

August 1988

The Luce lectures on Religion and the Social Crisis -- Morality in Plague Time: AIDS in Theological Perspective -- Lecture 3: Virtues - Protecting the Healthy

Gilbert Meilaender

Follow this and additional works at: <http://epublications.marquette.edu/lnq>

Recommended Citation

Meilaender, Gilbert (1988) "The Luce lectures on Religion and the Social Crisis -- Morality in Plague Time: AIDS in Theological Perspective -- Lecture 3: Virtues - Protecting the Healthy," *The Linacre Quarterly*: Vol. 55: No. 3, Article 7.
Available at: <http://epublications.marquette.edu/lnq/vol55/iss3/7>

THE LUCE LECTURES ON RELIGION AND THE SOCIAL CRISIS

Morality in Plague Time: AIDS in Theological Perspective

Lecture 3: Virtues — Protecting the Healthy

Gilbert Meilaender

What you see and hear depends a good deal on where you are standing; it also depends on what sort of person you are.¹

The city of New York recently began a pilot program distributing sterile needles to drug addicts in the hope of determining whether such a policy might help in curbing the spread of AIDS. Such programs or suggested programs have, of course, been highly controversial, since — in the name of public health — they seem to condone behavior which is both immoral and illegal. Responding to anticipated criticisms of this sort, the New York State Health Commissioner who had approved the plan, was quoted as saying: “As a public health official, I don’t have the luxury to be a moralist.”²

It ought to be a source of constant amazement to us that a culture in which people so endlessly deplore the loss of “values” and breakdown of “community” should — on almost every occasion of facing a difficult social problem — respond with ritualistic and formulaic incantations which drive a wedge between the community and the values which might sustain its common life. The problem facing the Health Commissioner was, to be sure, a difficult one, not because it asked him to bracket morality from consideration, but because it called for considerable powers of moral discernment. The same is true of many of the other AIDS-related issues which have received wide public debate. They are almost always moral problems — having to do with obligations of caregivers, the meaning of responsible action on the part of those who are HIV+, circumstances under which confidentiality may properly be broken, the degree to which the freedom of an individual at risk may be restricted for the sake of fiscally sound insurance coverage. On occasions like these, we are usually struggling to achieve different and seemingly incompatible goods. And the claim that we haven’t the luxury to be moralists very probably is little more than an announcement of our intention to ignore the *prima facie* claims of

one of these goods upon us. We remove the complexity of the moral life by focusing our attention on some single moral principle or single good to be realized.

Perhaps such single-mindedness is sometimes necessary. But when we move too quickly in this direction, we limit our powers of discernment. By permitting ourselves the "luxury" of moral reflection, we may come to think more deeply about a problem or see possibilities which had not previously been apparent to us. With that in mind, I turn now to think about just one of the issues which has been important in public debates about AIDS, and I propose to think about it from a deliberately moral perspective.

Few issues have generated greater passion than that of AIDS and schools — the presence of children with AIDS or teachers with AIDS in the classroom. For the most part our public debates have approached these questions from predictable angles — weighing costs and benefits of different courses of action, or milking a single principle like equality for as much practical payoff as possible. I intend to begin elsewhere in thinking about this problem. Our focus will be not what we ought to do, but what sorts of persons we should be if we are to deal appropriately with the problems for schools which the AIDS epidemic raises. For this disease forces us to think about suffering and dying, about what it means to live within a community, about fear and how it should be faced, about uncertainty, about sexuality. To approach the question from this angle, focusing on moral character, may even turn out to be a helpful way to think about a hard question. Perhaps such difficulties are best faced, and most creatively examined, by a certain sort of person — one characterized by the cardinal virtues.

A Return to Moral Language

Adopting this perspective has the advantage of encouraging us to return to some of the oldest moral language in our cultural history. In Plato's *Symposium*, a number of different speakers at a banquet take turns speaking in praise of love. And when Agathon, the banquet's host, has his turn, he organizes his talk around the virtues of prudence, justice, courage, and temperance. Already at that time these categories seem to have been taken for granted as a useful way to think about morality, and they have since become a staple of Western moral thought.³ To these four cardinal virtues, Christian thought added the three theological virtues of faith, hope, and love. I shall concentrate upon the cardinal virtues themselves — part of our common cultural inheritance — though they may on occasion entice us to think about the theological virtues as well. These four virtues are excellences of character which enable a human being, in the words of Josef Pieper, "to attain the furthest potentialities of his nature."⁴ This makes clear from the outset that we are not attempting to stand on morally neutral, "value free," ground. Any discussion of the virtues will reflect

beliefs about human nature and its possibilities, about what it means to flourish as a human being within a community of others like ourselves. From this perspective we must be moralists — not as a luxury, but out of necessity. The very problems we perceive and the way we describe those problems, are shaped by the virtues that characterize us. “As persons of character,” Stanley Hauerwas once wrote, “we do not confront situations as mud puddles into which we have to step; rather the kind of ‘situations’ we confront and how we understand them are a function of the kind of people we are.”⁵ Given certain traits of character, we may be able to see those mud puddles as occasions for rejoicing and being rid of our shoes. The virtues, therefore, do not just equip us to deal with problems; they influence what we see, the problems and possibilities we envision, the details we think significant. They do not simply fit us for life; they help shape life.⁶

Prudence, that most misunderstood of the virtues, has pride of place, and, in fact, it demands the bulk of our attention. In our minds, prudence and courage are likely to seem a strange pair. The prudent man or woman is, for us, simply cautious and careful — perhaps a bit timid. Think of prudence in that way, apply it to the problem of children or teachers with AIDS in schools, and we get an obvious conclusion: It’s best to be cautious. We don’t know for sure what dangers may be posed by the presence of HIV+ children or teachers in schools. Perhaps our worst fears will come true. If prudence means being cautious and playing it safe, we should probably reason that way. But, in fact, the virtue of prudence means something quite different from the sort of timid caution that hedges every bet and constantly endeavors to protect against the worst possible outcomes. Prudence is openness to reality — an unblinking gaze at what is the case, a power of discerning the real truth of things.⁷

Prudence enables us to see things not as we would like them to be, not simply as they look from our own self-interested perspective, but as they are. Hence, it requires an attack upon — or, if we prefer a milder metaphor, a disciplining of — our egocentric concerns. To see this is to see why the other three cardinal virtues cannot be present without prudence. Unless we see things as they really are and not just as we would like them to be, how shall we possibly respect the *just* claims of others? Unless we are free from a timid concern for self-preservation, how can we act *courageously*? Unless we know that our desires are not always to be satisfied, how could there be any place for *temperance* in our lives?

Prudence, AIDS and Schools

Prudence is openness to reality, a willingness to see what is the case. What would the prudent man or woman discern when thinking about AIDS and schools? At least, I think, the following:

(1) We know very little about this disease. Despite the enormous attention it is now receiving, our knowledge of it is based upon only a few

years' study. Perhaps much that we think we know will prove eventually to have been mistaken. Even the standard line taken by public health officials — that the HIV virus cannot be transmitted through casual daily contact — need not be taken as gospel truth. After all, researchers once believed that hepatitis B could not be transmitted through casual contact — and now know better. We understand, of course, why public health officials have tended to be so dogmatic and absolutist in their pronouncements. They are attempting to overcome reactions grounded chiefly in fear and panic. But a genuinely scientific temperament ought to make one hesitate before issuing blanket pronouncements on the basis of relatively limited study. Since it appears that the scientific temperament has not accomplished this, perhaps we should appeal to the virtue of prudence. The first fault to be avoided when inculcating prudence, Cicero wrote in his *De Officiis*, is "an over-great hastiness and rashness in giving up our assent, presuming that we know things before we really do so."⁸ A genuine openness to reality will, therefore, be keenly aware of how little we know. It will see that a danger of which the risk is slight may still be considerable if the danger is lethal. It will be sensitive, not condescending, to the concerns of fearful parents. When they see dentists working on their teeth with masks and rubber gloves, when they listen to the casual conversations of health care personnel who are not, at the moment, issuing public pronouncements, they may wonder just what the risks really are. These fears should not be dismissed. If children with AIDS are to attend public schools, if teachers with AIDS are to continue teaching, the case should not for the present be made simply on the ground that parental fears are conclusively known to be the fruit of hysteria and ignorance. That would be, I think, the wrong ground upon which to reach the right conclusion.

(2) If we gaze without blinking at the real truth, we will not fail to notice one more thing — a consideration which points in a rather different direction. The danger that AIDS may be transmitted in school settings comes not simply — perhaps not even chiefly — from students or teachers who actually have the disease. With them, considerable care is likely to be exercised, and if they will not or cannot exercise such care, we have good reason to place at least some restrictions upon their liberty. The greater danger may come from those students or teachers who are HIV+ and do not know it, those in whom the disease has not yet manifested itself. In some school systems these will be few; in others, perhaps, not just a few. If our concern were really the possible transmission of a communicable disease, we would need to find these people. Yet, to do so would require a far-reaching program of screening for AIDS antibodies, and it seems unlikely that we are ready to accept the costs which would be involved — whether in dollars or infringements on liberty. Obviously, it could be done. We already require children attending school to have physical examinations from physicians at certain moments in their school careers. But until we are ready to do this, or think we must do this, we are really dealing only with those cases that come to our attention. If this is all we

think it right to do, there seems little warrant for unduly restricting the liberty of those actually known to have the disease.

All this may seem fairly obvious. But I think the prudent person will discern something more in the problem we face — uncertainty, possible danger, understandable fear in the face of such uncertainty and danger. If, as I think would usually be the case, we should decide to permit a child with AIDS to attend school in as unrestricted a setting as possible, what shall we then say to the parents of the *uninfected* children? I have already suggested that it may be imprudent to take our stand on the claim that risks are minimal — in part because those claims could turn out to be mistaken, but more fundamentally because the problem goes deeper. The question to be faced is not simply, What is the likelihood of transmission of this disease? It is, Should parents' fundamental instinct be only to protect their children from danger and suffering? Is that what reality, the truth of things, requires of us as parents?

Parents and Prudence

Of course, a parent is always, in part, guardian, caretaker, and protector — quite properly so. But parents deceive themselves if they imagine that they can ever be, in any ultimate sense, the guarantors of their children's lives. A prudent man or woman will discern this truth: that, finally, we have no choice but to hand our children over, permit them to risk suffering and even death. A prudent man or woman will not give in to the self-deception by which we imagine the parental role to be well-nigh godlike. Prudence means, first of all, avoidance of such self-deception.

Indeed, we must press this point one step further. If prudence means openness to reality, we should ask: What sort of reality? Are the powers that govern our world ultimately trustworthy? If not, perhaps it is no surprise that our most fundamental urge should be to protect those we love most, to try to protect them even when we know that it is finally a losing game. But suppose we have some basis for trust — for believing that suffering and even death are not evils out of which no good at all can come. If and when prudence discerns a reality which is trustworthy, it may make considerable difference in our deciding and doing. perhaps our basis for trust will simply be the ongoing march of human technological achievement: that the disease we have spread we will learn to cure. Perhaps, though, that power may seem insufficient to ground our trust. This may, then, be a moment in which the natural virtue of prudence stands in need of a theological virtue like hope. That, at least, is a possibility we ought not dismiss.

Prudence discerns the truth of things — what is really good. The virtue of justice tries to make that vision of goodness take shape in the world. It's easy enough to say that to be treated justly is to be given one's due. But it is much harder to give that formal principle some material content, to ask what actually is due one person or another.

Sometimes, of course, what justice requires is relatively clear. If we undertake a contractual obligation, our creditor is entitled to something. But larger political questions of distributive justice are seldom as clear. What is due each of us as members of a community is simply a just share in what is common to all. And there are occasions when the community, for the sake of its general well-being, may require that we sacrifice otherwise legitimate claims. However hard such decisions may be, they remind us that justice — the fundamental good of politics — is not love, mercy, or pity.

Thus, for example, in his *Journal of the Plague Year*, Defoe's narrator reports that, in homes where the plague had struck, a quarantine was effected — with a watchman outside and, upon the door, a large red cross with the words, "Lord, have mercy upon us." The saddler sees clearly that the sacrifice this demanded, even of some who were well, was considerable. Indeed reading his entire account, we see that he thought such quarantine unwise. But his moral judgment is the following:

It is true that the locking up the doors of people's houses, and setting a watchman there night and day to prevent their stirring out or any coming to them, when perhaps the sound people in the family might have escaped if they had been removed from the sick, looked very hard and cruel; and many people perished in these miserable confinements But it was a public good that justified the private mischief⁹

That public good must always be considered. We must treat all members of the community equally, but that does not mean we must treat them identically. To be sure, this is a truth to be careful with, especially in the realm of education. It has been used to justify separate but equal schools for children of different races. But, more positively, the same truth warrants our making special provisions for the learning disabled child or the especially gifted child. We do not necessarily deny anyone equal consideration when we treat differently those who *are* different in important and morally relevant ways. Everything depends upon the circumstances.

Restrictions Based Upon Illness

This means that we do not necessarily wrong a child with AIDS if we restrict his educational possibilities in one way or another. There are, in our history, court decisions that have permitted quarantine of people with communicable diseases such as tuberculosis, diphtheria, and smallpox. The liberty of anyone — student or teacher — can be restricted if that person poses a severe enough threat to public health.

When might school officials with justice treat the child with AIDS differently and restrict his freedom? There is, of course, room here for honest disagreement, but at least this much seems reasonable: (a) It is just to take into account the behavior of a child with AIDS.¹⁰ A child whose behavior, for whatever reason, is very aggressive — who scratches and

bites — may call for more restriction than another child. A teenager who regards sexual activity as his right may call for more restriction.¹¹ (b) It is just to take into account the developmental level of the child with AIDS. A pre-school child who cannot yet govern his own behavior may need more restriction than older children. (c) It is just to take into account the physical condition of the child with AIDS. A child with oozing lesions, or a neurologically handicapped child lacking control of bodily secretions, may call for more restriction.

In such cases, justice may permit — even require — restrictions on liberty. These are decisions, we should emphasize, for public officials, for distributive justice is a public, political good. Parents as parents need not — and should not — make the general good their primary aim. We should expect parents of infected children to seek the best education available for their children, and to press their claims in the public forum. And we should expect parents of uninfected children to show proper concern for the continued health of their children. Neither should be disparaged for enacting with loyalty their parental office. It is public officials who must seek out the path to justice in such cases. Theirs is a hard task, harder in some ways than showing pity or mercy. And yet, it is not *piti/less* or *unmerciful*. For even when public officials reckon with the truth that liberty may justly be restricted for the sake of communal well-being, they should not forget that a community may be only as strong as its weakest member. The character of the common life we share will be revealed in the way we treat those who are weakest.

Perhaps I here begin to suggest or call for more than justice alone can require. We should remember, though, that justice does not exist apart from that prudence which sees the truth of things — and the truth is that justice alone is never quite enough. No community will flourish — perhaps even survive — unless some of its members are sometimes prepared to give what cannot exactly be called their just obligation. It may be that here again we run up against the limits of natural virtue. Perhaps our common life, if it is to be a flourishing one, will need something that goes a little beyond justice. Call it simply a spirit of generosity, unless, of course, we recognize here the theological virtue of love.

What the Virtues Do

Prudence discerns the truth of things: what is really good. Justice gives external form to that vision in the world we inhabit. Courage and temperance enable us to act justly.

Courage is not recklessness. It does not ignore the truth of things discerned by prudence. From this angle also, therefore, we can understand and sympathize with the fears of parents. Parents should not be foolhardy, nor ask their children to be. A certain fear of what is evil or dangerous is quite appropriate. In fact, the virtue of courage presupposes the legitimacy of such fear. Were there nothing to fear, courage would be unnecessary.

And being courageous is not the same as having no fear.

If courage does not do away with fear, what is its role? It keeps us from being controlled by our fears, keeps us from committing injustice simply because we are afraid. We can note here how the virtues interweave and interpenetrate. We can understand a little of what Socrates meant in arguing that the virtues are one and that we could not have one virtue without the others. I have treated justice as prior to courage: first we see what is just, and then courage enables us to do it. But, clearly, one might also say that courage is prior — that without courage our vision may be so clouded by fear that we will fail even to discern what justice requires. Courage closes our ears to the noisy, insistent claims of anxious self-interest and thereby makes justice possible.

It is all the more to be regretted, therefore, that ours has become a culture in which courage is little esteemed, sometimes even scorned. For then we find that we do not have it ready at hand in moments like these when our public life needs it. Of course, parents cannot be courageous for their children or force their children to be courageous. But they can encourage them to act as a courageous person would. They can help to instill this virtue in their children by teaching proper fear, but also by encouraging a willingness to accept risk and insecurity. I do not wish to overrate courage. In the face of truly great danger, perhaps more than courage is needed — something closer to what the theological tradition has called faith or trust. But even if it cannot provide all that we need in the face of danger and crisis, the virtue of courage dare not be ignored. Without it, no justice is possible.

Not courage alone, but also temperance is necessary if we are to act justly. There is much that might be said about the virtue of temperance, but perhaps, in our context, one thing that must be said. When we come to think about this last of the cardinal virtues, it will not escape our attention that AIDS is a sexually transmitted disease. And within the tradition of virtue as it developed in the West, one of the characteristics of a temperate person is chastity.

It comes as no surprise, then, that the AIDS crisis has forced us to consider again the question of sex education. One need not oppose all sex education in order to be concerned about the manner in which the argument for it is commonly made. Ronald Sider has made the point well: "If we are trying to warn adolescent youngsters about the dangers of promiscuity, I doubt we do it effectively by a TV ad featuring (to take one current example) a glamorous young woman who says she wants love, but is not willing to die for it."¹² By way of contrast, Sider suggests the kind of language that, though encouraging condom use by the promiscuous, would not at the same time enhance the lure of exactly such promiscuity. Why not, he asks, a commercial featuring an AIDS patient at a stage of the disease no one could find appealing. A voice could then say:

The only safe sex is within a lifelong monogamous relationship. I wish I had lived that way before I got AIDS. But if, in spite of today's harsh facts, you want to play

Russian roulette with your life, then please use condoms. They are not fail-proof, but they do improve your chances.¹³

We almost laugh, do we not? For our sensibilities are jarred, so uncommon is it to see the virtue of chastity actually play a role in what we term "safe sex" education.

A cultural tradition that can respond to a threat like AIDS only with purportedly "value-free" instruction about "safe sex" is very probably a worn out tradition. At the very least we should be clear that this sort of instruction is not about chastity, nor about the virtue of temperance. It is, instead, about satisfying our desires as often as possible, while at the same time doing what we can to avoid unfortunate consequences. Sex has never been value-free in human life, never just a natural function untouched by personal human significance. Chastity names the trait of character which sees that the person is involved when the body is given or used, and that such giving or use should not be separated from a bond of love and permanent commitment.

A still more important point must also be made. There is a connection between intemperance and injustice. Intemperance is not simply a private vice. When I want, above all else, something for myself, it is probable that I will soon overlook the needs and claims of others — needs which in justice should claim my attention. Being intemperate, I am likely also to be unjust. Something like this will have to be said if we want to speak truly and teach truly about the human good of sexuality. To aim at the satisfaction of one's desire is something quite different from the commitment of lover and beloved.

This is the language of virtue, the language of our moral inheritance, language that points to the full realization of human capacities. Central to such flourishing are the virtues of prudence, justice, courage, and temperance. In part these virtues direct our attention to considerations that may bear upon our decisions and actions. But the great strength of this emphasis upon virtue is that it directs our attention to inescapable features of human life in community — the good of health, the evil of sickness, the power of fear, the danger of anxious self-interest, the need for sacrifice, the responsibilities attached to the offices we fill, the complexity of the moral life. If we must face social crises, we will be better prepared for having learned to look at them from this angle of vision; for this is a rich moral tradition, and we may hope that it still retains the power to enrich our reflection upon the crises we face.

References

1. Lewis, C. S., *The Magician's Nephew* (New York: Collier Books, 1970), p. 125.
2. Cited in "The Lesser of Two Evils," *Time*, 131:7 (Feb. 15, 1988), p. 81.
3. Pieper, Josef, *The Four Cardinal Virtues* (University of Notre Dame Press, 1966), p. xi. In general, I shall adopt and use for my purposes the understanding of the virtues developed by Pieper in this classic work.
4. *Ibid.*, p. xii.

5. Hauerwas, Stanley, *A Community of Character* (University of Notre Dame Press, 1981), p. 115.
 6. Cf. my more detailed discussion in *The Theory and Practice of Virtue* (University of Notre Dame Press, 1984), pp. 1-17.
 7. Pieper, p. 9.
 8. *Cicero's Offices*. Everyman's Library edition (London: J. M. Dent & Sons Ltd., 1909), p. 9.
 10. These suggestions are in accord with guidelines of the Centers for Disease Control. Cf., Frederic C. Kass, M.D., "Schoolchildren with AIDS," in *AIDS and the Law: A Guide for the Public*, ed., Harlon L. Dalton, Scott Burris, et. al. (New Haven and London: Yale University Press, 1987), pp. 69f.
 11. Cf., Kass, p. 71: "The CDC guidelines do not address the possibility of sexual HIV transmission among schoolchildren, an issue that will take on increasing importance as infected children grow older."
 12. Sider, Ronald J., "AIDS: An Evangelical Perspective," *The Christian Century*, 105 (January 6-13, 1988), p. 14.
 13. *Ibid.*
-

Don't miss it!

The 1988 annual meeting of the National Federation of Catholic Physicians' Guilds will be held at the Allis Plaza Hotel in Kansas City, Missouri, Oct. 14, 15 and 16.

Hear topnotch speakers on subjects of vital interest.