbins, M., Simonsen, B. and Feldman, B. (2008). Citizens and resource allocation: Improving decision making with interactive web-based citizen participation. Public Administration Review. May/June, 564-575.

Robinson, B., Stey, P. and Alfano, M. (2013). Virtue and vice attributions in the business context: An experimental investigation. Journal of Business. Ethics. 113, 649-661.

Schneewind, J. B. (1990). The misfortunes of virtue. Ethics. 101, 42-63.

Scott, K. (2003). Fears of full-Scale fire strike grow: Wildcat action spreads over plan to pay only half of agreed rise. The Guardian (London). November 5, 2.

Solomon, R. (1992). Ethics and excellence: Co-operation and integrity in business. New Oxford University Press, York.

Solomon, R. (2003). Victims of circumstances. Business Ethics Quarterly. 13(1), 43-62.

Shaw, B. (1997). Sources of virtue: The market and the community. Business Ethics Quarterly 7(1), 33-50.

Sherman, J. (2002). Fire safety campaign may breach strike ballot rules. The Times (London). September 5, 12.

Sherman, J. (2003) Fire strikes have cost Prescott's department £70 million. The Times (London). January 28, 10.

Sherman, J., Buckley, C. and Webster, P. (2002). Fire strike is suspended as union's hard line crumbles. The Times (London). December 3, 1.

Slote, M. (1996). From morality to virtue. Oxford University Press, Oxford.

Slote, M. (2001). Morals from motives. Oxford University Press, Oxford.

Sreenivasan, G. (2002). Errors about errors: Virtue theory and trait attribution. Mind 110(441), 47-68.

Sundman, P. (2000). The good manager- A moral manager?. Journal of Business Ethics. 27, 247-254.

Swanton, C. (2001). A virtue ethical account of right action. Ethics. 112(1), 32-52.

Swanton, C. (2003). Virtue ethics: A pluralistic view. Clarendon Press, London.

The Guardian (London) (2003). Comment and analysis - Do not play with fire: Fresh strikes are in no ones interest. January 13, 19.

Undy, R. (1999). Annual review article: New labour's industrial relations settlement: The third way?. British Journal of Industrial Relations. 37(2), 315-336.

Warren, R. (1996). The empty company: Morality and job security. Personnel Review 25(6), 41-53.

Whetstone, J.T. (2003). The language of managerial excellence: Virtues as understood and applied. Journal of Business Ethics. 44(4), 343-357.

White, M. and Maguire, K. (2002). Minister raises heat in fire strike: Troops 'modernised' role angers union. The Guardian (London). December 2, 1.

Yang, K. and Pandey, S. (2011). Further dissecting the black box of citizen participation: When does citizen involvement lead to good outcomes?. Public Administration Review. November/December 880-892.

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[1] Whilst it is possible to defend virtue from both utilitarianism and deontology, for the sake of space this paper will focus on deontology in this example.

[2] It is not clear that MacIntyre would support the assumption that Fire Fighting is a practice as his views on other occupations, such as teaching, show (MacIntyre and Dunne 2002). However, it can be accepted that MacIntyre's rejection of certain occupations as practices may lie in his misunderstanding of the occupations rather than them not being practices (Dunne 2003).