

# BIOETHICS MATTERS ENJEUX BIOÉTHIQUES

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## **The Four Cardinal Virtues and Catholic Bioethics**

### **Part 2 | 2014 Annual Lecture**

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#### JUSTICE

Why is justice ranked second? Aquinas taught that prudence is of the essence of every virtue, because an action must first be prudent before it can pertain to any other virtue. If an action does not conform to right reason, it cannot conform to any other virtue. “That which is virtuous, must first be prudent.” Prudence belongs to the person – a personal characteristic that will direct the person’s actions and inform his/her way of being moral and of making moral decisions in bioethics as in other areas. Justice, however, means seeing what is owed to another and to all other human beings. It is a relationship virtue which protects the individual in relationships with other individuals and with society. It means recognizing that each individual is, as the ancients said, given what is owed to him or her. There is an element, then, of duty or obligation here, that goes beyond personal reaction to a person. Whether or not I like him or her, whether or not I like specific nationalities, religions or ethnicities, is irrelevant. Every person must have his due deserts, no more, no less.

That is justice. We, of course, are always inclined to think of love or charity, and to never forget the theological virtues, which take us out of human limitations by adding mercy and forgiveness to our sense of justice. This is not what is found in strictly legal justice, where the reality of a situation is reconstructed and recompense or

penalty established on that basis. If harm is done then it must be redressed.

This legal or commutative justice regulates conditions between one person and another. There is also distributive justice, which guards relationships between individuals and the state, where the state tries to achieve the best for the individual through promoting the common good. It is in this realm that we can best see justice at play in bioethics in our types of health care systems. In countries such as Canada, the move towards universal health care was promoted as a justice issue, and it is clear that this is one way in which society takes care of its citizens. Funded by individuals where that is possible (so, each contributes as is proportionate to him or her), the state then provides for individuals as needed, as a form of health insurance. One thing we can be sure of is that each of us will need that assistance at some point. Questions of justice arise for states which do not provide for their citizens, and although some question universal health care, there are few who do not think some form of subsidy is necessary. Even before such schemes existed, most societies took care of the sick and disabled, perhaps out of a sense of charity, but also out of a sense of justice, that the common good depends on the strength of its citizens, and that illness befalls people usually from no fault of their own. It is, of course, a biblical imperative – the care of widows and orphans in the Old Testament, while Jesus’s ministry can be construed as the healing of people’s souls and bodies.

Justice issues in bioethics arise in our own society when we see that people are not receiving

what is due to them under our system. For example, regarding the provision of palliative care, it has been shown that people who live in remote areas are not as well provided for as those who live in urban areas. This is unfortunate, but one of the problems for a universal system is that it cannot provide equal treatment where provision is not possible. Supply and demand are objective factors here that come into play. Universal does not mean “equal” and even justice cannot demand that. People on reserves have the same predicament, often having to travel great distances if, say, women have difficult pregnancies that are better managed in larger hospitals. Such people are disadvantaged compared with those who live in less remote areas, but again this is a question of practicalities rather than true injustice, and prudence will illustrate how such situations can be coped with. If health care personnel are not inclined to live and work in some areas, they can hardly be compelled to do so. Advances such as telemedicine and remote surgery have made a great difference, again highlighting the fact that it is not necessarily injustice that has been at work, but practicalities. Injustice will always have an element of unreasonableness.

Is there injustice in situations where people can pay for faster healthcare? These days of scarcer resources have made us rethink the whole question of allocation of resources. There have been numerous ethical problems with transitions in care, with people waiting for long periods in hospital beds for spaces in long-term care facilities, and where policies have been devised to move them out faster. One can see the problem, but the solutions have been harder to find. Demographics have warned us for a long time about the baby-boomers and the subsequent financial burdens caring for them would entail, but we still seem to be caught short. One could say – a lack of prudence, a lack of foresight. With limited resources, should all of us be able to demand all services we think necessary? Are all surgeries and procedures necessary after a certain

stage (not age!) in our lives if and as our health declines? Is there a time when we can say: it is not worthwhile to pursue this, after looking at the prognosis and the outcomes? Catholic teaching can guide us here because it encourages us to look at issues in that way. What is reasonable as far as my own health is concerned? Notions of justice aim at having us ask if it is right that everything that could be done, should be done.

There are broader areas of justice, too, in some of our current policies regarding abortion and the possibility of euthanasia. These are usually framed as questions about rights: a woman’s right to choose (which ignores the status of the fetus, determined as it is by an unreasonable and therefore unjust law in Canada) and now, regarding the end of life, the right to die (an unreasonable phrase since everyone will die, and there is no need of a right to do so!). What is meant is a right to be killed (euthanasia), or to bring about one’s own death (Physician Assisted Suicide). These are to be achieved as a matter of justice, and the very notion of that word is steadily being reshaped through an agenda that favours individual choices, stated as rights, over the common good.

The question of one’s exercise of conscience and religious freedom is increasingly being challenged in healthcare, at the individual and institutional level. Attempts are being made to prevent doctors from refusing to comply in some areas, or insisting that they refer patients to other doctors who will carry out the desired procedures. This is an extremely important justice issue in that protection of individual conscience has always been a mainstay of individual and state relationship, as is the right of institutions to declare, teach and practise their moral stance in the public square without impunity.

Recognition of justice and injustice is therefore a vital virtue for all of us as individuals and as a community, not just for bioethics and healthcare,

but also for education, the family and the freedom of the Church itself.

## FORTITUDE

Why does this come after prudence and justice? Fortitude is an inner characteristic, having to do with our personal reactions to situations. It is not objective in the sense that reason has to be. It is not looking primarily to the good of another or to the good of the community as justice has to be. What makes us endure, or makes us strong in character, or makes us brave? Fortitude is in some way connected with death, since it means, in its fullness, being ready to die for a cause. Martyrdom for Christ is the ultimate sign of bravery. Pieper says that “Christian consciousness has never lost the certainty that an injury suffered in fighting for the good confers an intactness which is more closely and intimately related to the core of man’s life than all purely natural serenity....” (P. 119) So the brave person does not suffer injury for its own sake, but is looking to preserve a greater good. Fortitude, although cardinal, is not the greatest virtue, for it points to something else. Then we realize that we have to be prudent and just before we can be brave. Fortitude becomes so only through being “informed” by prudence. Fortitude has nothing to do with a reckless bravery, but is a possible sacrifice of self in accordance with reason – a correct evaluation of what one risks as well as of the good one hopes to preserve through the risk. Martyrdom is the greatest example of this, but so too would be dying for any just cause. When we honour the dead on Remembrance Day, we pay tribute to their fortitude. We realize that fortitude is based on prudence and justice together. (P.124) Aquinas says, “Man does not expose his life to mortal danger, except to maintain justice. Therefore the praise of fortitude depends upon justice.” (P. 125) In thinking of those who tended to ebola sufferers, especially in the early stages of the disease, however, the bravery shown there went far beyond the demands of justice and is

more accurately a manifestation of charity (or supererogation).

To be brave is not the same as having no fear. If I have lost the will to live, I may welcome death. But this is far removed from fortitude, which recognizes and attempts to maintain the natural order. Fortitude presumes we have a certain fear of evil, but we do not allow ourselves to be forced into accepting that evil by that fear. If we face up to the cause of our fear and do not let ourselves be deterred from doing the right thing, then we show fortitude. We might call it strength, backbone, character, etcetera, but we recognize it when we see it.

Fortitude also means being able to endure an evil, such as severe illness. In using the word “enduring,” Thomas Aquinas is clear that this is not a passive verb: “Enduring comprises a strong activity of the soul, namely a vigorous grasping of and clinging to the good. And only from this stouthearted activity can the strength to support the physical and spiritual suffering of injury and death be nourished.” (Pieper, P.128.) Aquinas brings in the virtue of patience at this point – and by this he means that the suffering person does not allow himself/herself to be made overly sorrowful or depressed by the circumstances. To be patient means to preserve cheerfulness and serenity of mind in spite of injuries that result from the realization of the good. “Patience keeps man from the danger that his spirit may be broken by grief and lose its greatness” (P. 129).

An interesting comment from Aquinas is that endurance does not mean always turning the other cheek in a literal sense. Reminding us of the scene where Christ drove the money-changers from the temple, we learn that wrath is justifiable in the face of evil, that the move to overcome evil may necessitate such action. Too literal a translation of turning the other cheek would mean evil would always overcome and that we should never resist. One cannot imagine letting an epidemic run riot without fighting back – that

would be unreasonable and unjust. What Aquinas suggests is that Christ endured the passion *without bitterness* – He turned the other cheek to their assaults in that sense, and we can learn from that in light of any suffering we may have to endure. After a person dies we often read that “he/she suffered from an illness bravely borne...” I think this signals the virtue of fortitude.

There is also what we might term a type of “mystical” fortitude, when we take the risk of letting go and letting God. In the opposite way of today’s move to control not only our life but also our death through assisted suicide or euthanasia, we move away from control to trust. I think this is often seen when people make a decision to end treatments and put themselves in God’s hands. I can only speculate about that, although I have seen it in others – a patient waiting on God, not morbidly and not sadly, but pretty “matter of factly.” I think that is fortitude, too.

#### TEMPERANCE

This virtue is listed as the last of the four, yet is clearly necessary for our ethics to be on the right track. So many movements have used this word, including the anti-alcohol Temperance Societies. Aquinas spelled this virtue out for us, and his insistence elsewhere on proportionality bears out his meaning. Temperance means “to dispose various parts into one unified and ordered whole.” The correct order of a thing means that any one part must not be given disproportionate attention.

Aquinas says another meaning of temperance is “serenity of spirit,” and this is achieved through everything within a person being “in order.” This virtue concerns our inner beings as individuals, and revolves around the injunction to love God and love our neighbor as ourselves. Our tendency is to love ourselves most, and when we do that, we make gods out of other facets of our lives, whether food, alcohol, sex, career, reputation,

and so on. Keeping these other facets in balance is challenging, because none of them is wrong in themselves: it is the emphasis that we frequently misplace. And so we have polar opposites: chastity/unchastity, continence/incontinence, humility/pride, mildness/uninhibited anger, one side temperance (or discipline) and the other intemperance (lack of discipline).

When it comes to bioethics and the preservation of health and life, undue concentration on one’s own self-preservation may be intemperate. Too much concern and self-limitation without cause may be as intemperate as the idolization of food: both look to fulfilling needs beyond bodily needs. How do we know when balanced self-love becomes selfish, and, therefore, intemperate?

Some of the ways we occupy ourselves today may be instructive; nominally, for health reasons, we may pursue “the body beautiful” as an end in itself. We may spend too many hours in the gym, or not enough. We may diet too rigidly, not truly for health reasons, but to conform to cultural norms. We may pursue extensive cosmetic surgery in an attempt to maintain youth and keep old age at bay, et cetera.

Let Aquinas have the last word: he says another meaning of temperance is “serenity of spirit,” and this is achieved through everything within a person being “in order.” This is a deft definition of temperance, where personal “balance” is maintained.

To sum up, I hope we can see that the way we practice these virtues makes a difference not only to our own lives, but that it also affects our neighbour and society. I think you have shown fortitude and patience in reading so far, and I think it would be prudent of me to stop now as a matter of justice and to avoid being intemperate!

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*This Lecture was one part of a special event hosted by CCBI and the Newman Centre to honour Helen and Frank Morneau. (Photos: Summer 2015 Newsletter)*