Wandering Virtues:
Modesty, Patience, and Loyalty in Clinical Medicine

By

Alan Christopher Murphy

Dissertation

Submitted to the Faculty of the

Graduate School of Vanderbilt University

in partial fulfillment of the requirements

for the degree of

DOCTOR OF PHILOSOPHY

in

Religion

May, 2016

Nashville, Tennessee

Approved:

Larry Churchill, Ph.D.
Victor Anderson, Ph.D.
Volney Gay, Ph.D.
Keith Meador, M.D.

ACKNOWLEDGMENTS

These few pages are hardly sufficient to convey my thanks to the numerous people who have made this dissertation possible. The customary brevity of the acknowledgments section stands in sharp contrast to the depth of my appreciation.

Pride of place goes to my dissertation director, Larry Churchill, who has been unfailingly generous, judicious, and wise in his guidance to me since I first met him three years ago, not only with respect to this dissertation, but also with respect to the field of medical ethics and to the moral life. Each of the other members of my committee has similarly contributed to my professional and personal development far beyond the limits of this dissertation. Without Victor Anderson's invitation to Vanderbilt four years ago and sage advice since then, I would never have had the chance to begin this dissertation. Without Volney Gay's insights, my understanding of ethics, psychology, and religion would have been sadly diminished. And without Keith Meador's invitation to Vanderbilt's Center for Biomedical Ethics and Society, I would not have found what I now regard as my natural academic and professional home.

Many others at Vanderbilt have supported me during my studies. Though he never officially held the title, James Byrd has acted as a third advisor, keeping me on track and helping me fulfill my service obligations in ways that were hopefully beneficial to the university and that certainly have been beneficial to me. Karen Eardley has effectively been yet another advisor: without her, I would probably still be trying to register for my first semester of classes. The entire staff of Vanderbilt's Office of Risk and Insurance Management is wonderful, but I would be remiss if I did not expressly thank Melissa Ahler, Betty Barrow, Sandy Bledsoe, Diane Moat, and

fields of architecture and engineering, has over the years given me exceptionally incisive feedback on my work, to my great benefit. My parents, Richard and Patricia Murphy, have supplied tremendous material support over decades of education. Even more importantly, Mom and Dad have supported me with their virtues when my own have failed me; my faith, fortitude, hope, and prudence did not carry me here on their own. Finally, my wife, Kristen Sullivan, is a blessing to me and to everyone she meets. It is no exaggeration to write that I could not have done any of this without her. Many of the authors I consider herein have theories about what motivates people to put on virtue, but I have little personal need for this theorizing: I am lucky to share my life with the person who is my foremost reason to strive to be better than I am.

This dissertation is devoted to the virtues of modesty, patience, and loyalty, but it is possible only because my family is exemplary with respect to love, the greatest virtue of all.

TABLE OF CONTENTS

INTRODUCTION

Virtue has long figured in discussions of medical ethics and, after a period of some neglect in the middle of the twentieth century, is now firmly re-established as part of ethical reflection in clinical medicine.[1] However, some virtues are more popular than others. The cardinal virtues of fortitude, prudence, temperance, and justice and the theological virtues of faith, hope, and charity are thoroughly treated.[2] But other virtues, such as modesty, patience, and loyalty, are less frequently discussed in the literature of both medical ethics and virtue ethics.

I argue that these latter virtues are neglected in part because they fit uneasily within standard models of virtue ethics. In common usage, we do not find it strange to hear it said of someone that "he's modest to a fault" or "she's too loyal for her own good," as if being too virtuous were actually a shortcoming. But many virtue ethics deny that it is ever possible for any genuine virtue to have this problem. Anything that appears to be a virtue, but that might otherwise be better, is specious at best and vicious at worst.

Two venerable doctrines in virtue ethics buttress this position: (1) that all particular virtues have a common end in *eudaimonia*, that is, distinctively human flourishing, and (2) that any particular virtue entails all other virtues ("the unity of the virtues"). Even independent of the other, either of these makes it implausible to think that any genuine virtue should give rise to any

---

[1] With regard to virtue's long history in medical ethics, see one of the earliest works on medical ethics written in English: Thomas Percival, *Medical Ethics; Or, A Code of Institutes and Precepts, Adapted to the Professional Conduct of Physicians and Surgeons* (Manchester: S. Russell, 1803).

[2] In no small part, the increased visibility of virtue in medical ethics is due to the tireless work of the late Edmund Pellegrino and David Thomasma. Edmund D. Pellegrino and David C. Thomasma, *The Christian Virtues in Medical Practice*, ed. David G. Miller (Washington, DC: Georgetown University Press, 1996); Edmund D. Pellegrino and David C. Thomasma, *The Virtues in Medical Practice* (New York: Oxford University Press, 1993).

moral difficulty when appropriately understood and applied. Together, as they are often presented, these doctrines make it impossible that genuine virtues should be anything but unmitigated excellence.

This dissertation is divided into two related sections. The first section, comprising chapters one and two, examines eudaimonism and the unity of the virtues and investigates the form virtue might take in their absence. In the first chapter, I distinguish *eudaimonia* and the unity of the virtues from one another. Although they are commonly presented together (especially in neo-Aristotelian virtue ethics), I disentangle each doctrine from the other and show that either ensures that any particular, genuine virtue must reliably conduce to the good. I then review and examine objections to each doctrine from both within and without the virtue ethics tradition. In the second chapter, I offer an account of what virtues could become in the absence of these two doctrines from virtue ethics. Without reference to the familiar landmarks of *eudaimonia* and the unity of the virtues, some virtues have a tendency to drift farther than others, especially those virtues that are not clearly bounded by coordinate vices of deficiency and extremity and that do not include references to the values of others. In this environment, these peculiar virtues encourage neglect of other virtues. Some traditional virtue ethics are so worried about such a prospect that they deny that these virtues are genuine virtues at all, or at least deny that these virtues are such apart from *eudaimonia*, the unity of the virtues, or other extensive hedges and restrictions on what counts as a virtue. I argue, however, that these virtues are genuine and worthy of close investigation precisely because of their propensity to give rise to

trouble. Borrowing a phrase from G. K. Chesterton without sharing his censure, I label these peculiar virtues "wandering virtues."[3]

The second section of the dissertation, comprising chapters three through five, is practical evidence that these wandering virtues can be described coherently and can help clarify classic and contemporary difficulties in clinical ethics. My procedure in treating modesty (chapter three), patience (chapter four), and loyalty (chapter five) is roughly parallel. In each case, I review and examine important accounts of these virtues, finding that while most of these accounts have considerable merit, all omit something important about these peculiar virtues. I then offer an account of the particular virtue as a wandering virtue and demonstrate the plausibility of this account by applying the wandering virtue to classic or contemporary problems in medical ethics in order to demonstrate the usefulness of treating the virtue as a wandering virtue.

---

[3] Gilbert K. Chesterton, *Orthodoxy* (London: The Bodley Head, 1908), 38-39.

CHAPTER 1

TWO LANDMARKS IN THE FIELD OF VIRTUE

Introduction to the First Chapter

I argue against one appealing, common-sense intuition about the virtues: that all genuine virtues reliably conduce to the good. In turn, I argue in favor of a conflicting common-sense intuition about the virtues: that with regard to certain, specific, genuine virtues, it is possible to be too virtuous for one's own good or for the good in general.

The first intuition, that all genuine virtues reliably conduce to the good, has clear appeal. Part of the appeal lies in what this intuition avoids. If virtues do not necessarily conduce to the good, we can find ourselves in the apparently paradoxical situation of commending a particular virtue with no assurance that those who possess that virtue will thereby become better persons or otherwise improve the world. Indeed, severing the strict connection between virtue and the good opens the door to virtues that could actually detract from the overall character of their possessors or lead to worse lives, rather than better ones. It seems incoherent to urge that persons who possess a particular virtue — modesty, for instance — may be more virtuous for possessing that virtue and simultaneously be diminished in character for possessing that same virtue. If we insist that all genuine virtues reliably conduce to the good, we avoid the dilemma and preserve all genuine, specific virtues as unqualified goods.

More than simply avoiding a pitfall, the intuition that all genuine virtues uniformly conduce to good human character has positive contributions to make as well. Normatively, making the contribution to good (or excellent) character a requirement for virtue should make

it easier to identify which traits or habits are in fact virtues, as opposed to vices or incidental variations in personality. Stated more formally, if something is a virtue, then it uniformly conduces to the good (with the contrapositive that if something does not uniformly conduce to the good, then it is not a virtue).

Framing the requirement conditionally, as above, illuminates two challenges that this thesis faces. First, requiring that all genuine virtues uniformly conduce to the good human character can result in an apophatic approach to the virtues, as the conditional shows. If something is a virtue, then we know that it uniformly conduces to the good, and if something does not conduce to the good, then we know that it is not a virtue. Even presuming a substantive account of the good or of good human character, we cannot ascertain which habits *are* virtues; we may only be able to specify which habits are *not* virtues. This sort of negative approach can still be productive in its own way, as Rosalind Hursthouse observes in connection with the related question of how the particular virtues and vices help us guide our lives:

> [A]lthough our list of generally recognized virtue terms is, I think, quite short, our list of vice terms is remarkably — and usefully — long, far exceeding anything that anyone who thinks in terms of standard deontological rules has ever come up with. Much invaluable action guidance comes from avoiding courses of action that are irresponsible, feckless, lazy, inconsiderate, uncooperative, harsh, intolerant, indiscreet, incautious, unenterprising, pusillanimous, feeble, hypocritical, self-indulgent, materialistic, grasping, short-sighted, … and on and on.[4]

Making the necessary changes to Hursthouse's illustration, the requirement that all genuine virtues uniformly conduce to the good may not tell us what the specific virtues are, but it can certainly yield a very long list of habits that are not virtues. Whatever the usefulness of being able to say which habits are not virtues, the intuition that all genuine virtues reliably

---

[4] Rosalind Hursthouse, *On Virtue Ethics* (Oxford: Oxford University Press, 1999), 41-42.

conduce to the good does not necessarily establish what the specific virtues are, even once good human character is defined.

The second problem that the requirement faces is exactly this matter of definition. Requiring that any genuine virtue contribute to the good leaves open the question of what constitutes the good. Requiring that all genuine virtues uniformly contribute to the good (at a minimum, to good character) evidently makes some progress on the difficult task of specifying the virtues, but it defers the difficulty to what may prove to be a much more vexing question: what constitutes the good? One solution would be to make the condition of reliably conducing to the good both necessary and sufficient for the status of virtue, so that all those things that uniformly conduce to the true good are virtues, and that all virtues in turn uniformly conduce to the good. The co-extension of virtue and things conducive to the good is entailed by any argument that virtue is sufficient for moral success. However, the co-extension of virtue and things conducive to good character has been questioned since the dawn of Western moral reflection. Aristotle apparently rejected it, urging that some features of a person's life uniformly conduced to good character (health and wealth notable among them) without qualifying as virtues.[5] More recently, Bernard Williams famously argued that a great many contingent, apparently non-moral factors conduce to (and may even be central to) moral success, including the good generally and good character specifically.[6] One might reply that externalities conducive to good character (such as Aristotle's) tend not to be habits, so that it might still be possible that all *habits* that reliably conduce to good character are virtues; against Williams, one might urge

---

[5] Aristotle, *Nicomachean Ethics*, 1098b-1100a (in Aristotle, *Nicomachean Ethics*, trans. Joe Sachs [Newburyport, MA: Focus, 2002], 13-15), 1179a (in Sachs, 195-196).
[6] Bernard Williams, "Moral Luck," in *Moral Luck* (Cambridge: Cambridge University Press, 1981), 20–39.

that habits that only coincidentally conduce to good character are not really reliable, and so would not count as virtues, either. These replies are often inherent in a particular author's definition of virtue, but Aristotle's and Williams's points are still well-taken: virtue may not be sufficient for moral success, and in fact virtue may not even be the most important contributor to moral success in some instances. Severing virtue from tangible moral success (e.g., manifest good character) can curtail our ability to describe the good or good character in concrete terms. I will consider this point in greater detail further down in connection with *eudaimonia*. For now, it will suffice to remark that we can get into difficulties if we rest our specification of the virtues upon a definition of the good or of good human character when we may not all agree on what that good would look like.

Despite these structural challenges, two venerable lines of argument in virtue ethics buttress the intuition that all genuine virtues uniformly conduce to the good: (1) that all particular virtues have a common end in *eudaimonia*, often rendered as distinctively human flourishing, and (2) that any particular virtue entails all other virtues (often labeled "the unity of the virtues" thesis). Even independent of the other, either of these doctrines makes it implausible to think that any genuine virtue could do anything but conduce to the good.[7] Together, as they are often presented, these doctrines make it impossible that genuine virtue should be anything but unmitigated excellence.

---

[7] Thomas Hurka is a rare dissenting voice with regard to eudaimonism: on Hurka's account, it is one of eudaimonism's failures that it "does not view moral virtue as intrinsically preferable to moral vice; considered apart from their effects, vicious acts can embody high perfection." However, this may be attributable to Hurka's determination to shoehorn eudaimonism (what he prefers to call "narrow" or "pure perfectionism") into an idiosyncratic hybrid consequentialist–deontological framework, rather than a theory of virtue. Scant attention to eudaimonism among consequentialists and deontologists may be the neglect that Hurka has in mind when he laments "philosophers' long neglect of perfectionism," despite the fact that nascent virtue ethicists had revived interest in eudaimonism decades prior. Thomas Hurka, *Perfectionism* (New York: Oxford University Press, 1993), 190, 5.

In this first chapter, I treat *eudaimonia* and the unity of the virtues separately from one another. Although these are commonly presented together (especially in Aristotelian virtue ethics), I show that each doctrine independently ensures that any particular, genuine virtue must invariably conduce to the good in some way. I review and examine objections to both doctrines from within and without the virtue ethics tradition.

Eudaimonia

The Aristotelian doctrine that all specific virtues have a common end in *eudaimonia* (variously translated as blessedness, happiness, or human flourishing) is essentially a specification of the intuition that all virtues uniformly conduce to the good. In place of a generic good, however, *eudaimonia* is the good that is good for humans, not externally or instrumentally, but internally and inherently. For instance, it is better that humans have food than that they not, but food is not part of *eudaimonia*. However, both the pleasure derived from food and the virtue by which humans enjoy food appropriately (*sophrosyne* or temperance) are often held to be part of *eudaimonia*. In contradistinction to the hedonists and utilitarians, Aristotle is fairly consistent that *eudaimonia* is not the end result of a human living a life that is consistently pleasant or conducive to the pleasure of the community; in contradistinction to deontologists, Aristotle is very clear that *eudaimonia* is not the result of a dutiful life. Rather, *eudaimonia* is the result of a human life excellently or nobly lived within a context that admits of such excellence or nobility. Beyond this, the meaning behind *eudaimonia* is vague. Aristotle tends to appeal to and subsequently adapt received opinion about *eudaimonia*; with the passage of time, Aristotle's interpreters have rendered *eudaimonia* in various ways and with different emphases among them. Thomas Aquinas and the moral theologians who followed him deliberately altered

Aristotelian *eudaimonia* to reorient it toward an end that Aristotle (and many present-day neo-Aristotelian ethicists) would not have shared: the Christian God.

In this section, I first rehearse Aristotle's use of *eudaimonia* in his best-known work on ethics, the *Nicomachean Ethics*. Second, I review some notable present-day neo-Aristotelian interpretations of *eudaimonia*. Third, I acknowledge Aquinas's theological revision of *eudaimonia*. Finally, I review complaints against the concept of *eudaimonia*.

Two words of caution are in order at the outset: the first concerns my philosophical exegesis, while the second concerns my historical comprehensiveness. I have taken care to present credible interpretations of the figures I include, but this dissertation is not primarily interested in expositing and defending a single, correct interpretation of Aquinas, Aristotle, Plato, or any other seminal figure in ethics. For instance, the "Aristotle" I present is the Aristotle that seems most plausible to me on the basis of my non-specialist reading of his works and the commentators I cite, who are (of necessity) only a minute sample of those who have read and commented upon Aristotle's works throughout the centuries. Similarly, I make no claim to historical comprehensiveness with regard to the exposition of either *eudaimonia* or the unity of the virtues. I have selected figures either because they are obviously central (Aquinas, Aristotle, Plato) or because their angles on the ideas seem to me to be importantly different from those of the best-known champions of *eudaimonia* and the unity of the virtues. I am only imperfectly insulated against claims that I have somehow misunderstood the major figures and ideas that I examine. But I have ensured that if I have fallen prey to misunderstanding, I am at least in good company.

Aristotle acknowledges early in his *Nicomachean Ethics* that *eudaimonia* is central to many accounts of the sorts of traits or habits persons ought to cultivate, that is, *eudaimonia* is central to accounts of good character. Aristotle also acknowledges from the beginning that opinions about *eudaimonia* markedly differ.

> Some people take it to be something visible and obvious, such as pleasure or wealth or honor, and different ones say different things, and even the same person often says different things; when sick one thinks it is health but when poor, that it is wealth, and when they are conscious of ignorance in themselves, people marvel at those who say it is something grand and above them.[8]

Aristotle's own account of *eudaimonia* is something less visible and obvious than pleasure, wealth, or honor. Aristotle first distinguishes *eudaimonia* from the ends set before plants and animals. Aristotle observes that all life is capable of nutrition and growth, and so these are hardly exhaustive ends for human living. Aristotle allows that animals in general improve upon plants by exhibiting perception of and response to their context, but Aristotle thinks that bare perception and reaction, common to all animals, is hardly appropriate for humans, either. Aristotle distinguishes humans from all other life on the basis of speech and reason, and so finds that *eudaimonia*, whatever it is, must "put[] into action that in us that has articulate speech; of this capacity, one aspect is that it is able to be persuaded by reason, while the other is what has reason and thinks things through."[9] *Eudaimonia*, then, is peculiar to humans on Aristotle's account.

However, establishing *eudaimonia* as specific to reasoning humans is hardly adequate for the work of ethics. Some patently deplorable things seem peculiar to human reason: organized genocide, for instance. Moreover, human reason enables many less offensive things that we

---

[8] Aristotle, *Nicomachean Ethics*, 1095a (in Sachs, 3).
[9] Aristotle, *Nicomachean Ethics*, 1098a (in Sachs, 11).

would hardly wish to identify with ethics or the good. However much insight was required to recognize and exploit the potential of pumpkin pie seasoning in the mid-2000s, we would probably not congratulate the producers of now-ubiquitous "pumpkin spice" coffees, pastries, alcohol, candles, candies, and air fresheners for those producers' contributions to the moral improvement of humanity. Although Aristotle never had to endure "pumpkin spice" season, he did recognize that human reasonableness was in itself hardly satisfactory as a definition for the end at which human action ought to aim. Thus Aristotle proposes a narrower account of *eudaimonia*:

> [I]f […] we set down that the work of a human being is a certain sort of life, while this life consists of a being-at-work of the soul and actions that go along with reason, and it belongs to a man of serious stature to do these things well and beautifully, while each thing is accomplished well as a result of the virtue appropriate to it — if this is so, the human good comes to be disclosed as a being-at-work of the soul in accordance with virtue, and if the virtues are more than one, in accordance with the best and most complete virtue. But also, this must be in a complete life, for […] one day or a short time does not make a person blessed and happy.[10]

At first blush, Aristotle here seems to define *eudaimonia* as a life lived "in accordance with the best and most complete virtue[,]" so that *eudaimonia* is equivalent with a life that is entirely virtuous (the view sometimes attributed to the Stoics). But closer examination shows that Aristotle is not arguing for quite this position. Aristotle urges that *eudaimonia* is made known in the finished lives of those who live out all the virtues, not that *eudaimonia* simply is the sum of virtue. And it turns out that several of the particular virtues, through which the happy and blessed person is to disclose valuable information about *eudaimonia*, are available only to people who, in more modern parlance, are lucky enough to have the opportunity to exhibit them. Close friendship is one such contingent virtue,[11] while magnificence is another.[12] Aristotle is persuaded

---

[10] Aristotle, *Nicomachean Ethics*, 1098a (in Sachs, 11-12).
[11] Aristotle, *Nicomachean Ethics*, 1156b (in Sachs, 148).
[12] Aristotle, *Nicomachean Ethics*, 1122a-1123a (in Sachs, 63-66).

that very few people will actually be fortunate enough to encounter other people deserving of close friendship. By definition, few people will be in situations to exhibit the virtue of magnificence, concerned as it is with tasteful employment of extreme wealth. Most people, even if thoroughly virtuous to the extent that their circumstances allow, will not be able to inform us about those features of *eudaimonia* having to do with close friendship, and probably still fewer will be able to inform us about those features of *eudaimonia* having to do with magnificence. Thus Aristotle's account of *eudaimonia* construes virtue in the way mentioned at the beginning of this chapter: all genuine virtues reliably conduce to the human good of *eudaimonia*, but *eudaimonia* is not necessarily co-extensive with the sum of any particular person's virtue, or even with virtue *per se* insofar as the opportunity possess some virtues is apparently dependent on externalities. The thoroughly virtuous person may still, by fate or chance, be in circumstances in which specific virtues are totally inaccessible to her/him. Only those who are themselves reliably virtuous and who are lucky enough to be born into the right circumstances can give more comprehensive insight into *eudaimonia* in their finished lives.

Aristotle's provisional account of *eudaimonia* would seem to depart somewhat from his commitment to the centrality of human reasonableness, in that it refers to the excellent activity of virtue or of specific virtues, rather than to reasoning *per se*. While the particular virtues that Aristotle uses to fill in his early outline of *eudaimonia* are always connected in execution to human reasoning or judgment (on which more later in this chapter), these particular virtues do not have reasoning as their end. The virtue of magnificence, for instance, is concerned with making "lavish expenditures" well. While the "magnificent person seems like someone with knowledge, for such a person is able to contemplate what is fitting and to spend great amounts

12

in a harmonious way[,]" the virtue of magnificence is ultimately concerned with making tasteful use of extreme wealth, not with, say, using extreme wealth to advance human reason and knowledge.[13]

Ultimately, Aristotle does return to a definition of *eudaimonia* that links it closely to what Aristotle originally identified as the distinctively human capacities, our ability to be persuaded by reasons and to think things through, though now it is linked closely to the specific virtues such as friendship and magnificence. *Eudaimonia*'s crowning glory is contemplation of truth, the activity characteristic of philosophy, which "is the most powerful (since the intellect is the most powerful of the things in us, and the things with which the intellect is concerned are the most powerful of the things that can be known); it is also the most continuous, for we are more able to contemplate continuously than to act in any way whatever."[14] Aristotle goes further and analogizes to the divine, arguing that it becomes clear that *eudaimonia* must be a contemplative activity, because this is the only characteristic activity of gods would be contemplation, who neither act for worldly advantage nor to make things for their use.[15] Even so, Aristotle is quick to point out that humans are not gods; having bodies and existing in society, the virtues that concern feelings and political existence are pertinent to *eudaimonia*, even if neither would be important to gods.[16] Aristotle's account of *eudaimonia* features contemplation very prominently, but includes full realization of all the particular virtues and, necessarily, the external conditions that would allow a person to actually develop all of those virtues.

---

[13] Aristotle, *Nicomachean Ethics*, 1122a-1123a (in Sachs, 63-66).
[14] Aristotle, *Nicomachean Ethics*, 1177a (in Sachs, 191-192).
[15] Aristotle, *Nicomachean Ethics*, 1178b (in Sachs, 194-195).
[16] Aristotle, *Nicomachean Ethics*, 1178a-1178b (in Sachs, 193-195).

Neo-Aristotelian Interpretations of Eudaimonia

Subsequent interpreters of Aristotle have sought to clarify — and in clarifying, to alter —
Aristotle's account of *eudaimonia* in ways that serve their convictions about what should and
should not count as virtue. Thomas Nagel defends an explicitly intellectualist interpretation of
eudaimonia. Nagel reinforces Aristotle's conviction that *eudaimonia* needs to be distinctively
human so that contemplation is not only privileged in *eudaimonia*, but is finally exclusive of
other aspects of flourishing. Aristotle flirts with identifying the human good with that of gods, so
that contemplation is most important, but draws back and avers that in point of fact humans are
not gods, so that human flourishing will be more than contemplation. Nagel embraces this
identification: "Occasionally [reason] may have to serve as the janitor or the pimp of the
passions, but that is not basically what it is *for*. On one plausible view reason, despite its continual
service to the lower functions, is what human life is all about."[17] Nagel does not identify them,
but it is likely that this account of *eudaimonia* would put much more emphasis on certain specific
virtues (the intellectual virtues, in particular) at the expense of others (temperance and other
virtues concerned with bodily pleasure, for instance). How an intellectualist account of
eudaimonia would impact overtly political virtues such as justice would depend on how
persuaded one was by arguments for the inherent reasonableness of a fair and just society. But
shifting *eudaimonia* toward the intellectual would certainly de-emphasize some virtues that
Aristotle thought important to *eudaimonia* while playing others up.[18]

---

[17] Thomas Nagel, "Aristotle on Eudaimonia," in *Essays on Aristotle's Ethics*, ed. Amélie Oksenberg Rorty (Berkeley, CA: University of California Press, 1980), 11.
[18] See J. L. Ackrill, "Aristotle on Eudaimonia," in *Essays on Aristotle's Ethics*, ed. Amélie Oksenberg Rorty (Berkeley, CA: University of California Press, 1980), 15–33, for a thorough argument in support of the view that Aristotle does not identify *eudaimonia* with reason.

John McDowell, who is more Platonist than Aristotelian with respect to the unity of the virtues, finds Aristotle's account of *eudaimonia* credible, provided it is grounded on an account of human nature that is, roughly speaking, commensurate with preference-maximizing consequentialism. McDowell thinks that the best sense that can be made of *eudaimonia* is "the most satisfying life possible for its subject, circumstanced at each point as he is."[19] Even this, McDowell recognizes, is not sufficiently consistent from person to person to guarantee which virtues would constitute *eudaimonia* for any one person. Human nature inevitably constrains what humans will prefer, but as a matter of empirical fact, it leaves a lot to individual variation: "our common human nature […] limits what we can find intelligible in the way of theses about how human beings should conduct their lives, and underlies such possibilities as there are of resolving such disputes, or at least of stably adopting one of the competing positions for oneself in a reflective way (aware that there are others)."[20] If we accept McDowell's account of *eudaimonia*, we substitute the advantages and problems of preference maximization for the problems of Aristotle's specific account of human flourishing. It is not clear to me that this trade preserves enough of the distinctive features of virtue to justify the sacrifice: one of the major merits of virtue is its ability to commend an excellent character, not just a sequence of preference-maximizing actions, and conflating *eudaimonia* with preference-maximization erodes the distinction.

Rather than adapt Aristotle's account of *eudaimonia* specifically, Rosalind Hursthouse — one of the foremost present-day virtue ethicists — prefers to track the broader ancient Greek

---

[19] John McDowell, "The Role of Eudaimonia in Aristotle's Ethics," in *Essays on Aristotle's Ethics*, ed. Amélie Oksenberg Rorty (Berkeley, CA: University of California Press, 1980), 370.
[20] Ibid., 371.

sense of the word. But Hursthouse finds no satisfactory equivalent to the Greek concept *eudaimonia* in modern English, and so works to weave a web of meaning from several apparently disparate English terms. Hursthouse seriously considers two options drawn from conventional renderings of the term *eudaimonia* in English translations of Aristotle's works: "happiness" and "flourishing." Both have merits and demerits. "Happiness" is deficient insofar as it suggests that one's subjective experience of happiness or contentment is relevant to *eudaimonia*, when in fact *eudaimonia* is more nearly "the sort of happiness worth having."[21] But Hursthouse acknowledges that this is a distinction that survives, albeit not unscathed, in the modern period. We do still talk about people who seem, from all outward appearances, subjectively happy and seem to have all manner of reasons to be so, and yet we believe that in fact they are not *truly* happy. Think of the familiar archetype in Jane Austen novels, the young woman who marries for some temporal gain at the expense of genuine passion or legitimate respect. This young woman is usually "happy" to get married and "happy" in her ill-advised marriage initially. But we, the readers, know that she is not *truly* happy, not happy in the ways that the more prominent, wiser, pluckier single female character is or will be. Even so, the term "happiness" now carries an almost ineliminable taint of subjectivity: if we feel "happy," it now seems dour if not incoherent to interrogate whether we are feeling *real* happiness or just feeling really happy. Thus Hursthouse thinks "happiness" a very imperfect rendering of *eudaimonia*. "Flourishing" is vexed, too, because we may sensibly talk about flourishing vegetable gardens, while only rational beings (humans) can have *eudaimonia*. But unlike "happiness," "flourishing" does at least suggest, consistent with *eudaimonia*, that our subjective experience can be mistaken, which according to Hursthouse is an advantage. Just as

---

[21] Hursthouse, *On Virtue Ethics*, 10.

a person can be mistaken about her/his health or physical flourishing — think of a person with undetected, asymptomatic cancer — so too can a person be, on a eudaimonist account, mistaken about her/his flourishing with respect to virtue: a person might mistakenly think he is generous when in fact he is simply too timid to say "no" to people who ask him for favors. While there is no one English word that will suffice, the two notions together suggest that *eudaimonia* is at least integral to human flourishing and is the objectively-valid happiness we ought to want to have as humans.[22] What Hursthouse accomplishes by her own reflection is primarily theoretical: *eudaimonia* becomes a standard that whose specifics can be debated even while reliably serving two functions, particularizing the debate to humans and affirming moral realism. Hursthouse's account of virtue, like those of most neo-Aristotelians, is intimately bound up with *eudaimonia*. According to Hursthouse (whom I take to be representative), "[a] virtue is a character trait a human being needs for *eudaimonia*, to flourish or live well."[23] The virtues are (even collectively), on Hursthouse's account, necessary but not sufficient conditions for *eudaimonia*.[24] This is an important point insofar as it insulates Hursthouse from the claim that she neglects the role of contingency in human happiness and flourishing, but it does nothing to evade the possibilities that *eudaimonia* is circular, in the sense that perhaps the virtues are just those habits you need for *eudaimonia*, and *eudaimonia* is just that end at which your virtues aim. Hursthouse chooses to supplement this, as many neo-Aristotelians do, with a meta-ethically naturalist backstop for *eudaimonia*: *eudaimonia* can be read, at least in part, from the pages of human nature.[25] This will encounter, however, the same problems that McDowell sought to solve for Aristotle's account of

---

[22] Ibid., 9-10.
[23] Ibid., 167.
[24] Ibid., 167-177.
[25] Ibid., 192 ff.

eudaimonia, to wit that human nature may not be sufficiently stable from person to person to specify the virtues; holding that *eudaimonia* is distinctively human flourishing as disclosed in human nature still leaves many diverse and contradictory patterns of life open, so that the specific virtues would not necessarily coordinate with one another.

Thomas Aquinas's Theological Revision of Eudaimonia

In the work of Thomas Aquinas, it is expressly the case that all genuine virtues contribute to the ultimate end of human beings. Aquinas reprises much of Aristotle's account of virtues.[26] Aquinas also holds that "Virtue denotes a certain perfection of a power[;]"[27] that "virtue is a habit which is always referred to good[,]" distinct both from habits which could sometimes direct us toward the good and at other times toward evil and from habits that direct us invariably toward evil, that is, vices;[28] and that "one cannot make bad use of virtue" as part of one's habits or character.[29] So far, Aquinas tracks Aristotle very closely. But Aquinas's theological convictions lead him to add further elements to his account virtue that make clear that any particular, genuine virtue must conduce to the ultimate human good. The infused virtues that God implants in humans as part of God's redemptive work come from a perfect being, and all direct us toward our own human perfection, contemplation of God's glory in the beatific vision. God infuses the theological virtues of faith, hope, and charity, and Aquinas reasons that charity, then hope, and then faith are perfected.[30] With these, other moral virtues, including the infused versions of the

---

[26] Aquinas, *Summa Theologica*, first part of the second part, question 64, article 1 (in Thomas Aquinas, *Introduction to St. Thomas Aquinas: The Summa Theologica, The Summa Contra Gentiles*, ed. Anton C. Pegis [New York: Modern Library, 1948], 605-608).
[27] Aquinas, *Summa Theologica*, first part of the second part, question 55, article 1 (in Pegis, 561).
[28] Aquinas, *Summa Theologica*, first part of the second part, question 55, article 4 (in Pegis, 563).
[29] Aquinas, *Summa Theologica*, first part of the second part, question 55, article 4 (in Pegis, 565).
[30] Aquinas, *Summa Theologica*, first part of the second part, question 62, article 4 (in Pegis, 596).

virtues of justice, fortitude, temperance, prudence, are infused by God so that these, too, can be perfected in directing us toward our supernatural, perfect end in God.[31] Aquinas's theological convictions supplement Aristotle's own notion of the innate and unvarying excellence of genuine virtue with the idea that the infused virtues are not only all perfectible, but also have a perfect end. This expands the sense in which genuine virtue reliably conduces to the good: in fact, all genuine virtues reliably conduce to what is perfect. Take the infused, theological virtue of faith, for example: it is simply not possible to have too much faith in God if in fact God is perfect and one's ultimate end. So too with the infused equivalent of fortitude: it is not possible to endure too much to realize one's perfect end in God. It is not only credible, but indeed appropriate, to aspire not only to perfectly achieve the mean that is virtue, but also to realize the end of this virtue infinitely.

Present-Day Theorists Dissatisfied with Eudaimonia

Aristotelian *eudaimonia* has come in for significant critique over the years. But probably the most potent criticisms are variations on the conviction that (unlike in Aristotle's context) there now exist radically divergent patterns of life, mutually incompatible and, apparently, equally valuable to those who live them. John McDowell sought to avert these by substituting preference maximization for *eudaimonia*, but unless all preferences are commensurable — an article of faith in consequentialism but a decidedly contestable one — even this sacrifice will not yield a singular *eudaimonia*. If there is not a single *eudaimonia*, there cannot be a unified end for all the virtues. Or so the line of reasoning proceeds. This is among the conditions of modernity that Alasdair MacIntyre laments in his well-known book *After Virtue*. MacIntyre famous opines,

---

[31] Aquinas, *Summa Theologica*, first part of the second part, question 63, article 3 (page 602).

"The most striking feature of contemporary moral utterance is that so much of it is used to express disagreements; and the most striking feature of the debates in which these disagreements are expressed is their interminable character. [...] There seems to be no rational way of securing moral agreement in our culture."[32] MacIntyre offers all too familiar examples of moral disagreement in the modern period that seem to be totally intractable and incapable of resolution, arguing that it is not people's pig-headedness, but the inadequacy of their moral frameworks, that is to blame. MacIntyre attributes the incoherence of virtue and of moral discourse more generally in the modern era to two features of modern thought: modern thought's abandonment of "the concept of narrative unity and the concept of practice [...] with goods internal to itself[.]"[33] By this MacIntyre means, among other things, to lament the lack of consensus "as to the place of virtue concepts relative to other moral concepts, or as to which dispositions are to be included within the catalogue of the virtues or the requirements imposed by particular virtues."[34] And MacIntyre means also to lament the ostensibly modern innovation of human disagreement about the content of the good and about whether that good was shared by definition or only by agreement:

> For it was in [the modern] period that men came to be thought of as in some dangerous measure egoistic by nature; and it is only once we think of mankind as by nature dangerously egoistic that altruism becomes at once socially necessary and yet apparently impossible and, if and when it occurs, inexplicable. On the traditional Aristotelian view such problems do not arise. For what education in the virtues teaches me is that my good as a man is one and the same as the good of those others with whom I am bound up in human

---

[32] Alasdair MacIntyre, *After Virtue: A Study in Moral Theory*, 2nd ed. (Notre Dame, IN: University of Notre Dame Press, 1984), 6.
[33] Ibid., 226-227.
[34] Ibid., 226.

community. There is no way of my pursuing my good which is necessarily antagonistic to you pursuing yours because the good is neither mine peculiarly nor yours peculiarly – goods are not private property.[35]

MacIntyre is thus arguing that a fundamental requirement for coherent moral reflection is exactly what Aristotle called *eudaimonia*: a shared good common to all humans that is to be realized in unified human lives. MacIntyre ultimately suggests that there is no salvaging coherent discourse about morals until the Aristotelian tradition, or at least the two aforesaid concepts, are restored as the norm by which moral discourse is to be evaluated.[36]

One common rejoinder to MacIntyre is that there really is more moral agreement across space and time than his rather dour portrait of modernity suggests. It may well be that we no longer share exactly the same conception of *eudaimonia*, but we may share a common set of virtues we think central to any conception of it. Stuart Hampshire offers a plausible explanation of how this might work and how it might be obscured:

> Which are the most admired, the most noble and praiseworthy and desirable, human characteristics and activities, after reasonable argument and reflection? The arguments are always imprecise and inconclusive; but still there is a convergence upon a list of generally recognized and familiar human virtues, which are differently ranked and stressed at different times and in different places. Put together in one definite order, they can constitute one ideal way of life, a distinct ideal of perfection and completeness, one among others.[37]

While specific ideals differ, the virtues out of which they are built are largely the same. As I am inclined by general disposition to emphasize points of agreement over points of conflict, this line of reasoning is very appealing to me. It is practically appealing as well: it suggests that addressing a specific virtue held in common may well be helpful to people holding different "ideal way[s] of life." Even if courage, for instance, plays a different role in Adam's life than in Betty's, the courage of both can inform and improve the courage in each. Hampshire's position, or one

---

[35] Ibid., 229.
[36] Ibid., 259.
[37] Stuart Hampshire, *Two Theories of Morality* (Oxford: Oxford University Press, 1977), 40.

like it, will help preserve virtue as useful in the face of disagreement about the particular forms that human life ought to take. But Hampshire's suggestion is less successful in salvaging *eudaimonia* as a guarantee that all virtues conduce to a compatible good. By positioning *eudaimonia* as an idiosyncratic assemblage from a common pool of virtues rather than a singular, integrated unity, *eudaimonia* no longer ensures that all virtues will reliably coordinate to the same good. A person's particular ordering of the virtues might in fact order them in such a way that they could conflict with one another, or might so privilege one particular virtue that the person's character and life would suffer dramatically.

It is possible to assemble a formal account of virtue without reference to *eudaimonia* at all. Christine Swanton, who traces her account of virtue primarily to sources other than Aristotle, provisionally defines virtue as "a good quality of character, more specifically a disposition to respond to, or acknowledge, items within its field or fields in an excellent or good enough way."[38] Explicitly and deliberately excluded from this definition is any reference to *eudaimonia* or human flourishing, because Swanton believes, as I do, that not all virtues, even genuine ones, conduce to human flourishing. However, some of Swanton's evidence that genuine virtue does not conduce to human flourishing rests either on an understanding of *eudaimonia* so deflated that arguing from it borders on begging the question, and on this point Swanton and I part company. Swanton construes *eudaimonia* to refer to "a broader notion than flourishing, and is ambiguous between (at least) living a flourishing life, a life of worthwhile achievement, an admirable life, and a meaningful life."[39] By playing these categories off of one another, Swanton attempts to show that some virtues are recognizably so without necessarily contributing to human flourishing. For

---

[38] Christine Swanton, *Virtue Ethics: A Pluralistic View* (Oxford: Oxford University Press, 2003), 19.
[39] Ibid., 81.

instance, an apparently courageous life may be admirable but still bring one to a painful and early demise, and so not achieve *eudaimonia* even though virtuous.[40] But Swanton has gone wrong from the start, because *eudaimonia* is not ambiguous between these four things: *eudaimonia* is by definition all four of these things simultaneously and without contradiction. A eudaimonist could simply reply either (a) that a *eudaimon* life need not be long or conventionally pleasant to still manifest *eudaimonia* or (b) that we can be sure that this was specious courage, not the genuine article, precisely because it didn't conduce to *eudaimonia*. What I take from Swanton here is that attempting to *argue* against a mutually-reinforcing, potentially circular set of concepts like *eudaimonia* and eudaimonist virtue is not likely to succeed, a point which Swanton eventually implicitly admits by asserting the objective reality of a vast field of values that she forbids virtue to ignore, whatever might be the protests of *eudaimonia*.[41] And many of these values that Swanton insists upon including in various virtues' fields of response are frankly incompatible with any version of *eudaimonia* because they have no end at all that Swanton will acknowledge.[42] This seems right to the extent that it stresses that there is more to the moral life than just virtues that aim at the perfect realization of character. If there is such a thing as *eudaimonia*, a *eudaimon* life would either not be coextensive with a moral one (if *eudaimonia* is excellent only in the sense of being the sum of the virtues) or would be more than just a virtuous one (if *eudaimonia* is to be a morally excellent human life).

Swanton's effort to offer an argument against *eudaimonia* underscores what is the fundamental issue: *eudaimonia* can be logically useful in the context of a theory of virtue, but this

---

[40] Ibid., 81.
[41] Ibid., 89.
[42] Ibid., 93-95.

logical credibility depends on a certain circularity with a definition of virtue, one that defines all genuine virtues as those that aim at *eudaimonia* and *eudaimonia* as a condition for which genuine virtue is a necessary, though not always sufficient, condition. The empirical credibility of *eudaimonia* is another matter: this credibility may be a matter of personal conviction more than rational argument. It seems to me, has seemed to many others, and according to MacIntyre is the very modern condition that *eudaimonia*, as a doctrine that can ensure all virtues always conduce to the good, is no longer self-evident. MacIntyre urges that this is so much the worse for virtue and for us. It is my hope that virtue can be treated sensibly and made useful even without presupposing that all genuine virtue conduces to the good, but the proof of this will have to be in the doing of it.

The Unity of the Virtues

The doctrine that all genuine virtues share a common end in *eudaimonia* seeks to ensure that all genuine virtues conduce to the good by definition: each specific virtue itself aims at the same *eudaimonia* as all the others. The second, prominent support for the intuition that all genuine virtues reliably conduce to the good, the unity of the virtues thesis, argues not from definition but instead from the practical experience of living out the virtues. There are two traditional accounts of the unity of the virtues and two distinct lines of argument concerning the thesis's plausibility. The first account of the unity of the virtues traces its roots to Plato, while the second account has its roots in Aristotle. At least as I present them, the Platonic argument for the unity of the virtues is more direct than is the Aristotelian. The Platonic unity of the virtues reasons that it is impossible to properly exercise any one virtue without comprehensive true knowledge, so that anyone who genuinely possesses one virtue in fact possesses them all. Where

the Platonic unity of the virtues diffusely applies to any and all specific virtues at once, the Aristotelian unity of the virtues specifies the site of unity: the virtue of *phronesis*, eventually assimilated to Roman *prudentia* and variously rendered in English as practical judgment, practical reasoning, practical wisdom, and prudence.

I begin this section with an examination of the Platonic version of the unity of the virtues, starting with Plato and jumping quickly to selected present-day exponents of the full Platonic version of the unity of the virtues. I then present what seem to me to be the most pertinent criticisms of the Platonic version of the unity of the virtues. I then turn to the Aristotelian account of the unity of the virtues, emphasizing Aristotle's own highly flexible account of the unity of the virtues in *phronesis* and briefly rehearsing subsequent Aristotelian accounts of the unity of the virtues in *phronesis*, including that of Thomas Aquinas. I follow this exposition with criticisms of the Aristotelian version of the unity of the virtues. I conclude my consideration of the unity of the virtues thesis by rehearsing what I believe to be the most compelling iteration of the thesis, a limited unity of certain virtues.

Plato's Account of the Unity of the Virtues

Plato's account of the unity of the virtues is expressed through the character of Socrates, primarily in *Protagoras* and *Laches*.[43] Because he writes through the character of Socrates and adopts Socrates's famously indirect, non-doctrinal approach to philosophy, Plato's account of the unity of the virtues is, at times, frustratingly unclear. As Aristotle's account of the practical,

---

[43] Daniel T. Deveraux, "The Unity of the Virtues," in *A Companion to Plato*, ed. Hugh Benson (Oxford, UK: Blackwell Publishing Ltd, 2006), 325–40. Some commentators have suggested that other Platonic dialogues, including *Meno* and *Euthydemus*, provide indirect support for the Platonic unity of the virtues, but other interpreters hold that the relationships among virtues in those dialogues are in fact contrary to the unity of virtue. See Michael T. Ferejohn, "Socratic Thought-Experiments and the Unity of Virtue Paradox," *Phronesis* 29, no. 2 (1984): 107-120.

mutual entailment of all virtues is much more clearly expressed than is Plato's, I will here

concern myself with Plato's thesis (one not endorsed by Aristotle) that all of the apparently

specific virtues are simply different manifestations of the same, singular entity, so that all virtues

are in fact one thing, coextensive with the good. The unitary nature of the good may have been a

very widespread assumption in Plato's time, so Plato may not have been developing a novel thesis

about unity so much as attempting to specify in what that widely-assumed unity consisted.[44] But

certainly Plato's argument for the unity of virtue in *Protagoras* and *Laches* is different from

Aristotle's argument for the unity of the virtues in the *Nicomachean Ethics*; in order to more

clearly distinguish it from the Aristotelian argument for the unity of the virtues, Plato's position

is sometimes labeled the "identity of the virtues."[45]

In *Protagoras*, Socrates recounts a wide-ranging discussion with a famous sophist, the

titular Protagoras. In characteristic fashion, Socrates gradually maneuvers Protagoras — who is

evidently inclined to believe that virtues are many, not one — into accepting that any particular

idea can have only one opposite, and that the opposite of both temperance and of wisdom is folly.

Socrates then springs his trap:

> Then which, Protagoras, of our propositions are we to reject—the statement that one thing has but one
> opposite; or the other, that wisdom is different from temperance, and each is a part of virtue, and moreover,

---

[44] John M. Cooper, *Reason and Emotion: Essays on Ancient Moral Psychology and Ethical Theory* (Princeton, NJ: Princeton University Press, 1999), 76-83.

[45] This distinction is frequently under threat from interpreters who, in the words of Michael Ferejohn, "dilute" Socrates's paradoxes in order to make them more apparently plausible. In an effort to bring greater consistency to Plato's account of the relationship between the virtues and virtue in general, Thomas Brickhouse and Nicholas Smith interpret Plato's argument in such a way that it becomes much closer to Aristotle's; however, Brickhouse and Smith seem to assume more consistency in Plato's thought than most commentators. See Thomas C. Brickhouse and Nicholas D. Smith, "Socrates and the Unity of the Virtues," *Journal of Ethics* 1, no. 4 (1997): 311–24; Michael T. Ferejohn, "The Unity of Virtue and the Objects of Socratic Inquiry," *Journal of the History of Philosophy* 20, no. 1 (1982): 3

a different part, and that the two are as unlike, both in themselves and in their faculties, as the parts of the face? [...] Then temperance and wisdom must be one thing?[46]

Protagoras quickly comes to realize that he is snared, and reluctantly acquiesces, in response to Socrates's repeated prompts, that not only temperance and wisdom, but also justice, holiness, and courage are all, in essence, the same virtue. Socrates interrupts his narrative to note that by this point Protagoras had grown frustrated and changed the topic.[47] Plato's implication is clear: had not Protagoras ducked out, Socrates might well have continued indefinitely and established that all apparently particular virtues are, in fact, the same, singular thing.

How, exactly, all specific virtues might plausibly be regarded as the same thing is made more clear in *Laches*. In *Laches*, Socrates is much more in agreement with the intuitions of his interlocutors (here, two generals) than in *Protagoras*. Socrates suggests, and one of the generals agrees, that "courage is knowledge of what is to be dreaded and dared[.]"[48] It is critical that courage be knowledge, because according to both Socrates and the general, "rashness, boldness, and fearlessness, with no forethought to guide it," hardly deserve the label courage.[49] To be courageous, one must understand and appreciate the risks one is running, not merely run those risks without regard to their gravity. Socrates then suggests, and his conversation partners agree, that knowing what is to be dreaded and what is to be dared consists in integration of past and present experience and the ability to accurately predict which risks a given course of action will incur. If these three are truly known, Socrates suggests to general agreement, they are all the same knowledge. Thus courage consists in knowledge, and, making the necessary changes, so

---

[46] Plato, *Protagoras* 333a-b (in Plato, *Laches, Protagoras, Meno, Euthydemus*, trans. W. R. M. Lamb, Loeb Classical Library 165 [Cambridge, MA: Harvard University Press, 1924], 167).
[47] Plato, *Protagoras* 333b-e (in Lamb, 167-169).
[48] Plato, *Laches* 196c-d (in Lamb, 67).
[49] Plato, *Laches* 197a-b (in Lamb, 69).

too with all the other virtues. All specific virtues are merely appearances of the same unity, true and comprehensive knowledge.[50] What distinguishes the peculiarly Platonic unity of the virtues is just this identification: that virtue is, at root, knowledge or wisdom, so that a person who knows truly is also, by definition, virtuous.[51] This position has enduring appeal, but also difficulties related to apparent failure of motivation in the presence of sound knowledge, of which Plato's theory does not admit but which seems to be a commonplace of experience. Subsequent adapters of the Platonic thesis have both carried this problem forward and sought to address it.

Present-Day Platonic Accounts of the Unity of the Virtues

John McDowell is a more recent proponent of the Platonic version of the unity of the virtues. McDowell defines any one particular virtue as "a reliable sensitivity to a certain sort of requirement which situations impose on behaviour."[52] By McDowell's own account, this is hardly adequate to guarantee "the attractive idea that a virtue issues in nothing but right conduct."[53] McDowell examines the potential conflicts between the virtue of kindness (as per McDowell, a reliable sensitivity to the moral import of others' feelings) and the virtue of fairness (a reliable sensitivity to others' rights) to illustrate his point. A kind person without the virtue of fairness could act rightly in circumstances in which others' feelings exhausted the morally-relevant features of that circumstance. Unfortunately for the would-be virtuous agent in possession of kindness but not fairness, others' rights often intermingle with others' feelings in the complex

---

[50] Plato, *Laches* 197a-199e (in Lamb, 69-77).

[51] Some commentators have attempted to make this more plausible by specifying that what Socrates must mean is knowledge of good and evil, not knowledge in general. But Socrates is fairly clear in *Laches* that he means knowledge of past, present, and future generally, which would surely include knowledge not only of good and evil but of everything else as well. See Daniel T. Deveraux, "The Unity of the Virtues in Plato's Protagoras and Laches," *Philosophical Review* 101, no. 4 (October 1992): 765–89.

[52] John McDowell, "Virtue and Reason," *Monist* 62, no. 3 (July 1979): 331-332.

[53] Ibid., 332.

situations of actual life. A kind person who lacked the virtue of fairness would be sensitive to others' feelings, but not to their rights, and so would miss morally-relevant features of the situation. Because neglect of those others' rights would hardly be right conduct, and because genuine kindness must issue in nothing but right conduct or fail to be genuine at all, McDowell concludes that kindness entails fairness. What is more, nothing about moral experience suggests that others' feelings and others' rights exhaust the moral features of lived experience, so if kindness or fairness is to be genuine, it must be accompanied by still other virtues. Because there is no *a priori* limit to the moral features of a situation, any one virtue, if it is to be genuine (in the sense of issuing in nothing but right conduct), entails all other virtues. With Plato, McDowell takes virtue to be single and unified: we may talk about particular virtues for purposes of convenience, but all particular virtues are finally labels for "similarities and dissimilarities among the manifestations of a single sensitivity which is what virtue, in general, is[.]"[54]

Gary Watson thinks that McDowell's updated version of the Platonic unity thesis is insufficiently robust and urges a still stronger account of the unity thesis. Watson's complaint against McDowell's version of the unity thesis is that it only establishes that to possess some particular virtue genuinely, one needs awareness of the moral requirements identified by all other virtues. Watson worries that, within McDowell's framework, an agent could appreciate the requirements of those other virtues without necessarily possessing the will to act upon those requirements.[55] By way of illustrating Watson's read of McDowell, consider a military commander who is uncontroversially courageous, that is, cognizant of and motivated to fulfill the requirements that critical, dangerous situations impose on behavior. As per Watson,

---

[54] Ibid., 333.
[55] Gary Watson, "Virtues in Excess," *Philosophical Studies* 46, no. 1 (July 1984): 60.

McDowell shows that by dint of this commander's genuine possession of the virtue of courage, this commander would also be aware that, among other things, his soldiers have some right to security in their persons, albeit not an insuperable right. This sort of awareness of rights is (on McDowell's view) constitutive of the virtue of justice, so the genuinely courageous commander is also a just one. But if Watson is correct, McDowell has left open the possibility that the commander, though *aware* of his soldiers' right to security in their persons, might lack the motivation necessary to *respond* to that right even while aware of it: according to Watson, the commander's awareness of his soldiers' right would not prevent him from blithely disregarding that right and leading the soldiers in a brave but suicidal, tactically-futile maneuver. Watson's point is that we would hardly wish to claim that this reflects justice on the part of the commander toward his soldiers. What is needed, Watson thinks, is a mechanism that ensures that *appreciating* the ancillary moral requirements that arise in the context of exercising one virtue will lead to *acting* upon those other requirements. Watson suggests that those defending the unity thesis follow Plato and conflate understanding moral reasons with possessing the will to act upon them.[56] Watson's account of the unity of the virtues opens the door to considerably more complex accounts of character. This may or may not be an advantage over McDowell, but Watson certainly does hold an advantage in avoiding a question-begging account of the avowed unity of the virtues. McDowell circularly reasons that, because all particular virtues are in fact the same virtue, the particular virtues are by definition unified (or, perhaps more rightly, identical). Watson, in considering the complex interactions of particular virtues, find that defining them as individual "sensitivities" is insufficient to guarantee this analytic identity, and

---

[56] Ibid., 60-61.

so strengthens each particular virtue to guarantee that they must be unified as knowledge, which Watson assimilates to will.

<center>*Aristotle's Account Of Phronesis*</center>

Aristotle proposes an account of the unity of the virtues that trades upon their apparent mutual interdependence, and all the particular virtues' interaction with *phronesis*. The *phronesis* that Aristotle describes in his *Nicomachean Ethics* is at once impossible without the other genuine virtues and integral to those other virtues. Aristotle distinguishes *phronesis* from *deinotes*, that is, cleverness. Cleverness is nothing more and nothing less than the ability to reason from ends to means. A clever person is adept at determining what ought to be done in order to achieve a particular end that he/she has, either one he/she has set for herself/himself or set to her/him by someone else. Whether or not this capacity of cleverness is praiseworthy or blameworthy depends on the clever person's end: "if one's object is something beautiful, this capacity is to be praised, but if it is base, it is shamelessness."[57] *Phronesis* includes cleverness, in that *phronesis* entails apt reasoning from ends to means. However, *phronesis* supplements cleverness with the additional requirement that the only ends acceptable to *phronesis* are the ends of the particular virtues. According to Aristotle, a person who is adept at reasoning from ends to means but who is not otherwise virtuous is merely clever, while someone who adept at reasoning from ends to means and is otherwise virtuous possesses the virtue of *phronesis*. Cleverness is, on Aristotle's account, merely a capacity, but *phronesis* is a virtue, in part (but only in part) because its ends are always good by definition.

---

[57] Aristotle, *Nicomachean Ethics* 1144a (in Sachs, 116).

Aristotle posits that *phronesis*, in addition to being dependent upon the other virtues, is also central to the exercise of all particular virtues. This makes good sense: if all particular virtues are concerned with living one's life in accordance with those virtues' ends, if doing so requires reasoning from the virtues' ends to means appropriate to achieving them, and if *phronesis* is the specific virtue by which virtuous people reason from ends to means, then there is no possibility that any particular virtue could be exercised without *phronesis*. In this way, *phronesis* is integral to each and every other virtue, for without *phronesis*, no one can actually exercise (and so possess) any other virtue.[58]

Aristotle is explicit in the *Nicomachean Ethics* that *phronesis* guarantees the unity of the virtues. Indeed, *phronesis* is his mechanism for securing this unity and, depending on whose interpretation of Aristotle one prefers,[59] *phronesis* may even be the mechanism that unifies the essentially human as a coherent self. The virtuous person cannot exercise virtue without *phronesis*, so any genuinely virtuous person will possess the virtue of *phronesis*. But because no one can possess *phronesis* (as opposed to cleverness) without possessing all the other virtues, anyone who possesses *phronesis* must also possess all the other particular virtues as well. Aristotle concludes, "all virtues will be present together when the one virtue, [*phronesis*], is present."[60] Aristotle is also clear that *phronesis* is not multiple virtues that enable the operation of other, specific virtues or of families of other virtues, but rather that *phronesis* is a single virtue: *phronesis* is "the virtue of a part of the soul,"[61] that is to say (roughly) that it is a singular virtue

---

[58] Aristotle, *Nicomachean Ethics* 1144b (in Sachs, 117).
[59] Paula Gottlieb, "Aristotle on Dividing the Soul and Uniting the Virtues," *Phronesis* 39, no. 3 (1994): 276, 289-290.
[60] Aristotle, *Nicomachean Ethics*, 1145a (in Sachs, 118). See also Yves R. Simon, *Practical Knowledge*, ed. Robert J. Mulvaney (New York: Fordham University Press, 1991), 21.
[61] Aristotle, *Nicomachean Ethics*, 1145a (in Sachs 118).

by which part of the human essence achieves its proper end. Although Aristotle does not elaborate, the implications of this are worth specifying more concretely. The genuinely virtuous person, by Aristotle's definition, will possess the virtue of *phronesis* and so will be adept at reasoning from ends to the means appropriate for achieving them. This will be true of not just some virtues, but of all virtues, so that the genuinely virtuous person, courageous and just (among other virtues), will be equally excellent at reasoning from the ends of courage to the means appropriate to courageous behavior as he/she will be at reasoning from the ends of justice to the means appropriate for executing justice. This would be equally true of every other particular virtue. The virtue of *phronesis*, possessed by every genuinely virtuous person, ensures that every genuinely virtuous person possesses all the virtues and will be excellent at practical reasoning with regard to all of them.

Later Aristotelian Accounts of Phronesis

Philippa Foot follows Aristotle in distinguishing two parts of *phronesis*, though Foot gives the second part a slightly different valence: "In the first place the wise man knows the means to particular goods ends; and secondly he knows how much particular ends are worth."[62] Foot is confident that the first part of *phronesis* is very familiar; there are certain goods that are widely praised as ends of human striving, and the practically wise person achieves these praiseworthy ends in an excellent way. To ensure that *phronesis* remains widely accessible to all moral agents, Foot further limits practical wisdom so that it excludes any ends or strategies for achieving them that only unusually clever or well-trained persons could acquire. This certainly appears to be

---

[62] Philippa Foot, "Virtues and Vices," in *Virtues and Vices and Other Essays in Moral Philosophy* (Oxford: Clarendon Press, 2002), 5.

notably more democratic than Aristotle was prepared to be: Aristotle is not above describing virtues (including the means by which they are properly exercised) that very few people would be able to access. However, Foot takes a less democratic approach to the second feature of practical wisdom, writing that as a matter of fact, most people prize many goods they ought not and achieve those goods at too high a cost: "it makes good sense to say that most men waste a lot of their lives in ardent pursuit of what is trivial and unimportant[.]"[63] Foot's suggestion that the means one should expect *phronesis* to identify should be fairly accessible would seem to be a considerable advantage in a more egalitarian context that expects virtue of more than simply the elites: what use is a virtue that unifies the others if only a few people can ever have it? Foot's negative spin on the second part of *phronesis*, that it is reliably directed at virtuous ends, is different in emphasis but not in content from Aristotle: Aristotle thought that *phronesis* needed all the virtues to operate, and here Foot is simply observing that many whom we recognize as excellent in achieving their ends lack the virtues necessary to focus on ends of which we (or Foot, at least) would approve.

Thomas Aquinas's development of Aristotelian *phronesis*, in the guise of *prudentia*, is surely the most influential of subsequent interpretations of Aristotle's argument for the unity of the virtues (though it is arguable that Aquinas owes as much to Cicero as to Aristotle with regard to *prudentia*).[64] Aquinas found it necessary to revise Aristotle's account of *phronesis* for much the same reason Aquinas found it necessary to revise Aristotle's account of *eudaimonia*: consistency with Christian orthodoxy. For Aristotle, *phronesis* had a credible claim to be the site of

---

[63] Ibid., 6.

[64] Robert W. Cape Jr., "Cicero and the Development of Prudential Practice at Rome," in *Prudence: Classical Virtue, Postmodern Practice*, ed. Robert Hariman (University Park, PA: Pennsylvania State University Press, 2003), 35-36.

integration of all virtue for, without *phronesis*, there was no mechanism by which the particular virtues might be directed to their end. But Christian orthodoxy has a different means by which virtues can be directed: the revelation of God. And the end of virtue in Aquinas is God, not practical ends, so something as thoroughly human as *phronesis* could not be expected to direct all virtues to their ends.[65] *Phronesis*, at best, can direct humans to their natural ends, but their better end (their true *eudaimonia*) is God, and *phronesis* will not be able to direct humans there. The theological virtues of faith, hope, and charity are responsible for directing human life and character to their supernatural end in God, and (with Paul the Apostle) Aquinas affirms that charity is primary, effectively demoting *phronesis*: "charity is the mother and the root of all the virtues, inasmuch as it is the form of them all[.]"[66] Aquinas does affirm that a person who lacks the infused, theological virtues of faith, hope, and love, *phronesis* will unify their virtues to the extent that they can be unified. It is only with the infusion of the theological virtues, however, that full unity of all genuine virtues can be achieved, and this unity is located in charity.[67] As a strategy for guaranteeing the unity of the virtues, this has an important defect in a pluralistic context: the theological virtues are precisely that: theological, and infused by God, not an inherent component of all humans' characters. One unpromising strategy for retaining a high priority for *phronesis* within a Thomistic frame essentially deflates Aristotelian *phronesis* down to Aristotelian cleverness, but this is to omit much of Aristotle's argument and does nothing to recenter the unity of the virtues on *phronesis*.[68] A different, more promising strategy may salvage

---

[65] Douglas J. Den Uyl, *The Virtue of Prudence* (New York: Peter Lang, 1991), 86-96.
[66] Thomas Aquinas, *Introduction to St. Thomas Aquinas: The Summa Theologica, The Summa Contra Gentiles*, ed. Anton C. Pegis (New York: Modern Library, 1948), 596.
[67] Andrew Kim, "Thomas Aquinas on the Connection of the Virtues" (Doctoral dissertation, Catholic University of America, 2013), 153-157.
[68] Josef Pieper, *Prudence*, trans. Richard Winston and Clara Winston (New York: Pantheon Books, 1959), 63-66.

some unifying role for *phronesis* in Aquinas by closely focusing on ethical conduct in earthly life,[69] but this seems to me to neglect the decidedly theological turn in Aquinas's thought. However important *phronesis* may be for earthly life in Aquinas, it cannot be thought to guarantee the unity of the virtues that a human can and should possess in the way *phronesis* does in Aristotle.[70]

Peter Geach offers an account of *phronesis* that manages to guarantee that *phronesis* will itself coordinate with (and so in a limited sense unify) all virtue, but it is by direct appeal to the theological revision of *eudaimonia*, in the guise of providence. Geach defines *phronesis* as an awareness of those "moral precepts that are never to be broken" and stipulates that these moral precepts are the will of God. The person with *phronesis* will thus possess all virtue, in that he/she will never violate the will of God.[71] This is a fairly blunt unification of the virtues around *phronesis*, and certainly it is not *phronesis* that is the site of that unification, but God. Two obvious problems arise in connection with such an account. First, it is not particularly congenial to a pluralistic environment in which people have different ideas about the divine and the divine will; second, it rests upon a fairly high level of confidence in people's ability to comprehend the will of God. More generally, Geach's version of *phronesis* is susceptible to all the concerns that afflict any other eudaimonist account of virtue.[72]

---

[69] See Daniel Mark Nelson, *The Priority of Prudence: Virtue and Natural Law in Thomas Aquinas and the Implications for Modern Ethics* (University Park, PA: Pennsylvania State University Press, 1992), 69-104.

[70] There are many other strands of interpretation of *phronesis* in the context of Thomistic ethics, all beyond the scope of this dissertation. For a good review and analysis of these, see Daniel Westberg, *Right Practical Reason: Aristotle, Action, and Prudence in Aquinas* (Oxford: Oxford University Press, 1994).

[71] Peter Geach, *The Virtues: The Stanton Lectures 1973-4* (Cambridge: Cambridge University Press, 1977), 88, 108-109.

[72] Neera Badhwar follows a similar strategy; like Geach, she apparently demotes phronesis, but she requires that all virtues must aim at good ends and that a person who is genuinely virtuous cannot actually be vicious in any part of her/his life. While Badhwar thus limits the unifying role of *phronesis*, she punts a full or nearly full unification of virtue back onto the good. Neera K. Badhwar, "The Limited Unity of Virtue," *Noûs* 30, no. 3 (September 1996): 306–29.

Some present-day virtue ethicists influenced by Aristotle reject outright what they take to be his account of *phronesis*. Julia Peters understands the paradigm case of *phronesis*'s operation to be "one where an agent explicitly reflects and deliberates on all practical options in her current situation and eventually chooses wisely between them."[73] As a matter of empirical fact, Peters thinks that this is not how humans end up behaving consistently, which — when that behavior is consistently moral — is how humans are virtuous, according to Aristotle and Peters alike. For consistency in their actions and lives, humans depend upon habit and habituation, which eventually become unreflective. Peters is impressed by psychological research arguing that habits tend not to be matters of conscious thought, but Peters is also persuaded that habits are ethically useful for many non-empirical reasons as well. Most notable among these is the decreased response time required when actions are habitual rather than deliberate; just as it would impossibly complex to dribble a basketball if one had to reflect upon each component action with each bounce, so too there are routine or time-sensitive situations that call for prompt action, to which habits are better suited than is deliberation. Following and expanding upon Bill Pollard, Peters argues that habitually excellent behavior is a significant component of most virtues: though virtue may still require the overt manifestation of *phronesis* when the virtuous person encounters apparently novel situations, it may actually be more excellent in many instances *not* to have to overtly exhibit the reflective judgment that is, according to Peters, avowedly characteristic of *phronesis*.[74]

---

[73] Julia Peters, "On Automaticity as a Constituent of Virtue," *Ethical Theory and Moral Practice* 18, no. 1 (February 2015): 166.
[74] Ibid., 166-172.

There is at least one plausible objection to Peters's lines of reasoning against *phronesis*. It is not clear that Peters's paradigm case of *phronesis* sufficiently reflects the flexibility present in Aristotle's account of *phronesis*. Conspicuously absent in Aristotle's well-known account of *phronesis* in the *Nicomachean Ethics* is any clear indication that it must be reflective. On the contrary, it is the virtue by which the virtuous person (with virtuous ends) reasons aptly from those ends to the best and most virtuous means by which to achieve those ends. Aristotle is explicit that both the capacity of cleverness and the virtue of *phronesis* are distinct from the intellectual faculty concerned with contemplation of truth and wisdom.[75] It may well be that *phronesis* sometimes requires conscious reflection on the whole range of options, but nothing Aristotle's account demands conscious reflection at all times. Aristotle's paradigm case for *phronesis* does not seem committed to the kind of ponderous deliberation to which Peters objects. Thus I doubt that Peters's argument tells against Aristotle's *phronesis* as strongly as it does against later, neo-Aristotelian applications of *phronesis*.

But Peters's complaint against inordinate reflection in virtuous action does weigh against *phronesis*, even Aristotle's flexible view of it, in another way. Peters observes that "it is sometimes a sign of moral deficiency in an agent if she engages in (a certain kind of) moral deliberation."[76] Peters's study for this sort of morally-deficient deliberation is the shopworn example of deliberation about torturing animals for fun: it should never even cross the virtuous person's mind to torture animals for fun. Within Aristotle's framework, it would not be *phronesis*'s work to exclude torturing animals for fun as an end: only virtues set ends for *phronesis*, and it is fairly clear that no virtue would set torturing animals for fun as an end. In Aristotle, unlike Peters, the

---

[75] Aristotle, *Nicomachean Ethics* 1145a (in Sachs, 118).
[76] Peters, "On Automaticity as a Constituent of Virtue," 171.

situation would never arise in which a virtuous person could ever consider torturing animals for fun. But Peters's general point is more about Aristotle's own distinction between, on the one hand, continence and, on the other hand, genuine virtue operative through *phronesis*. Aristotle is fairly clear that those who act appropriately in the face of contrary inclinations are not genuinely virtuous, but merely continent or self-restrained.[77] Those who are genuinely virtuous will not entertain vicious ends, nor will the virtuous person consider vicious means to virtuous ends. This narrows *phronesis*'s field of operation considerably: what is left for *phronesis* to adjudicate if all the means and ends of which the virtuous person is aware are, by definition, excellent already? It may be that *phronesis* would still have some scope of action if, among those excellent means to virtuous ends, some means were more excellent than others, so that *phronesis* might still need to pick among those means. If phronesis's work is limited to choosing among means that are all guaranteed to be virtuous, there is no longer any clear distinction between cleverness, a mere capacity, and *phronesis*, the virtue: "*phronesis*" becomes a mere honorific for cleverness when cleverness occurs in virtuous people. But Aristotle is explicit that this is not so. Even if Peters's complaints against the deliberation required in *phronesis* do not quite square with the claims that Aristotle makes for *phronesis*, Peters nevertheless reveals that *phronesis*, seemingly the nexus of moral action in Aristotle, may have little distinct existence once the other particular virtues have specified the ends and constrained the means that *phronesis* may even contemplate.

Robert Adams posits a parallel criticism of *phronesis* from outside the Aristotelian tradition: that *phronesis* is a trivial way of describing the means and ends of which other, specific

---

[77] Aristotle, *Nicomachean Ethics* 1146a (in Sachs, 120-121).

virtues will approve. On Adams's account, many neo-Aristotelian virtue ethics, when pressed to

account for how the ends appropriate to virtue are disclosed,

> identif[y] the right ends, and the right ways of feeling, choosing, and acting in relation to them as those that
> are approved by practical reason [i.e, *phronesis*]. That is the point on which I am [...] skeptical. The
> conception of practical reason or practical rationality of which I think I can make the best sense simply
> identifies it with excellent thinking about practical matters. And a conception of virtue as responding in
> ways, and for ends, that would be approved by excellent thinking is uncontroversial to the point of
> triviality.[78]

As does Peters's argument, Adams's argument tells more strongly against neo-

Aristotelian uses of *phronesis* than it does against Aristotle's own use of the concept. Aristotle

does not concern himself, in the *Nicomachean Ethics*, with providing the sort of foundational

justifications for moral value that came to the fore in twentieth-century, English-speaking moral

philosophy in the form of meta-ethics. But as does Peters's argument, Adams's argument points

back to a lingering problem present even in Aristotle's highly flexible account of *phronesis*: that

phronesis may reinforce the unity of the virtues, as Aristotle expects that it should, in only a trivial

sense. It is fairly intuitive that if there is a single virtue that consists in excellent thinking about

all practical matters, then that virtue would require its possessor (as Aristotle thinks) to also

possess all the other particular virtues, without which the virtuous person's thinking about

practical matters would be less excellent. However, this conditional statement signifies nothing

in the absence of the factual premise that there *does* exist such a single virtue that consists in

excellent thinking about all practical matters. Adams's brief complaint against *phronesis* rightly

suggests that it is still less promising to proceed in reverse, from possession of all the particular

virtues to possession of a unifying virtue of *phronesis*. It is (trivially) true that if one possesses

and exercises all the particular virtues, then one will think excellently about all those particular

---

[78] Robert Merrihew Adams, *A Theory of Virtue: Excellence in Being for the Good* (Oxford: Clarendon Press, 2006),
10.

virtues. But this trivially true statement does not specify *what* this excellent thinking will consist in from virtue to virtue. This specification is the substance needed to get somewhere from the trivially true observation that possessing all the particular virtues will require excellent thinking. Unless it can be shown that excellent thinking consists in essentially the *same* thinking across all the particular virtues, that excellent thinking will in no way cohere into a unifying virtue of *phronesis*.

There are good reasons to believe that this sort of excellent thinking does *not* consist in the same thinking across all particular virtues. Consider excellent thinking with regard to the virtue of honesty as opposed to the excellent thinking with regard to interpersonal fidelity. I might have exceptionally good reasoning about how to communicate the truth. And this excellent thinking specific to honesty might be very different from excellent thinking specific to interpersonal fidelity: even as I'm very honest, I might be appallingly bad at establishing and maintaining personal relationships. If *phronesis* is not a unified virtue of excellent thinking about matters of virtue, there is no inconsistency here: I can be genuinely honest and excellent at reasoning through how to be honest, even while I am faithless and nearly incapable of reasoning through how to be faithful to another person. But if *phronesis* is one faculty, my honesty is less honest because I am faithless, and my thinking through honesty is impaired because I cannot think through faithfulness. It seems to me more plausible to prefer the former view, if only because we do know people who are habitually honest and who, sometimes due to that honesty, struggle to maintain interpersonal relationships with persons who may not always appreciate hearing the truth about themselves.

Present-day moral theories that are not markedly influenced by Aristotle are very unlikely to utilize *phronesis* as a unifying virtue. Writing in 1991, Douglas Den Uyl identified five aspects of English-language normative theory since the nineteenth century that make it inhospitable to the robust, unifying *phronesis* that Aristotle defended. Four of these features echo MacIntyre's more famous complaints about contemporary ethics, but one bears further attention in that it tacitly contradicts MacIntyre. Den Uyl, unlike MacIntyre, avers that a communitarian turn will not benefit prudence in the classic sense: according to Den Uyl, prudence will not rise to the level of genuine virtue "[i]f our relations with others are given foundational importance in ethics[.]"[79] In broad strokes, Den Uyl urges that *phronesis* is finally concerned with the perfection of the character of the individual, while much of contemporary ethics thinks it better that ethics concern itself with goods in public life and only secondarily with the personal characteristics (most notably altruism or at least regard for others) required to achieve those public goods. This goes somewhat beyond MacIntyre in alleging that it is not just our particular contemporary community that is inhospitable for Aristotelian virtue, but rather any community that privileges the community's moral development over the moral excellence of its individual parts without regard to the whole. It is possible to overdraw this distinction: Den Uyl agrees that the *phronemos* will value relations with others, and a person of good character, on the Aristotelian account, of course will be just, that is, will habitually distribute goods equitably among members of the community. But Den Uyl seems correct to observe that if appropriate concern for the others in one's community is the most important criterion for ethical living and the boundaries of the normative, then prudence is typically the handmaid to justice. If inter-personal justice matters

---

[79] Den Uyl, *The Virtue of Prudence*, 51.

most, then the only part of prudence that particularly matters for morality is the part that apportions just means to just ends in a way that is cumulatively just. This is obviously a far cry from the robust, unifying *phronesis* articulated and defended by Aristotle.

Surely the strongest repudiation of the Aristotelian project around virtue is that of the "situationist" critics of virtue. These situationists, drawing on the research findings of experimental psychologists such as Stanley Milgram and Philip Zimbardo, argue that there is almost certainly no feature of human personality worthy of the label "virtue" and that the empirical evidence conclusively disproves the possibility of any unity of the virtues. Stated bluntly, the situationist critique is that psychological experiments, such as Milgram's shock experiments and Zimbardo's prison experiment, demonstrate that many people whom we might otherwise credit with "virtue" or even with being generally "virtuous" are in fact only so because of the stability of their contexts, and that in fact most people do not have anything that would pass muster as a stable trait or disposition of character that could survive radical alterations to that person's circumstances. If there are no stable traits or dispositions of character that are durable across any alterations to circumstance, the reasoning goes, the reliable "character" toward which virtue supposedly directs us is a figment of the environment in which persons live. In fact, there can be no virtues at all, as there are no stable traits or habits and it is in these that virtue is supposed to consist.[80]

This line of reasoning has come in for considerable criticism over the years, not least for straw-manning virtue ethics as a whole on the basis of certain theses to which only some virtue ethicists are committed. But whether or not one thinks this sort of reasoning disproves virtue

---

[80] Gilbert Harman, "Moral Philosophy Meets Social Psychology: Virtue Ethics and the Fundamental Attribution Error," *Proceedings of the Aristotelian Society* 99 (n.s.) (1999): 315–31.

per se, so long as one accepts that particular virtues may be frail and significantly dependent on circumstance, the unity of the virtues becomes an unlikely and for that reason unhelpful requirement for virtue. If virtue tends to be a malleable and contingent thing, as much of the evil of the modern period would seem to suggest, then it is unlikely that many people will have a lot of the specific virtues. If few people have many of the virtues, it is still less likely that anyone has all the virtues. If having all the virtues is a requirement for any of those virtues to be genuine, no one has any genuine virtue at all. And this is precisely what the unity of the virtues is committed to arguing.

One possible way to insulate the unity of the virtues is to suggest that experimental psychology and empirical observations will simply never turn it up even were it to exist, so that what is implausible is not the concept of the unity of the virtues, but rather that concept's reality. Although the intent with which it is offered differs, Peter Vranas's argument against making moral evaluations of oneself or others could protect the unity thesis along these lines. Vranas argues, on the basis of the same evidence motivating Doris and Harman, that the overwhelming majority of people are "fragmented," meaning that they "would behave *deplorably* […] in an open list of actual or counterfactual situations and *admirably* […] in another such open list."[81] A fragmented person does not have a unified character, that is, they would not be genuinely virtuous on a very stringent read of Aristotle's unity requirement. Vranas estimates that the probability of encountering a person with a unified, virtuous character is so low that there is no epistemic justification for ever calling anyone good, bad, or somewhere at the level of that person's character as a whole. Vranas avers that the lack of epistemic warrant for crediting

---

[81] Peter B. M. Vranas, "Against Moral Character Evaluations: The Undetectability of Virtue and Vice," *Journal of Ethics* 13, no. 2–3 (2009): 215.

someone with a unified, virtuous character does not spill over to a matter of fact, so that a person could in fact possess the unity of the virtues. But again, this is so implausible that it ought never be attributed.[82]

Vranas's argument is extreme, but it is the sort of strategy that would be required to defend a comprehensive unity of the virtues as a requirement for genuine virtues in the face of overwhelming evidence that few persons, if any, have unified the virtues in themselves. It may be that the unity of the virtues is an ideal to which character should aspire, rather than a necessary requirement for the possession of any genuine virtue. But as an ideal to which genuinely virtuous people might aspire, the unity of the virtues would no longer be a guarantee that all virtues would coordinate for the good. Rather, it would be a recommendation that those virtues should try to get along, and perhaps that the ideal end-state of the virtues would be harmonious interoperation. But it would still permit genuine, specific virtues that were disconnected from the other virtues that might help direct them to the good in practice.

Limited Unity of the Virtues

Robert Adams's account of the virtues also takes the situationist critique of the unity of the virtues seriously, but Adams also takes seriously (as the situationists) the idea that virtues might still have meaning across a whole person even in the absence of perfectly integrated character. Adams argues that the human virtues are real, though at times frail and tenuous, and that some virtues do sometimes interoperate. Adams affirms that some virtues do need other virtues to be more adequately realized, and that these particular virtues that require one another may organize into unities among themselves without implying comprehensive unity of the

---

[82] Ibid., 230-231.

virtues. Thus Adams defends a limited unity of some virtues among themselves while repudiating the comprehensive unity espoused on different grounds by Plato, Aristotle, and their subsequent followers.

Adams's clearest example of a virtue that can be relatively free-standing is military courage. Adams holds that military courage is only one species (Adams prefers the term "module") of the virtue of courage; these species have clear family resemblances to one another but can exist separate from one another. Military courage, according to Adams, would be "an admirable strength of self-government" in light of the goals of military success and the personal perils required for the realization of those goals.[83] Adams urges that fighter may be genuinely courageous in facing dangers so long as the fighter faces those dangers in a way that reflects her/his reliable prioritization of her/his military's goals over her/his fear and safety, even if those goals are not ones that the fighter unequivocally endorses and even if those goals are goals the fighter does not understand or care to understand. This parallels common usage. Our society seems to expect and praise exactly this sort of courage in its military personnel. We do not, to my knowledge, require that prospective recipients of the Congressional Medal of Honor demonstrate a thorough understanding of the causes that motivated the wars in which they fought, let alone to endorse those causes. Rather, the medal is awarded for exceptional commitment to achieving military objectives in the face of enormous peril (typically, near-certain death), irrespective of who set those military objectives, the merit of those objectives, or the recipient's endorsement of those objectives. Adams holds that this military courage would be genuine even if the overarching aims for which the soldier fought were incompatible with

---

[83] Adams, *Theory of Virtue*, 176.

justice, wisdom, temperance, love, hope, or overall good character more generally. Adam would

regard a courageous soldier fighting valiantly for a deeply unjust cause as courageous, but not

virtuous generally. As common-sensical as this seems, both the doctrines of the unity of the

virtues and of the common end of all virtues in *eudaimonia* would require, instead, that not only

the soldier's character, but also her/his courage, be deficient, defective, or specious in some way.

I think Adams is right, and I will follow him, in affirming that some specific virtues can be genuine

without requiring all the others.

If the existence of specific virtues independent of other virtues, of overall good character,

and of the human good were the whole of Adams's theory, he would simply be retreading the

assumption underlying all those moralists throughout history who have treated specific virtues

without reference to all the other specific virtues. Adams's contribution is to put this in tension

with the conviction that many (perhaps most) specific virtues actually cannot exist independent

of others. Kindness is Adams's example of a virtue that cannot be genuine in the absence of many

other virtues. Adams defines kindness as the reliable condition of "being effectively motivated by

a concern for the well-being of other people, and *in particular* for their enjoyment and comfort

in the near future."[84] Adams thinks that kindness can be genuine even absent the *perfection* of

other virtues that would greatly improve kindness's exercise: "[a]n action wholly or

predominantly motivated by kindness may be imprudent, unfair, or untruthful in a way that

makes it wrong, all things considered."[85] Adams does not supply an example, but grandparents

who fawn over and spoil their grandchildren would seem to be a plausible one: these

grandparents are no less kind (though probably somewhat imprudent) for allowing their

---

[84] Ibid., 190.
[85] Ibid., 191.

grandchildren to consume a second piece of sugary cake right before handing the grandchildren back to their parents, no less kind (though probably somewhat unfair) when they secure some coveted experience for their own grandchildren at the expense of other children, and no less kind (though probably somewhat untruthful) when they praise their grandchild's disjointed clanking at the piano.

Adams is strongly committed to avoiding any requirement that even genuine virtue "get it right," which Adams associates with deontology, on Adams's account a much narrower standard for morals than the excellences of character with which virtue is concerned.[86] Thus Adams stops short of saying that the only people who are genuinely kind are those who get that kindness right. But Adams does think that kindness (and presumably virtues that are structurally similar to it) cannot be genuine if "too deeply undercut by particular motives, beliefs, attitudes, actions, or allegiances that are closely related to it."[87] Adams does not connect this with virtue directly, but it can be and indeed tacitly is in Adams's own examples. It is the work of some version of the virtue of sympathy to fashion one's motives so that one does care about others, not capriciously but steadily; it is the work of some version of the virtue of loyalty to be able to form sincere, dependable allegiances. Adams states kindness's need for some species of the virtues of sympathy and loyalty negatively: one cannot completely lack the virtues of sympathy and loyalty and still genuinely possess the virtue of kindness. But it could be stated positively as well: one must have at least some measure of the virtues of sympathy and loyalty in order to have the virtue of kindness. Specific, taxing circumstances may add other virtues that would be needed for a person to possess the virtue of kindness. Adams's examples, drawn from Nazi Germany, all

---

[86] Ibid., 190-191.
[87] Ibid., 199.

position kindness so that, under the circumstances, kindness required some measure of the virtue of courage as well.[88] But it seems clear that even in less trying circumstances, the virtue of kindness is such that it will require anyone possessing it to possess some measure of the virtues of sympathy and loyalty as well.

Julia Annas thinks that this sort of selective clustering of the virtues creates more problems than it solves. Annas acknowledges the same difficulty that I identified with Aristotle's account of *phronesis* above, that Aristotle does not make clear why each virtue should have the same characteristic reasoning from ends to means, thus unifying the virtues with *phronesis*. Annas makes explicit what she believes may be implicit in Aristotle, that discrete units of *phronesis* would preclude action in accord with any virtue:

> [Aristotle] is assuming the unacceptability of the alternative, which would be that each virtue had its own little practical intelligence, limited to the area of that virtue. This might be the case at the very start of learning about virtue, with young children, but it clearly does not work as a picture of the development of virtue. Life is not compartmentalized, and so learning to deal with the mixed situations that confront us is not a matter of getting ever better at extracting and then confronting the claims of different virtues.[89]

Annas marshals several arguments against the adequacy of virtues that are separated from any others at the level of *phronesis*, some of them theoretical and others practical. Annas's theoretical arguments beg the question; Annas is persuaded that full virtue requires holistic integration across a unified human character, so of course all particular virtues will have to be unified at the level of reasoning (*phronesis*) and at every other level, but this is circular: full virtue requires comprehensive integration, so all full virtues are integrated with one another.[90] There is probably no evading this sort of reasoning without recourse to an equally-contentious moral anthropology. But Annas's practical cautions against the limited unity of the virtues are telling

---

[88] Ibid., 192-198.
[89] Julia Annas, *Intelligent Virtue* (Oxford: Oxford University Press, 2011), 87.
[90] Ibid., 89.

even without granting her theoretical concerns. Many virtues seem to require other virtues in order to be dependable and so, on most accounts, genuine virtues. By way of example, Annas writes, "The compassionate person might well need courage to insists that a victim be treated properly, or to stand up to a bully on someone else's behalf. If he lacks courage, his compassion will be flawed too; victims can't rely on it, and others generally can't rely on him to be compassionate in appropriate circumstances."[91] But this example only carries so far. In this example, it shows that it is plausible to think that genuine compassion needs to be courageous as well. Even granting this as true, it remains a one-way street: compassion may require courage, but it is hardly obvious that this entangles the two virtues so that courage implies compassion as well. On the contrary, a person might be legitimately courageous without reference to compassion. Imagine a world-class solo rock-climber who routinely tests her mettle on the deadliest mountains in the world. Surely we would not want to deny that she is courageous as she ascends, with peril in every piton she hammers into the cliff face. The rock climber needs courage in abundance, but nothing about the courage she has cultivated over years of rock-climbing demands compassion to be excellent. This is not to say that she might not also be compassionate in other circumstances. In fact, it is not difficult to imagine that a rock-climber, courageous in the face of death on the cliff's edge, *could* be more excellent in her compassion also by her appropriate management of fear in addressing the urgent needs of others. But there is no necessary linkage from the practical reasoning enabling her to express her courage and the practical reasoning enabling her to express her compassion. Not knowing whether the rock climber is as compassionate as she is courageous, we might reasonably hesitate to say that she

---

[91] Ibid., 88.

is "virtuous" without further specification, but as she hazards her life for the thousandth time, we would be stingy if we refused her the label "courageous."

This connects with Annas's most compelling reason for insisting upon the unity of the virtues. Annas rightly cautions that it becomes difficult (and typically inappropriate) to issue evaluations of others' overall character if we do not insist upon the unity of the virtues. Annas observes,

> We often make heroes or celebrities of people for their virtues (not just their actions) in one area of their lives. Later we discover feet of clay in other areas of their lives, and we are disproportionately disillusioned. [...] If we admire people for their virtue on the basis merely of one area of their lives, we risk being prematurely satisfied in our heroes and role models, and this will frequently lead to later disappointment, not just with the particular person but with the whole project of becoming brave, generous, or whatever.[92]

Annas may overstate the case somewhat with regard to heroes and role models, but then again, she may not: for every manufactured scandal over a politician's character, there are probably scores of truly crushing disappointments closer to each of our hearts. Annas is surely right that great disillusionment can arise from over-hasty characterizations on the basis of a single conspicuous virtue. I think Annas is also correct that the unity of the virtues is an appropriate ideal standard to which to hold character before we honor it with the unmodified label "virtuous."[93] We could say that the rock climber is courageous, and that her character is more praise-worthy specifically with regard to courage than it would be if she less bravely sat at home on a couch out of fear of death on the cliffs. But we should expect much more from her than her courage before we ascribe generally good character to her.

Nevertheless, the thesis that the unity of the virtues is the right ideal for a person's character is separable from the thesis that any genuine virtue is unified with all other genuine

---

[92] Ibid., 90.
[93] Ibid., 91.

virtues. We probably should expect a person of good character to possess at minimum a certain set of core virtues, and possibly all the virtues. And we should probably expect, before crediting that person with a singular character rather than a fragmentary identity, that these virtues should interoperate smoothly and inform one another. However, evaluations of virtue at the level of a person's character are on a different scale than are investigations of specific virtues. There is no inconsistency in expecting genuinely good character to integrate the virtues and averring that specific virtues can be genuine without being integrated with others.

Chapter Conclusion

In rehearsing the classic sources of, and some recent variations upon, the doctrines that all virtues have a common end in *eudaimonia* and that any genuine virtue necessarily entails all other genuine virtues, I make no pretense of conclusively disproving either. But each thesis is seriously troubled in theory. And each thesis would, if true, make it much less likely that the apparent virtues we admire in others are genuine. With regard to *eudaimonia*, this is so because of fundamental disagreement about what human flourishing looks like; with regard to the unity of the virtues, this is so because of the implausibility of persons possessing all the virtues.

These concerns, while not dispositive, seem especially pertinent in the context of clinical medicine. Clinicians, particularly those in high-intensity settings, encounter patients and families whose understanding of human flourishing may differ not only from those of their clinicians', but also from the beginning of a hospitalization to its end. Patients who begin with the insistence that clinicians "do everything" because extended life is most important and who transition to comfort measures when "everything" turns out not to make sense do not agree with themselves across a hospitalization about the nature of their flourishing and their distinctively

human good. And the generally-acknowledged need to avoid overt paternalism on the part of clinicians suggests that the clinicians' own judgment of what does or does not constitute distinctively human flourishing cannot be assumed as normative for their patients as well. It seems to me that the virtues will get further in clinical ethics if they do not need to continually appeal to an unshared and possibly inscrutable yard-stick such as *eudaimonia* to acquire their content.

The unity of the virtues is even more troublesome than *eudaimonia* in clinical medicine. Patients, their families, and their clinicians alike are often not at their very best during high-intensity or extended hospitalizations. The unity of the virtues, in the strong forms defended by Plato and Aristotle, would lead us to what I think is a self-evidently unfair conclusion: that most if not all patients, patient family members, and clinicians have no real virtue at all, in that they manifestly lack at least one virtue (and probably many). But in fact we see patients and clinicians who, despite their obvious deficits with regard to some virtues, are nevertheless apparent exemplars with regard to others. A completely immodest clinician may also be overwhelmingly benevolent. A completely dishonest patient may nevertheless be very kind.

Suffering is ubiquitous in clinical medicine, and moral disagreements and failures are almost as common. It is no great feat in clinical ethics to identify shortcomings and deficiencies, and the simplest (perhaps only) way to eliminate these entirely would be to empty hospitals of patients and clinicians alike. A Pyrrhic victory for pure virtue is no victory at all. Thus I prefer an account of virtue that can acknowledge genuine virtues alongside all-too-real vices and in so doing see reasons for hope and grounds for praise in patients and clinicians, even those with mixed characters and discrepant ideas about human flourishing.

CHAPTER 2

WANDERING VIRTUES

Surveying the Terrain beyond the Landmarks of Eudaimonia and the Unity of the Virtues

Eudaimonia and the unity of the virtues often function as two major landmarks within theories of virtue, references by which dispositions and habits can be triangulated as virtues or vices and toward which all aspiring virtue ought to be oriented. The prospects of the virtues once these two landmarks vanish off of the map might seem very poor, but experience suggests that this need not be so. Robert Adams has observed that even without an assumed unity of all virtues, persons who are themselves committed to growing in the virtues, becoming more virtuous in general, will nevertheless seek to integrate numerous virtues. This integration is central to, if not identical with, the development of coherent moral character. And Adams pithily observes that "the moral integration of a *person* is not the integration of a *theory*, though the latter may contribute to the former. Persisting tensions that would be fatal to the consistency of a theory are not necessarily fatal to the moral unity of a person."[94] The disagreements at the level of theory between the virtues of justice and mercy have not prevented some persons from being recognizably both just and merciful.

But it is my contention that there are some virtues that were tremendously simplified at the level of theory by assuming the truth of *eudaimonia* and the unity of the virtues. These virtues become much more complex when those analyzing them cannot simply say, "Make sure that this

---

[94] Robert Merrihew Adams, *A Theory of Virtue: Excellence in Being for the Good* (Oxford: Clarendon Press, 2006), 209.

strange virtue x is directed at human flourishing"[95] or "Know that this habit y is only a virtue when it is unified with all the other virtues." My suspicion is that these virtues always were more complex than theory gave them credit for, and that by the same token these virtues' threats to character and to flourishing were chronically underestimated. The better to recognize and analyze these virtues, this second chapter first settles on a working definition of virtue in general. Second, this chapter offers a formal definition of these strange, "wandering virtues." Third, this chapter compares the concept of wandering virtue to several similar existing concepts in ethics.

A General Definition of Virtue

Before identifying a special type of virtue, I first need to offer a working definition of virtues in general, whether those virtues are prone to wandering or not. To this end, I will first complete the outline of Aristotle's definition of virtue in his *Nicomachean Ethics* I began in chapter one. Second, I will sketch David Hume's description of virtue in his *Enquiry Concerning the Principles of Morals*. These two accounts of virtue, one ancient and the other early modern, are major historical points of reference for later definitions of virtue. Third, I will examine the definitions of virtue offered by two contemporary ethicists interested in virtue, Christine Swanton and Judith Andre. Fourth, I will adapt elements of each of these four descriptions into my own working definition of virtue.

---

[95] This strategy has traction far beyond Aristotelianism. One might not expect that Buddhist ethics, which will typically share Buddhism's denial of the ultimate reality of the human self, would not link human virtues necessarily to *eudaimonia*. But Owen Flanagan makes a persuasive case that some Buddhist ethics (including the one Flanagan endorses) are directed at *eudaimonia*, albeit in a qualified sense. Owen Flanagan, *The Bodhisattva's Brain: Buddhism Naturalized* (Cambridge, MA: MIT Press, 2011), 140-143.

Aristotle's Definition Of Virtue

Aristotle's definition of virtue is not confined to the affirmations of eudaimonism and of the unity of the virtues as I rehearsed in chapter one. In book two of his *Nicomachean Ethics*: Aristotle writes,

> [V]irtue is an active condition that makes one apt at choosing, consisting in a mean condition in relation to us, which is determined by a proportion and by the means by which a person with practical judgment would determine it. And it is a mean condition between two vices, one resulting from excess and the other from deficiency, and is also a mean in the sense that the vices of the one sort fall short and those of the other sort go beyond what is appropriate both in feelings and in actions, while virtue both discovers and chooses the mean.[96]

Aristotle's working definition of virtue contains two separable elements. First, a virtue is an active condition, something that is part of a person and that makes that person choose well consistently. Second, all particular virtues exist on a continuum running from total deficiency, which would be vice, to total excess, which would also be vice. Aristotle takes every particular virtue to be the mean between these. One of Aristotle's famous examples is of courage, which Aristotle regards as the mean condition between the deficient vice of cowardice and the excessive vices of fearlessness and rashness.[97] Aristotle affirms in this same section that with genuine virtues, "the mean is in a certain way an extreme[.]"[98] I understand Aristotle to intend by this that there is no way to be too thoroughly habituated into a particular virtue or too excellent in its practice: one could not be too thoroughly courageous, for example. The excellence of a virtue is extreme, but even as it is an extreme of moral excellence, it remains a mean condition between deficiency and excess. The best way I know to visualize this is by analogy to a bell-curve.

---

[96] Aristotle, *Nicomachean Ethics*, book 2, 1106b-1107a (in Aristotle, *Nicomachean Ethics*, trans. Joe Sachs [Newburyport, MA: Focus, 2002], 29).

[97] Aristotle, *Nicomachean Ethics*, book 2, 1107b (in Sachs, 31).

[98] Aristotle, *Nicomachean Ethics*, book 2, 1107a (in Sachs, 30).
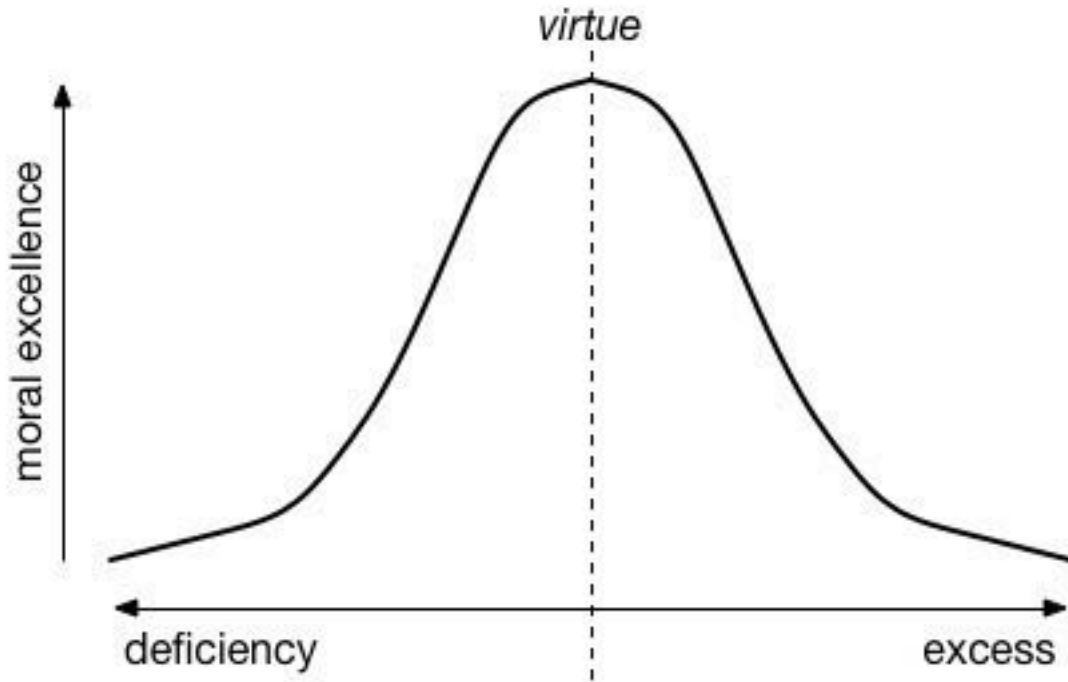
Figure 1: Virtue Simultaneously as a Mean and an Extreme

The horizontal axis runs from deficiency at left to excess at right, while the vertical axis runs from the total absence of moral excellence at bottom up to maximal moral excellence. Virtue is at once a mean with respect to deficiency and excess and a maximum with respect to moral excellence. This visualization is slightly misleading in two respects. First, the bell-curve ordinarily implies some sort of statistically-meaningful distribution, and Aristotle makes no such claims about the quantifiability of virtue. Second, Aristotle does not think that all virtues are just crude averages that fall precisely in the middle of total deficiency and total excess: a given virtue might seem closer to its corresponding vices of excess than to those of deficiency, while another virtue might seem closer to its corresponding vices of deficiency than to those of excess. But the maximum of moral excellence lies wherever the mean between deficiency and excess lies, and the virtuous person will reliably situate her/his choices at that mean.

David Hume's Description of Virtue

Where Aristotle proceeds from received opinion about the virtues and refines it (often altering it significantly in the process), David Hume's account of the virtues in his late *Enquiry Concerning the Principles of Morals* seeks instead to identify existing commonalities in widely-recognized virtues. Hume at one point famously defines a virtue as "a quality of the mind agreeable to or approved of by every one, who considers or contemplates it."[99] Elsewhere, Hume elaborates that this approval derives from the virtue's utility for society or for the virtue's possessor.[100] Fortunately for the virtues, it is evidently not necessary to establish the utility of a particular quality of mind on a case-by-case basis: the approval of society vouchsafes the status of these individual qualities of mind as virtues. It is not sufficient, however, for a large number of people to approve. Virtues and vices are not "sentiments, peculiar to [an individual], and arising from [that individual's] particular circumstances and situation."[101] Rather, Hume is clear that the level of approval required for a quality of mind to qualify as virtue is the approval of a "common point of view, […] the principle of humanity, in which every man, in some degree, concurs."[102]

As Tom Beauchamp observes in his introduction to the *Enquiry*, there are two components to Hume's account of virtue that are distinct but equally important: "(1) a mental quality in the person contemplated, and (2) a perception by those who contemplate the person."[103] The first component, though, is somewhat ambiguous. A mental quality of the sort that Hume describes certainly could include something as sophisticated as habits, with which

---

[99] David Hume, *An Enquiry Concerning the Principles of Morals*, ed. Tom L. Beauchamp (Oxford: Oxford University Press, 1998), 139 n. 50.

[100] Ibid., 151.

[101] Ibid., 148.

[102] Ibid.

[103] Tom L. Beauchamp, introduction to David Hume, *An Enquiry Concerning the Principles of Morals* (Oxford: Oxford University Press, 1998), 28.

one becomes more proficient with practice. But Hume's mental qualities might also be satisfied by dispositions, reliable inclinations that are not necessary something one becomes more practiced, or even those inclinations themselves. (Hume's mental qualities would not describe a person's actions, establishing that their closest analogy in contemporary normative theory is virtue.) Hume's particular contribution comes with the second: Hume is confident that humanity's cumulative approval or disapproval is an adequate basis for distinguishing virtue from vice. This is a superfluous requirement for eudaimonistic virtue ethics, but it is one of the more promising options for distinguishing virtue from vice in the absence of *eudaimonia.*

Christine Swanton's Humean Virtue

Although in chapter one I did not find Christine Swanton's arguments against *eudaimonia* persuasive, her working definition of virtue as "a good quality of character, more specifically a disposition to respond to, or acknowledge, items within its field or fields in an excellent or good enough way"[104] is promising. In defining and analyzing virtue, Swanton departs explicitly from the neo-Aristotelian tradition, preferring Hume and Nietzsche as the basis for her virtue ethic. Swanton does not pretend that either Hume or Nietzsche would have been aptly characterized as virtue ethicists in their own time — though it is unlikely that even Aristotle would have recognized that label — or even as specifically concerned with virtue (as opposed to morality in general), but Swanton is confident that their insights can be usefully applied to contemporary debates about the nature of virtue.[105] Swanton further specifies Hume's appeal to the approval of humanity by observing that it would be compatible both with Hume's account of

---

[104] Christine Swanton, *Virtue Ethics: A Pluralistic View* (Oxford: Oxford University Press, 2003), 19.
[105] Christine Swanton, *The Virtue Ethics of Hume and Nietzsche* (Hoboken, NJ: John Wiley & Sons, 2015), 3-5.

virtue specifically, and with Hume's body of work generally, to affirm the existence of "moral facts which are constituted not by eternal immutable fitnesses but by 'natural fitnesses'" and that "[s]uch facts cannot be recognized by theoretical reason as such, by understanding, but they can be recognized by an emotionally constituted 'moral sense.'"[106] I am not persuaded that Hume — despite his frequent remonstrances with rationalists — is quite so averse to theoretical reasoning about morality, of which he does a good deal himself. But Swanton is right to stress that the moral facts that enter into Hume's reflection, and that enter into our own, are not narrowly intellectual, and that there is nothing particularly inimical to virtue in expecting that emotion will play a significant part in our moral evaluations of ourselves and others. Swanton neatly summarizes what is quite disparate in Hume, and makes clear what makes a quality of character "good" and how emotions can rightly figure into that evaluation. However, for reasons I will discuss in connection with consequentialist satisficing near the end of this chapter, I cannot so quickly endorse a definition of virtue that explicitly appeals to "good enough" as opposed to excellent, nor am I persuaded that this suffix is necessary if the evaluation of humanity is itself responsible for determining whether a quality of character is sufficiently good to qualify as virtue.

Judith Andre's Contemporary Buddhist Virtue

In her book *Worldly Virtue*, Judith Andre develops an account of virtue that proceeds to a significant extent from her "generically Buddhist tradition."[107] In service of her careful analysis of several under-examined (and often under-appreciated) virtues, Andre defines virtues as

---

[106] Swanton, *Virtue Ethics of Hume and Nietzsche*, 12.
[107] Judith Andre, *Worldly Virtue: Moral Ideals and Contemporary Life* (Lanham, MD: Lexington Books, 2015), 5.

"habits of understanding, perception, emotion, and behavior that promote the welfare of their possessor or of the community, and ideally of both."[108] Andre explicitly rejects both the Aristotelian doctrines that all virtues are means between vices and that all the virtues unify, averring that some virtues can conflict with one another. Andre adds that "many virtues can be usefully understood as skills, […] learned capacit[ies] to do something that requires thoughtful attention."[109] And Andre, citing Linda Zagzebski approvingly, expects that most virtues must achieve their ends consistently, if not always.[110]

Andre's overall tenor when she writes about what is true of most virtues is very congenial to my project here, which is concerned with some of those quirky virtues that are not like most virtues. The exceptions that Andre's definition permits would, for the most part, allow me to affirm her account of virtues without too much further elaboration. The only difficulty, however, is an important one: Andre is persuaded that virtues are those habits that "promote the welfare of their possessor or of the community[.]"[111] Were I adapting Andre's definition directly, I would need to add that virtues *have the potential* to promote welfare, not that they necessarily do promote that welfare, since some of the difficulty with wandering virtues is that they may not promote welfare, after all. There is tension within Andre's definition along these lines. Andre's agreement that not all virtues reliably achieve their aims, it seems strange to require that all virtues should (succeed in) promoting welfare.

---

[108] Ibid., 6.
[109] Ibid., 7.
[110] Ibid.
[111] Ibid., 6.

A Working Definition of Virtue

I have identified elements in all of the foregoing definitions of virtue that are valuable for my project here, and also elements in each that I wish to avoid. With an eye on all four definitions, I propose the following as my working definition of any particular virtue:

> *A virtue is a habit (or a set of interoperating habits) or a disposition (or a set of interoperating dispositions) that responds to and generates norms within a particular field of concern.*

To avoid needless wordiness going forward, I will use "habit" and "disposition" interchangeably in their connections with virtue and assume that "habit" also implies a set of habits and "disposition" a set of dispositions.

It will help clarify each part of this definition to offer more specific attribution to the scholars I have reviewed above. As does Andre, I expect that virtues are often habits (often aptly analogized to skills that can be learned and steadily improved). Those virtues that are not obviously learned must at least be reliable dispositions, as Hume and Swanton allow. With all of the authors, these virtues are responsive: an appropriately habituated, skilled, or disposed person with a certain virtue will perceive the implications of that virtue in the context of that person's life. The stipulation that virtues are also generative is a nod to Hume's and Swanton's criteria by which virtues and vices are distinguished from one another. Virtues do not merely issue in private, inscrutable attitudes, but manifest themselves. And those manifestations are subject to public evaluation and scrutiny. "Justice" that issues in activities and moral expectations that consistently draw the censure of humanity is probably not justice. This is not to say that societies cannot be mistaken about matters of virtue, but it is to say that virtues are open to, and almost always improved by, the input and feedback of the societies that form our moral context.

Some apology must be made for the ethical argot "norm" in the definition. My aim is to avoid both debates concerning, and over-drawn distinctions between, the character and content of what makes good people good and right actions right, and I believe that this placeholder can accommodate most meta-ethical theories. A response to the norms associated with the virtue of justice could be the dutiful action of giving true but damning witness against a friend in court, to the satisfaction of deontologists. One might "generate" norms associated with the virtue of justice by inculcating the virtue of justice in one's own children, propagating the virtue of justice to the satisfaction of virtue ethicists. A hybrid response to, and generation of, norms associated with the virtue of justice might be an effort to pass reform legislation to adjust sentencing guidelines to the benefit of those whose incarceration is less than just, a response that consequentialists would endorse. This would reshape the most proximate norms of just sentencing in response to the injustice of those prevenient norms' consequences. My use of "norms" can accommodate good consequences, obligations, and virtues alike and acknowledge them as valuable to the project of virtue. Additionally, the term "norm" has the further merit of allowing the flexibility with regard to *potential* promotion of wellbeing that I recommended in connection with Andre's definition of virtue. I do not think it plausible to label something a norm that has no prospects of improving wellbeing: it seems obviously immoral to promote outcomes, obligations, or habits by which everyone involved is fully expected to suffer without the consolation of offsetting benefits. These disastrous outcomes, obligations, or habits would not be norms at all. But there is no paradox in affirming that credible norms may not always promote welfare. The status of a norm as a norm, as I conceive it, depends on humanity's positive evaluation of the norm, not on that evaluation's perfect accuracy. Finally, the requirement that

virtues respond to and generate norms does avoid the theoretical problems of *eudaimonia*: we do not need to agree on the shape of human flourishing or the ultimate human good to agree on norms closer to hand.

The "particular field of concern" of a specific virtue is the most convenient mechanism by which I can envision distinguishing one virtue from another, but there are several misunderstandings that I am keen to avoid. First, the fields of concern for particular virtues routinely overlap. Most or all of the field of concern of the virtue of generosity will also fall within charity's ambit. Other virtues, such as justice and mercy, will overlap less without necessarily implying a conflict between them. I am agnostic as to whether there are ethical norms that fall outside the fields of all virtues, going beyond ethics, so to speak. Not even Søren Kierkegaard seems to have been prepared to affirm the existence of norms falling outside the field of any virtue in *Fear and Trembling*, since Abraham is responding (however disturbingly) to the norms he discerned within the field of concern of the virtue of faith.[112]

Defining Wandering Virtues Constructively

With a general definition of virtue in hand, I now turn to those virtues that manifest strange tendencies in the absence of *eudaimonia* and the unity of the virtues. After acknowledging the unlikely source of my terminology, I offer a formal definition of "wandering virtues" and then review the requirements I stipulate for wandering virtue in those requirements' application to the virtues of charity, courage, and hope.

---

[112] Søren Kierkegaard, *Fear and Trembling, Repetition*, trans. Howard V. Hong and Edna H. Hong (Princeton, NJ: Princeton University Press, 1983), 75-81.

The Source of the Label

G. K. Chesterton — in the midst of comparing the writers Henry James, George Bernard Shaw, and Émile Zola unfavorably to the inquisitor Tomás de Torquemada — offers a memorable diagnosis of the roots of modern moral decline:

> The modern world is not evil; in some ways the modern world is far too good. It is full of wild and wasted virtues. When a religious scheme is shattered (as Christianity was shattered at the Reformation), it is not merely the vices that are let loose. The vices are, indeed, let loose, and they wander and do damage. But the virtues are let loose also; and the virtues wander more wildly, and the virtues do more terrible damage. The modern world is full of the old Christian virtues gone mad. The virtues have gone mad because they have been isolated from each other and are wandering alone. Thus some scientists care for truth; and their truth is pitiless. Thus some humanitarians only care for pity; and their pity (I am sorry to say) is often untruthful.[113]

Chesterton was neither the first nor the last to lament the disintegration of the religious ties that once ostensibly bound Europe together or to criticize the zealousness of scientists and progressive activists. I do not think Chesterton is correct about the dangers of the virtues of honesty or sympathy. As I will argue further down, many (if not most) virtues are exempt from the liability he attributes to modern virtues. Chesterton seems also to be describing overbearing principles, rather than virtues in a sense that Aristotle, Hume, or any of their inheritors would recognize. But however accidentally, Chesterton identifies the way in which some virtues can wander off and carry us with them when we jettison unifying beliefs that we might more conveniently take for granted.

I will not pause here to ruminate over the historical roots of modern pluralism, to debate whether the European worldview was ever as unified as Chesterton assumes, or to assess whether such a hegemony was better abandoned. For the theoretical and practical reasons I rehearsed in chapter one, virtue can no longer assume that all the virtues will unify in a common

---

[113] Gilbert K. Chesterton, *Orthodoxy* (London: The Bodley Head, 1908), 38-39.

ideal of human flourishing or in an integrated human character. We need not lay the blame — if blame it is — at the feet of the Reformation to recognize that in the absence of *eudaimonia* and the unity of the virtues, some virtues can, in principle, be true virtues and still do harm to human flourishing and to integrated character. And Chesterton's depiction of this harm as a sort of wandering seems to me particularly apt. Certain virtues, loosed from the dubious requirements that were supposed to bind them to human flourishing and the other virtues, really can stray from the other virtues, and may carry us with them, to the detriment of our flourishing or our character. With apologies to Chesterton for using his terminology for work to which he would likely object, I call these peculiar virtues "wandering virtues."

A Formal Definition of Wandering Virtues

Anthropomorphic descriptions of certain virtues as "wanderers" will not suffice for a formal definition, or even to identify the family resemblance that unifies them. Any particular virtue, I have suggested, might be well characterized as the habit by which we respond to and generate norms in a particular field of concern. As a definition of wandering virtues, I propose the following three conditions, individually necessary and jointly sufficient for identification as a wandering virtue. A wandering virtue

1. Encourages its possessor to neglect one or more of that person's other virtues,
2. Possesses no clear coordinate vices other than those that describe a deficiency of the virtue,[114] *and*

---

[114] R. E. Ewin describes a similar feature in connection with loyalty, one of the virtues I will consider later on. "It might be replied that jingoism is not a case of loyalty at all, just as foolhardiness is not a case of courage, but that could be so only if loyalty had built into it as part of itself a capacity for judgement that excluded such excess. (It is the capacity that is at issue; mistake in a particular case is a possibility for even the most virtuous.)" I do not favor Ewin's language of built-in judgment, mostly because this seems likely to be a means by which to insinuate *phronesis* into virtue, for me a concerning strategy that oversimplifies certain virtues. As it happens, loyalty's anemic judgment weighs heavily against counting loyalty as a virtue in Ewin's thinking. R. E. Ewin, "Loyalty and Virtues," *Philosophical Quarterly* 42, no. 169 (October 1992): 405.

3. Lacks intrinsic references to the values of others considered as actual individuals.

To be clear, the encouragement required in (1) is not insuperable or dispositive. It is key to my understanding of wandering virtues that it is possible, albeit tenuous and challenging, to possess a wandering virtue and not neglect other specific virtues. But wandering virtues do encourage neglect of other virtues, make that neglect more likely, and make that neglect more difficult for the wandering virtue's possessor to discern. The strength of this encouragement toward neglect of other virtues is directly proportional to the proficiency or excellence with which a person possesses or lives out the wandering virtue: the more virtuous one is with regard to a wandering virtue, the stronger will be the wandering virtue's encouragement to neglect other virtues and the less likely it is that one will discern that neglect if and when it transpires.

The notion of a coordinate vice also require some unpacking. A vice is coordinate to a virtue when the virtue resists that vice (and the vice resists the virtue) more-or-less by definition. Like virtues, vices are habits by which persons respond to and generate norms within a certain field of concern, with the variation that the vicious responses and generated norms warrant censure, not praise. Because they are independent habits, coordinate vices are recognizable without direct comparison with the virtue or virtues with which they coordinate: Ebenezer Scrooge is obviously a miser despite the dearth of wealthy philanthropists in *A Christmas Carol* with whom to compare him. All virtues have one or more coordinate vices representing a deficiency in the virtue: a deficiency of generosity is miserliness, a deficiency of thrift is profligacy, and so on. Other virtues seem also to have a coordinate vice representing undue extremity. For instance, the vice representing deficiency of the virtue of sexual propriety is lewdness, while excessive concern for sexual propriety is recognizably the vice of prudery. As discussed earlier, Aristotle held that *all* virtues are means between a vice of deficiency and a vice of excess, but this

doctrine is now widely rejected, largely on empirical grounds. Some virtues resist numerous, distinct coordinate vices, vices not only of deficiency and excess but also vices representing other defects: charity, which I discuss below, is a good example of a virtue that has numerous coordinate vices distinct from vices of deficiency and excess. However, other virtues seem to have all their coordinate vices on the side of deficiency, with no clear coordinate vices describing excessive realizations of the virtue. It now seems incoherent to talk about an excess of the virtue of justice: one can certainly be unjust, but one cannot become too just. Those virtues whose coordinate vices all fall on the side of deficiencies in the virtue will meet the second requirement for wandering virtues.

The special stress in the third requirement's "intrinsic references to the values of others considered as actual individuals" is on "actual." Some virtues, by definition, require their possessors to consult the actual values that others presently hold. The virtue of kindness, for instance, obliges its possessor to consult the values and preferences of those to whom the kind person aims to be kind. There is something defective in the kindness of a tract-society missionary whose "kindness" consists in distributing only Bibles to starving children: however great a benefit may accrue to those who read the Bible diligently in the mind of the missionary, it is unlikely that this is a high priority in the minds of the children. We would expect, instead, that a kind missionary would inquire after the children's most fundamental needs and supply those first. Virtues that have intrinsic references to the values are sometimes quickly labeled "other-regarding" virtues, but it is well to be cautious here: some apparently other-regarding virtues do not concern themselves with values that other persons actually hold, but only with those values that we think those other persons *should* hold. Any virtue that does not refer to the values of

others at all because it looks inward at the virtue's possessor will meet the third requirement for wandering virtues. So too will any virtue that refers only to the values that others *should* have without considering whether those others do have those values.

Such virtues, I think, are rare among the virtues from a numerical standpoint: few of the many virtues we could rattle off would meet the three conditions above and thereby qualify as wandering virtues. But wandering virtues are not, I think, particularly rare in the persons around us. The virtues of modesty, patience, and loyalty (all of which I argue are wandering virtues) are, thankfully, on fairly frequent display. What wandering virtues lack in number, they make up for in prominence in moral experience. But they are numerically rare, and in order to avoid unduly anticipating my later chapters, I will here consider a virtue that is emphatically not a wandering virtue (charity), one that is almost a wandering virtue (courage), and one that may be a wandering virtue (hope) in order to clarify the three components of a wandering virtue.

Charity, an Antithesis of Wandering Virtue

Charity is one of the most celebrated virtues in the Christian tradition courtesy of Paul's commendation of charity in 1 Corinthians 13:13. Charity is also the antithesis of a wandering virtue. In order to formalize charity along the lines I have proposed for virtue in general, let charity be the habit by which we respond to and generate norms with regard to the long-term welfare of others. While I am loath to argue from definition, this is a fairly uncontroversial definition of charity that also makes it self-evident that charity makes intrinsic reference to the values of others, failing the third requirement for a wandering virtue. Charity does not motivate its possessor to neglect one or more of its possessor's other virtues, at least not so far as I can tell: charity as defined seems not only compatible with, but also improved by, such disparate virtues

as courage, honesty, and temperance. Charity is more perfect if the one who habitually concerns herself/himself with the welfare of others is not shy about running risks to achieve that welfare, if he/she is honest with herself/himself and others about her/his plans and their efficacy, and if he/she is able to moderate her/his efforts in the short-term to ensure that resources remain available for long-term benefit. We could multiply examples of virtues not only compatible with, but also enhancements to, charity, while I doubt we could identify any uncontroversial virtue that charity encourages us to neglect. Not for nothing does charity vie with justice for the crown of queen of the virtues.[115] Thus charity fails the first requirement for wandering virtues. With regard to the second requirement, the virtue of charity is delimited on all sides with coordinate vices. One whose regard for the welfare of others is divorced from those others' own estimates of their welfare is a busy-body or meddler. One whose charity is insufficiently consistent is a fair-weather friend. One whose charity is insufficiently practical is at best "well-meaning" (in the most dismissive sense of that phrase) and at worst mawkish. One whose charity is deficient is callous or even cruel. Genuine charity can be readily triangulated with reference to the numerous vices that bound it. Charity is so firmly rooted in the other virtues and in the flourishing of others that it is unlikely to adversely affect the character of its possessor (and unlikely to adversely affect human flourishing except under extreme circumstances), even without reference to *eudaimonia* or to the unity of the virtues.

---

[115] See Timothy P. Jackson, *The Priority of Love: Christian Charity and Social Justice* (Princeton, NJ: Princeton University Press, 2003).

Courage, Almost a Wandering Virtue

Courage is a notoriously troublesome virtue, both for the reasons I mention in chapter one and many others beside. Let courage be the habit by which we respond to and generate norms with regard to dangers to ourselves. Courage is not quite a wandering virtue: it satisfies the first and third requirement but fails the second. Courage does encourage its possessor to neglect other virtues, such as benevolence. A courageous person will likely find it easier to be courageous if he/she is less benevolent than he/she might be, particularly if others will be endangered by the risks the courageous person proposes to run. A lieutenant in the First World War who courageously volunteers himself and his unit to spearhead the charge into the no-man's land between trenches will have an easier time living out his courage if he does not particularly concern himself with the lives and welfare of the men under his command. In this same way, courage does not have intrinsic references to the values of others, satisfying the third requirement for wandering virtue. It might be that the men under the lieutenant's command are all equally enthusiastic about leading the charge, or (more likely) that some might prefer not to be volunteered, but the lieutenant's courage will not impel him to consult the values and preferences of the men under his command, let alone the values and preferences of the enemy soldiers whose lives the lieutenant hopes to take. Not all courage is this way, of course, but the point with wandering virtues is that there is nothing inherent in the virtue itself that entails consideration of the values of others.

But the lieutenant's courage does fail the second requirement: there are well-known and widely accepted coordinate vices that bound the virtue of courage: cowardice and rashness. Neither cowardice nor rashness is, by definition, courage, though all three are closely related. Cowardice is the absence of courage and rashness is enthusiasm for risk that has slid from

71

courage into vice by abandoning concern for risk altogether. Both of these vices are attributable without direct reference to courage. We might differ significantly with regard to what constitutes courage's highest excellence, but we would still quickly agree that fraternity brothers lighting fireworks inside their underwear are not courageous, but rash. Similarly, we would not need to agree on the substance of courage to identify cowardice. Courage is tempted to neglect both other virtues and the values of others, but is ultimately somewhat constrained by its own terms: the vices that courage abhors prevent courage from wandering too far. None of this is to downplay the challenge that the virtue of courage presents to virtuous life more generally, but it is to say that courage's challenge to human flourishing and good character is not the same as the challenges posed by wandering virtues.

Hope, Possibly a Wandering Virtue

Hope, depending on how it is construed, may be a wandering virtue. Suppose hope is the habit by which we respond to and generate norms related to the uncertainties of the future. This is an approximation of everyday hope, the sort of hope we observe in the adult daughter of a "frequent flyer" in the intensive care unit. The daughter, by habit and repeated experience, hopes that her mother will rally once more and return to her assisted living facility to live out another few months in comparative health. Despite all the scares and all the bad news, this daughter is hopeful: she has the virtue of hope. But the daughter's hope can wander and come to harm both the well-being of the patient and the character of the daughter. Hope can encourage neglect of other virtues, perhaps none more so than attentiveness. The daughter's hope may inspire her to downplay or ignore clear signs that this admission is different for her mother, to disagree with and antagonize physicians who bring unwelcome news about her mother's disease process.

Hope may thus satisfy the first requirement for a wandering virtue. It also satisfies the second. Everyday hope is only bounded on one side by one vice: despair, habitual pessimism with regard to the possibilities of the future. And like a fence-rail, this only prevents the virtue of hope from straying in one direction. Extreme hope for the deeply improbable is harder to peg as a vice, in part because the improbable is not the impossible. Intensive-care clinicians with even a few years' experience begin to accumulate stories of patients who seemed certain to die despite all medical interventions, but who rallied and returned to rude health within months of discharge. With only one clear coordinate vice to steer it negatively, the virtue of hope is free to wander in almost any direction but toward its own oblivion. And this everyday hope is all too prone to neglect the values of others. Hope that the patient will recover if only clinicians can buy a little more time has justified countless families in pursuing highly aggressive plans of care for patients who, it turns out, were explicit when capacitated that they did not want any aggressive treatment to prolong their biological lives under such circumstances. Everyday hope, then, may be a wandering virtue: it motivates neglect of other virtues, lacks references to coordinate vices that would clearly delimit it, and lacks intrinsic reference to the values of others.

But I am not committed to the definition of hope I offer here, and I grant that the theological hope valorized in Christian theology is probably not a wandering virtue. Christian hope will not encourage the Christian to neglect other virtues, inasmuch as a Christian's hope is often for, among other things, a morally perfect or even super-moral future in which God's love and sovereignty are made fully manifest. Christian hope is typically given a definite object, God's eschatological triumph, so that Christian hope is better bounded by the sin of idolatry (which, among other things, implies misplaced hope) than is everyday hope, which is less hemmed in.

And Christian hope is directed at God, whose regard for the value of all creation is often treated as if it were analytic, entailed in God's goodness in creation and present redemptive purpose. It is unsurprising that Christian hope should be free of the problems of a hope that does not presuppose Christianity: God's providence or designs for humanity not infrequently play the role of *eudaimonia* in Christian virtue ethics. My purpose here is to consider virtues without reference to *eudaimonia* or to the unity of the virtues, but the virtue of hope in U.S. medical contexts is often entangled with theological doctrines that entail *eudaimonia*. However, if we do not presuppose *eudaimonia* or something analogous to it, hope is a fair example of a wandering virtue.[116]

Defining Wandering Virtues Critically

Any time that someone proposes a supposedly novel concept in a field as well-trod as ethics, we are very reasonable to ask if there is not some existing, more familiar concept that would serve as well or almost as well. I will argue that wandering virtues are not well described by existing concepts in ethics and will define wandering virtues in contrast with concepts that, though similar to wandering virtues, are in fact distinct from wandering virtues in important ways. As I am proposing a concept within the theory of virtue, most of my focus is on apparently similar, existing concepts in theories of virtue: I will argue that wandering virtues are not better described as splendid vices, feelings and passions, natural virtues, executive virtues, virtues-in-

---

[116] Judith Andre suggests a very different strategy by which hope can escape from the difficulties associated with wandering virtues. While Christian hope escapes the difficulties that trouble wandering virtues by specifying hope's right or proper object, Andre instead proposes an "open hope" that is not object- or goal-oriented at all. Andre's open hope does not hope for (that is, anticipate) any particular desideratum, but rather "keep[s] in mind the possibilities of good" that exist in any situation and that one can recognize as long as one is not particular about which goods those should be. Andre's redefinition and reorientation of hope has strong appeal, but consciously excludes much of the sense that "hope" has in U.S. healthcare contexts, and perhaps in most non-Buddhist contexts as well. See Andre, *Worldly Virtue*, 37-40.

excess, partial virtues, or virtues in feedback loops. In addition to concepts from theories of virtue, I will also contrast wandering virtues with superficially similar concepts in deontology and consequentialism. These contrasts will not only show what wandering virtues are not, but also afford opportunities to make the positive meaning of wandering virtues more clear.

Splendid Vices

Some authors appear at first blush to agree that virtues may sometimes stray, but turn out on closer examination to regard such virtues as vices in disguise. Philippa Foot seems to trace a distinction between virtues that are not prone to straying and those that are when she writes, "[W]hile wisdom always operates as a virtue, its close relation prudence does not, and it is prudence rather than wisdom that inspires many a careful life. Prudence is not a virtue in everyone[.]" But it turns out that this troublesome "prudence" is not true prudence on Foot's account, but "is rather an over-anxious concern for safety and propriety[.]"[117] This sort of "prudence" that is not a virtue in everyone is no virtue at all, according to Foot. Although Foot does not do so, we might characterize Foot's suspect "prudence" as an interoperation of the vices of cowardice and prudery.

Although Foot's specious "prudence" may be explained in terms of recognized vices, the impulse to denigrate specific instantiations of apparent virtue when we find its consequences or possessors disagreeable is pervasive. This impulse is also deleterious, both to our conception of virtue and to our ability to appreciate our own virtues and those of others. In *Putting on Virtue*, Jennifer Herdt persuasively argues that Augustinian skepticism with regard to apparent virtue

---

[117] Philippa Foot, "Virtues and Vices," in *Virtues and Vices and Other Essays in Moral Philosophy* (Oxford: Clarendon Press, 2002), 18.

gave rise to "deracinated forms of Christian ethics on the one hand and truncated forms of secular ethics on the other" by the early modern period.[118] One of Herdt's overarching themes is that medieval and early modern exaggerations of Augustine's response to Aristotle's account of how virtue is acquired — the hyper-Augustinian critique of virtue acquired by human effort — diverted moral reflection away from practical considerations such as learning and living out virtue and toward passive inquiry into whether apparent virtue was genuine or specious. Although Herdt credits Augustine with more nuance than his later interpreters preserve, she agrees that "[f]or Augustine, love of God and love of virtue are interdefined in such a way that those who fail to love God are unable truly to choose virtuous actions for their own sake. Habituation [in apparent virtue] simply anchors them more deeply in pride and self-love."[119] From a later distortion of this arises the hyper-Augustinian position that all virtues not directed at the ultimate good (that is, God) were merely "splendid" or "glittering" vices:[120] whatever their apparent benefit, these splendid vices would only harm the character of their possessor. Herdt argues that Augustine's heirs, witting and unwitting, in the early modern period tended to overreact to Augustine's skepticism about outward, apparent virtues and consistently erred on one side or the other. Figures such Luther and the Puritans found outward virtue so suspect that they became leery of any virtue seemingly increased by or manifested in human effort: Luther made true virtue a pure gift from God that was essentially inscrutable, while the Puritans became preoccupied with scrutinizing their own virtue and that of others for evidence of hypocrisy, a less constructive task than striving to become more virtuous. More cynical moralists proved too

---

[118] Jennifer A. Herdt, *Putting On Virtue: The Legacy of the Splendid Vices* (Chicago: University of Chicago Press, 2008), 4.
[119] Ibid., 45.
[120] Ibid.

quick to trivialize the difference between, on the one hand, virtue for virtue's sake and, on the other hand, the facade of "virtue" for the sake of base self-interest.[121] Herdt's most self-evident example is La Rochefoucauld, who famously begins his *Reflections* with the pessimistic assertion, "Our virtues are most frequently but vices disguised[,]"[122] then proceeds by turns to castigate almost all virtues as mere dissimulation and to criticize people who are deficient in these same, evidently shabby virtues.

To avoid both passivity and cynicism, Herdt recommends that the discipline of ethics adapt and recover the Augustinian distinction between genuine and apparent virtue. Though she devotes more space to the benefits this rehabilitation would provide for theological ethics, Herdt suggests that even secular ethics would benefit from a similar reappraisal of Augustine's distinction. Specifically, Herdt believes that the reappraisal would allow secular ethicists to simultaneously affirm three desirable theses about virtue that are likely to seem incompatible so long as virtues acquired or manifested by human effort still suffer from hyper-Augustinian skepticism. The first thesis is "that virtue is properly pursued not for the sake of external goods [...] but for its own sake"; the second, that self-interest is basically compatible with, but should finally give way to, altruistic concern for one's community; and the third, that true virtue "emerges out of a complex array of relationships and institutions," showing that virtue is always learned and that the virtuous cannot take sole or even primary credit for their moral excellence.[123]

---

[121] Ibid., 72-73, 173 ff., 197 ff., 248 ff.

[122] François duc de La Rochefoucauld, *Reflections; Or, Sentences and Moral Maxims*, trans. J. W. Willis Bund and J. Hain Friswell (London: Sampson Low, Marston, & Co., 1898), 1.

[123] Herdt, *Putting on Virtue*, 343.

I would be willing to affirm all three of these theses (likely with clarification), but all three operate at a remove from the practical concerns with specific virtues that interest me here. I would like to see virtue justified on its own terms at the meta-ethical level, and I would like to ensure that we settle on a moral anthropology in which genuine virtue can be learned and acquired by human effort without pretending that the virtuous person is ever independent of her/his context. Here I simply assume that all of that is true. However, there are other lessons to learn from Herdt's account of the problems that overdrawn distinctions between genuine and apparent virtue inflict upon the virtues in general.

Herdt ably demonstrates that skepticism about the genuineness of one apparent instance of a virtue can easily spill over into skepticism about that virtue as a whole, or even about human virtue in general. Reconsider Foot's skepticism about "prudence" above. As Foot investigates an apparent virtue that has, in some people, disagreeable consequences for character, Foot elects to portray that virtue as counterfeit. Foot evidently does not want to characterize all concern for "safety and propriety" as inappropriate, as she labels the concern for these in counterfeit "prudence" as "overanxious."[124] But it would seem to be the work of Foot's prudence, even the genuine article, to worry or at least concern itself with safety and propriety. The trouble with counterfeit prudence is, in a sense, only that it fulfills prudence's mandate too well for Foot's liking. I am skeptical of any account of a virtue that defines the genuine article in terms of getting things exactly right.

I am skeptical for one of the reasons that Herdt raises several times in her thorough analysis: if the only version of virtue that is genuine is virtue that is already perfect in the

---

[124] Foot, "Virtues and Vices," 18.

important respects, it is impossible to ever meaningfully improve in virtue. But improving in virtue is exactly what we would expect as people acquire the habits of virtue, that is, learn that virtue or grow in it. The true alternative is theological (or, without reference to God, magical) thinking about the acquisition of virtue: vicious people acquire genuine virtue when suddenly and for no humanly intelligible reason they manage to get a virtue exactly right. Luther may have been satisfied with this line of thinking: he could appeal to God's inscrutable grace to bestow perfect virtue without human activity. But in the pluralistic and practical context of clinical ethics, we will despair of finding, let alone encouraging, virtue if it must be already perfect.

Herdt's account of the splendid vices shows, among other things, that it is not helpful to the virtues or to imperfect humans to urge that an apparent virtue that worries us is probably a splendid vice. Even if we are troubled by the mischief that wandering virtues can work, that is no good reason to rush to call them vices in disguise.

Feelings And Passions

Vice, however, is not the only contrast to virtue available. Non-virtuous passions or feelings, such as anger, frustration, or pity, may also inconvenience the virtues, and it might be that what I am calling "wandering virtues" are not virtues at all, but are rather passions or feelings. Joseph Butler, reflecting on why humans would have such inconvenient characteristics, writes in one of his sermons,

> As God Almighty foresaw the irregularities and disorders, both natural and moral, which would happen in this state of things, he hath graciously made some provision against them, by giving us several passions and affections, which arise from, or whose objects are, those disorders. Of this sort are fear, resentment, compassion, and others; of which there could be no occasion or use in a perfect state: but in the present we should be exposed to greater inconveniences without them; though there are very considerable ones, which they themselves are the occasions of. They are incumbrances indeed, but such as we are obliged to carry about with us through this various journey of life: some of them as a guard against the violent assault of others; and, in our own defence, some in behalf of others; and all of them to put us upon and help to carry

us through a course of behaviour suitable to our condition, in default of that perfection of wisdom and virtue, which would be, in all respects, our better security.[125]

There are echoes of the wandering virtues in Butler's description of the passions and affections granted by God. Just as wandering virtues only arise when we cease to assume the *a priori* perfection of true virtue, the passions and affections are hallmarks of imperfection. And just as the passions and affections give rise to significant difficulties while averting still worse ones, so too may wandering virtues. But wandering virtues differ from Butler's passions and affections in that wandering virtues are habits that we may adopt and grow more proficient in, while passions and affections, though morally-relevant experiences, are not the sort of thing in which one becomes more expert. One may become better at dealing with anger, frustration, or pity — and in Butler, virtue's work seems often to be restraint of these passions and affections[126] — but one does not thereby become more proficient in being angry, frustrated, or pitiful. More generally, the passions and feelings, as Butler describes them, are not habits that tend toward improvement, but felt concessions to the imperfection of the world. For instance, one might argue that we are better off because we can be frustrated, but only because frustration registers challenges we might otherwise underestimate. All the same, frustration's worldly benefits do not inspire us to praise people for their high levels of frustration. Wandering virtues, though, are often things we do praise in others, and this is, I think, because they are virtues, even if some of

---

[125] Joseph Butler, *Fifteen Sermons Preached at the Rolls Chapel; to Which Are Added Six Sermons Preached on Public Occasions* (London: Thomas Tegg, 1841), 87-88.

[126] Butler's account of virtue as restraining imperfect human impulses persists to the present day, in no small part because Thomas Aquinas briefly considers this explanation for virtues such as courage and temperance. Philippa Foot has more recently endorsed this view of virtues as in many cases "corrective disposition[s.]" (Foot, "Virtues and Vices," 9)

them tend to complicate "that perfection of wisdom and virtue, which would be, in all respects, our better security."[127]

Natural Virtues

Even if it is not apt to assimilate wandering virtues to feelings or passions, it may still be the case that apparently "wandering" virtues are simply immature or nascent virtues that would not stray with greater practice and proficiency. Aristotle draws a distinction between natural virtues and virtues that are, in fact, genuine, true, and perfect. Aristotle grants that children and animals seem to possess something like virtue: children and dogs can seem to be loyal, for instance, and often to each other. As a courtesy, Aristotle identifies these as "natural" virtues. But Aristotle argues that the natural virtue of children and animals is merely apparent virtue, because unlike true virtue, children and animals lack *phronesis*. The absence of *phronesis* is Aristotle's explanation for why these pseudo-virtues "are obviously capable of doing harm[,]"[128] something true (that is, perfect) virtue would never do. Having rejected appeals to a unifying virtue of *phronesis* as question-begging, plainly I will not be persuaded by this distinction between apparent, natural virtue and genuine virtue on the basis of *phronesis*. Moreover, putting weight on these sorts of distinctions between merely apparent virtue — even apparent virtue flattered with the label "natural" — and genuine virtue distorts the character of the virtues themselves as habits into which one grows no less than does the distinction between specious virtues (the splendid vices) and genuine ones. This dovetails with another reason that this distinction between natural and true virtue will not adequately explain the wandering virtues.

---

[127] Butler, *Fifteen Sermons Preached at the Rolls Chapel*, 88.
[128] Aristotle, *Nicomachean Ethics*, 1144b (in Sachs, 117).

Any and all genuine virtues may be as yet incompletely realized by their possessors, but only a small subset of virtues are prone to the wandering I have identified. The charity of most recognizable charitable people, for instance, may still have some room for improvement: a person who is conspicuously and reliably charitable may still sometimes entertain contrary inclinations and perform contrary acts. But charity is not a wandering virtue, even without a global virtue of *phronesis* and without a global end for all virtues in *eudaimonia*. What makes wandering virtues different and difficult is not that their possessors may be habituated into them in varying degrees: this is true of all virtues, at least on my (decidedly non-Aristotelian) account.

Executive Virtues

While sketching a substantially different account of virtue than the one I use here, Onora O'Neill proposes a category of virtues that, at first blush, might seem to explain the peculiarity of the wandering virtues. O'Neill labels as "executive virtues" those virtues that

> are manifested in deciding on, controlling and guiding action, policies and practices of all sorts. Executive virtues might include self-respect, self-control and decisiveness; courage and endurance, as well as numerous contemporary conceptions of autonomy; insight and self-knowledge, and various traits that are both cognitive and practical, such as efficiency, carefulness and accuracy.[129]

O'Neill thinks executive virtues are different from others because executive virtues are not properly moral: "these virtues are important […] for doing ill and for doing good[.]"[130] Among O'Neill's list of examples, we observe several of the troublesome virtues, including courage and decisiveness, that seem to cause far more harm than good when possessed by people committed to deplorable ends. It is tempting to try to explain away the peculiarity of the wandering virtues

---

[129] Onora O'Neill, *Towards Justice and Virtue: A Constructive Account of Practical Reasoning* (Cambridge: Cambridge University Press, 1996), 187.

[130] Ibid., 188. Aristotle is often credited with a distinction along these lines, in his case between moral and intellectual virtues. But Aristotle's commitment to the unity of the virtues in and through the hybrid virtue of *phronesis* finally makes it impossible to maintain that any genuine virtue is separable from the moral virtues in Aristotle's framework.

by appealing to a distinction between virtues that shape our goals and virtues that help us realize our goals, whatever those goals may be.

However, conflating wandering virtues with executive virtues would abandon some of the distinctiveness of both. Many executive virtues, as O'Neill describes them, would satisfy my third requirement for wandering virtues: they lack intrinsic references to the values of others. Decisiveness, courage, endurance, self-knowledge, and accuracy can all be narrowly confined to the self, omitting reference to the values of others. Accuracy seems not to refer to the values of others and not to be bounded by coordinate vices, either, satisfying the second and third requirements for wandering virtues. The vices of inaccuracy or sloppiness may describe a dearth of accuracy, but there seem not be recognizable vices that characterize preoccupation with accuracy that is *prima facie* inappropriate. But accuracy is not a wandering virtue because it does not encourage neglect of other virtues. Efficiency, meanwhile, may satisfy the first and third requirements for wandering virtues, but will still fail the second. Efficiency may encourage neglect of more humane virtues such as charity and justice — witness hedonistic utilitarianism's contortions to establish its compatibility with charity and justice — and by the same token fail to consult the values of others. But the virtue of efficiency is bounded by at least the coordinate vices of inefficiency and hastiness.

Still other executive virtues do not satisfy any of the requirements of wandering virtues. For example, carefulness does not encourage neglect of other virtues: carefulness would actually seem to encourage the opposite. Carefulness is bounded by the coordinate vices of fussiness and carelessness. And carefulness does consult the values of others, with regard to which a careful person will take care, even if only to protect herself/himself. From the side of the wandering

virtues, at least one wandering virtue, loyalty, is not concerned with "deciding on, controlling and guiding action,"[131] as the executive virtues are. The category of executive virtues, though useful in its own right, overlaps at most partially with the wandering virtues: consolidating the two categories would diminish the usefulness of both.

Virtues-In-Excess

Although James Wallace's "virtues-in-excess" are conceptually close to wandering virtues with respect to one of the requirements I have stipulated for wandering virtues, that one requirement is the only one that virtues-in-excess consistently meet. Wallace's discussion of virtues-in-excess takes place in connection with his analysis of generosity, which Wallace construes along economic lines. Generosity, Wallace writes, is the virtue exhibited by persons who, in order to benefit another person, gives that person something whose monetary value is greater than required by morality or social convention. Wallace observes (I think rightly) that all the vices opposed to generosity of this sort are concerned with deficiencies of generosity. Wallace offers up stinginess and meanness as well-established opponents of generosity, but any "excessive concern for one's things" would be a vice opposed to generosity,[132] and (importantly) opposed to it in the same way: stinginess, meanness, and any other excessive concern for one's things would all fall far short of generosity. Turning to the far side of generosity, Wallace writes, "It is less clear, however, what an excess of concern for the good of others would be and whether such an excess would be incompatible with generosity."[133] Wallace explicitly denies that acts in which a person sacrifices so much that he/she is incapable of addressing her own needs would

---

[131] O'Neill, *Towards Justice and Virtue*, 187.
[132] James D. Wallace, *Virtues and Vices* (Ithaca, NY: Cornell University Press, 1978), 140.
[133] Ibid., 141.

be such an excess of the virtue of generosity; rather, these acts would reflect the vice of irresponsibility. Other overly-generous gifts might arise from givers underestimating their own needs, so that even having considered her/his responsibilities, the giver simply gets the estimate wrong and gives more than he/she can actually afford to give. Even excluding these two mistaken sorts of giver, Wallace is persuaded that there could still exist

> a person who is excessively concerned for the good of others. Such a person would take care of himself, his possessions, and his obligations, showing a normal degree of concern for such things, except in situations in which he thought he could promote the good of someone else. Then, in pursuing this course, he would neglect these other things, though with some regret. [...] [T]his does not constitute a character trait incompatible with generosity. Rather, [...] it seems quite properly described as an excess of generosity — being generous to a fault. Such a character trait is not quite a vice incompatible with generosity. Such a person would frequently do just what a generous person would do. His behavior, which exhibits an excess of generosity, however, can be faulted. Of such excessively generous acts, something good can be said and something bad can be said. This is characteristic of other kinds of virtues-in-excess — being too honest, being honest to a fault, for example.[134]

I would lift Wallace's caveats and say, simply, that such generosity is not a vice at all, but a virtue, and while the external *consequences* might be less than optimal, the person's *character* (with which virtue is more closely concerned) cannot be faulted for this sort of generosity except to the extent that the generosity leads to disregard for the virtue of responsibility. So far from merely escaping censure as a vice, this generosity-in-excess is indeed an excellent realization of the virtue of generosity *per se*: the person who is generous "to a fault" would not only "frequently do just what a generous person would do," the person who is generous-in-excess will do what a generous person would do even more consistently and habitually than a generous person who is still fettered by a more consistently-felt "normal degree of concern" for "himself, his possessions, and his obligations[.]"[135]

---

[134] Ibid., 142.
[135] Ibid., 143.

Gary Watson's opposition to the legitimacy of Wallace's virtues-in-excess is one of the primary motivations for his argument for the unity of the virtues, as rehearsed in chapter one.[136] But if we do not assume the truth of, or are not persuaded by the arguments supporting, the unity of the virtues, by Watson's own admission there is nothing to preclude some small number of virtues that are not clearly bounded by coordinate vices from becoming virtues-in-excess. But even if virtues-in-excess are plausible, they are still not identical with wandering virtues, and to my mind they are on average less troublesome than wandering virtues. Virtues-in-excess clearly satisfy the second requirement for wandering virtues: they lack intrinsic references to coordinate vices by which they might clearly be bound. As is typical of wandering virtues, virtues-in-excess *do* have a limiting vice or vices with regard to deficiency: the lack of the virtue is one or more vices. Conversely, the "excessive" realization of a virtue still looks and acts just like the virtue itself, without sliding into a vice on the opposite side of deficiency. However, Wallace's virtues-in-excess do not consistently meet the first or third requirements for wandering virtues, and for that reason are less nettlesome. Generosity may be able to exist and even thrive alongside the other virtues, and does not encourage neglect of them. Excessive generosity and the constraints of time may together demand a few tough choices, but nothing in generosity-in-excess itself recommends this, as Wallace himself acknowledge by saddling his exemplar of generosity-in-excess with regret. And generosity does not meet the third requirement for wandering virtues, that of lacking intrinsic references to the values of others: by definition, generosity-in-excess is exceedingly concerned with the values of others and doing well by them.

---

[136] Gary Watson, "Virtues in Excess," *Philosophical Studies* 46, no. 1 (July 1984): 57-59.

I do not doubt that virtues-in-excess could give rise to trouble for their possessors. But because they may still coexist peacefully with other virtues and because they do consult the values of others, in practice the trouble will usually be comparatively constrained. For generosity-in-excess to lead to wretched outcomes, the excessively generous person would need both (1) to have stumbled into the virtue of generosity without picking up many others along the way and (2) to have landed in a community so vicious that no one would have enough compassion or decency to set the overly-generous person straight. This is possible, as the hard-luck tales of past lottery winners sometimes bear out. But wandering virtues are structured in a way that they can actively encourage both neglect of other virtues and disinterest in other persons' actual values, greatly increasing the wandering virtues' likelihood of causing harm.

Partial Virtues

Michael Slote describes a group of virtues that I need to clearly distinguish from wandering virtues. Slote presents what he calls "partial virtues" as a critique of neo-Aristotelian eudaimonism and the unity of the virtues more generally. Drawing on Freud, Slote characterizes these virtues as existing as "paired opposites", "tendencies that work against one another in various ways."[137] Slote's illustration of this is the paired opposition of frankness and tact, which

> are naturally seen as paired and opposed because there are so many situations in which a choice has to be made between being tactful and being frank, situations in which one cannot exemplify both of these qualities of character. But an Aristotelian take on such issues would want to hold that whenever there is a choice between tact and frankness, there is a completely right choice in the matter.[138]

This is not as strong a critique of neo-Aristotelian eudaimonism and the unity of the virtues as it might appear. Slote is attacking Aristotelian virtue on the grounds that it fails to do

---

[137] Michael Slote, *The Impossibility of Perfection: Aristotle, Feminism, and the Complexities of Ethics* (Oxford: Oxford University Press, 2011), 28-29.
[138] Ibid., 29.

justice to both sides of a binary that Aristotelian virtue probably would not recognize as a binary at all. On a neo-Aristotelian conception, a virtuous agent with *phronesis* who found herself in this situation could simultaneously be tactful in exactly the right way and be frank in exactly the right way. And even if this meant apparently favoring one virtue over another, this is no problem for a eudaimonist conception of virtue, in which *eudaimonia* is not overtly acting out all the virtues all the time in some riot of excellence, but full habituation into all the virtues and exhibiting each and every one of them at all the appropriate times and in the appropriate ways.

Whether Slote's partial virtues provide him with leverage for criticizing *eudaimonia* and the unity of the virtues, partial virtues diverge from wandering virtues in both motivation and substance. With regard to motivation, wandering virtues are not intended as a line of criticism against neo-Aristotelian virtue ethics: wandering virtues are something that are only coherent in the absence of *eudaimonia* and the unity of the virtues, but this is not a direct argument against the validity of those two characteristic Aristotelian doctrines. Wandering virtues are simply an important difficulty in theories of virtue that do not share Aristotle's overarching framework. With regard to their substance, wandering virtues do not exist as the directly opposed pairs that characterize Slote's partial virtues. The relationship between, on the one hand, wandering virtues and, on the other hand, the virtues whose neglect wandering virtues encourage is not one of direct opposition. Rather, wandering virtues encourage neglect of others virtues, making one less aware of the norms in those other virtues' respective fields. Nor is a wandering virtue typically paired off with just one virtue whose neglect the wandering virtue encourages; often, a wandering virtue will encourage the neglect of several virtues.

Feedback Loops

It may be tempting to suggest that what makes apparently wandering virtues troublesome is not actually that they "wander off" but that they monopolize our attention, forming a closed feedback loop in which the practice of the troublesome virtue furthers our excellence in the same troublesome virtue and motivates us to continue to practice this virtue, as opposed to others. According to this hypothesis, the problem with virtues deprived of reference to *eudaimonia* and to the unity of the virtues is that they become self-reinforcing. In this line of argument, a person who appears to unduly privilege the virtue of everyday hope — the daughter making decisions for her incapacitated, hospitalized mother, for instance — may not be falling prey to hope's tendency to neglect other virtues. Rather, such a person is exercising one of the virtues in which he/she is most proficient, which in her/his case happens to be hope. But in the context of medical decision-making for her incapacitated mother, hope ought not to be the operative virtue.

This "feedback loop" hypothesis joins two separable theses about the virtues, one of which is plausible and one of which is not. The first thesis is that the possessors of specific virtues find it progressively easier to exercise the specific virtues in which they are already proficient. This seems a plausible, and even inoffensive, characterization of how all individual virtues are supposed to function as they are acquired or learned. Like all habits, virtues are rooted in some preliminary disposition toward the aims of that virtue, but are progressively acquired and become progressively easier. For example, being temperate is extremely challenging for those who have no practice in it. One may be inclined toward the aims of temperance, healthy consumption and utilization of physical goods, without possessing the virtue of temperance, those habits by which we respond to and generate norms with regard to healthy consumption

and utilization of physical goods. Witness first-year college students who are obliged to purchase unlimited dining plans served up from buffet lines. Coming from environments in which both the number and the volume of meals were more restrained, many of these first-year students have comparatively little practice with temperance with regard to food and so find it challenging to limit their intake. Rapid weight gain during the first year of college, however, underscores the importance of temperance, and with practice — repeated trips to the dining hall during which the student selects reasonable portions of comparatively wholesome food — the student becomes more and more temperate. After a few years, it may even be easy for the student to decline excessive amounts of food, out of habit as much as of the durable memory of the displeasure at the original weight gain. This self-reinforcing nature of virtue is the basis of its acquisition. Some virtue ethicists even argue that when a person fully possesses a specific virtue, that person's exercise of that virtue is automatic, that is to say, the virtue is so habitual that it is devoid of both conscious reflection and moral effort.[139] I am not committed to this extreme view of mature virtue, but it points in the right direction: it is no failure of the virtues when they become considerably easier with practice. Whether increasing facility with a specific virtue becomes a source of difficulty will depend on the characteristics of that virtue, not on the virtues' universal tendency to become more habitual as they are exercised.

The second thesis, less credible than the first, is that a person who possesses multiple virtues will inevitably exercise the virtue in which he/she is most proficient irrespective of circumstance. This seems unlikely on the basis of experience alone. Even people whom we might tentatively credit with good character are often observably stronger in one virtue than another,

---

[139] Julia Peters, "On Automaticity as a Constituent of Virtue," *Ethical Theory and Moral Practice* 18, no. 1 (February 2015): 165-175.

and yet manage to exercise multiple virtues, including the one in which they are relatively less excellent. Imagine a capable American gynecologist who, in addition to all good she does for her insured patients, also provides a significant amount of uncompensated care to uninsured patients through a local free clinic. The gynecologist does this without hesitation or regret at the opportunity costs she incurs by providing care at the free clinic when she might otherwise schedule patients in her private practice; the gynecologist does not pride herself on the free services she provides and conscientiously avoids playing it to the advantage of her reputation. Suppose this gynecologist also regularly volunteers to travel to war-torn areas with Doctors Without Borders in order to provide uncompensated gynecological care, but when she does so, she is more afraid than she thinks she ought to be of the dangers she will encounter. We would likely credit this gynecologist with the virtues of charity and also of courage, but her charity is recognizably more excellent and thoroughgoing than is her courage. Even so, the gynecologist still exercises both virtues: she does not forsake her dangerous work in war-torn areas with Doctors Without Borders solely because she is somewhat more excellent in charity than in courage, even though she has ready opportunities to exercise her charity without exercising her courage.

<div align="center">Principles</div>

I suspect that the intuition that someone who is excellent in one virtue will inevitably deprecate other virtues comes from confusing virtues with principles. And in fairness, my proposal of a category of conspicuously strange virtues invites the suspicion that the problems of these strange virtues may be better solved in another family of normative theory altogether. If the virtue of charity were instead the principle "Be charitable" and that principle was inviolable,

<div align="center">91</div>

then it would make sense to expect that person whose most notable characteristic was her/his charity would be overborne by that charity. This version of charity begins to resemble Kant's "perfect duties." Kant defines perfect duties as those that admit of no exceptions because to will contrary to them is to contradict the categorical imperative, the universal moral law of nature. Perfect duties will tend to be proscriptions. As two examples of this sort of unexceptionable, perfect duty, Kant gives both the duty not to commit suicide and the duty not to lie. Imperfect duties are those duties that proscribe disagreeable maxims that would not directly contradict the categorical imperative. These imperfect duties are the antitheses of maxims that are logically conceivable but that are so craven that no rightly-ordered person would *actually* will them as universal laws of conduct. These imperfect duties will tend to be prescriptions. As examples of these imperfect duties, Kant cites the duty to strive toward excellence and the duty to aid others in need, which are the antitheses of the maxims (possible in principle, but repugnant in practice) that one need only enjoy oneself in life and that one ought only look after oneself, respectively.[140]

Wandering virtues are neither perfect nor imperfect duties. All virtues are positive states of character, not prohibitions, so there is no distinction between proscription and prescription. And both because I forgo appeals to *eudaimonia* as the universal end of virtue and because the habits of living persons are not the sort of thing that can be identified *a priori*, I do not see that any sort of virtue, wandering or otherwise, would be self-evident in the way that Kant thinks perfect duties are.

But Kant's extreme account of duties is not the only, or even the most common, version of deontology in medical ethics today. Although Kant's account of duty does not illuminate

---

[140] Immanuel Kant, *Groundwork for the Metaphysics of Morals*, trans. Allen W. Wood (New Haven: Yale University Press, 2002), 38-42.

wandering virtues, the difficulties I attribute to wandering virtues might still be addressed with reference to principles. Taking the example of hope, would it not avoid the difficulty I allege if "Be hopeful" were a good general principle of action that will typically obtain (all other things being equal) but not a virtue that ought always be active? But turning wandering virtues into something akin to W. D. Ross's *prima facie* duties[141] would neglect wandering virtues' character as moral habits. Virtues describe a characteristic way of being in the world, rather than a reliable reason that impels right action that is (at least theoretically) independent of the shape of a person's life. I am sympathetic when Beauchamp and Childress aver that while "[i]t is often assumed that a virtuous health care professional who embodies a wide range of virtues will both discern what he or she should do and be motivated to do it in particular circumstances [...] this expectation is overly optimistic."[142] Beauchamp and Childress are themselves persuaded that while virtues and principles have "close connections", there is no one-to-one correspondence of principles and virtues and so no way that they can be the same thing.[143] The alterations necessary to move from, say, the principle of beneficence to the virtue of charity are significant: at a minimum, it is a move from something that is action-guiding to something that is an excellent habit and a characteristic of a person. Although the language and outcomes of virtues and principles may overlap at times, virtues and principles are thoroughly distinct. While I am arguing that wandering virtues are odd sorts of virtues, wandering virtues are not so odd that they abandon the habitual character that they share with all other virtues.

---

[141] W. D. Ross, *The Right and the Good*, ed. Philip Stratton-Lake (Oxford: Clarendon Press, 2002), 19 ff.
[142] Tom L. Beauchamp and James F. Childress, *Principles of Biomedical Ethics*, 6th ed. (New York: Oxford University Press, 2009), 46.
[143] Ibid., 45-47; quotation 47.

Consequentialist Satisficing

Deontology is not the only rival to virtue ethics, of course. Even if wandering virtues are not a problem better solved in deontology than in virtue, wandering virtues may still be more clearly analyzed in the context of consequentialism. The difficulties I have attributed to wandering virtues find a consequentialist doppelgänger in the consequentialist debate between maximizers and satisficers. In broad strokes, value maximization is the principle that to act rightly, one must produce the greatest possible surplus of value over disvalue; by extension, to live rightly, one must always strive to produce the greatest possible surplus of value over disvalue. The problem with maximization is that of demandingness: it seems to ask far more of humans than common sense morality can accept or than anyone could actually accomplish. Various defenses of value maximization have been offered, but some consequentialists have developed a retrenchment with respect to demandingness, "satisficing." Satisficing replaces maximization with the principle that "an act might qualify as morally right through having good enough consequences, even though better consequences could have been produced in the circumstances[.]"[144] On such a view, right actions are right because they produce a satisfactory surplus of value over disvalue, irrespective of whether a greater surplus might have been achieved.

One might argue that wandering virtues are simply virtues that would benefit from an analogous retrenchment with regard to demandingness. More specifically, since the wandering virtues are virtues that tend to generate conditions in which they neglect other virtues and realize themselves excessively, their difficulties could be eliminated by stipulating that with

---

[144] Michael Slote in Michael Slote and Philip Pettit, "Satisficing Consequentialism," *Proceedings of the Aristotelian Society* 58 (supplemental) (1984): 140.

these specific virtues, we should recommend no more than bare possession. Returning to the example of everyday hope, a satisficer might suggest that if one is hopeful at all, one thereby safeguards effectively against hopelessness, and that one ought not strive to become any more hopeful than is required to avoid hopelessness.

There are at least two reasons that this comparison to satisficing yields an unsatisfactory account of wandering virtues. First, demandingness has exactly the inverse relationship to habit that it would need to have if satisficing were to constrain wandering virtues. Habits, including virtues, should become easier and easier as one adopts them, not more and more demanding, so one cannot know when one has become "virtuous enough" to get by. If being hopeful is equivalent to having hopeful beliefs, it makes sense that having a few hopeful beliefs would be enough to get by and avoid hopelessness: a satisficer might then credibly recommend only a little hope, more hope than none… but not much more, lest it give rise to difficulties. But the virtue of hope is not the aggregate of one's hopeful beliefs. Rather, the virtue of hope is a habit or something akin to a habit, something one either has or does not have. The virtue of hope does admit of degrees, but only degrees of proficiency. The virtue hope does have degrees of possession: a person who possesses the virtue of hope — as opposed to a person who happens to harbor a few positive, wishful beliefs about the future — habitually responds to the uncertainties of the future by acting to keep happy possibilities open and by treating belief in a better future as an obligation. And the more the hopeful person practices the virtue of hope, the more proficient he/she will become in it. Hope will become easier, rather than harder, as it is habituated in greater degree: the demandingness of "one thing too many" will not arise to check the virtue of hope in the way that satisficing expects.

The second reason that applying satisficing to virtue is an unpromising strategy is that satisficing faces serious challenges from within consequentialism with regard to its moral seriousness, challenges that virtue would do well not to assume as its own. Even in its more plausible formulations, satisficing seems to permit obviously immoral acts that have a "good enough" result. Adapting an example from Ben Bradley,[145] suppose exchanging $50 for a week's worth of groceries for one person counts as a "good enough" use of the money. As a favor, George asks Harriet to take $50 in cash to a local food bank as an anonymous donation. The food bank can use the $50 to buy a week's worth of groceries for two families of four, a significantly better yield than a week's groceries for one person. Satisficing seems to be at a loss to explain why Harriet ought not steal the cash and use it to buy groceries for herself, since Harriet would thereby achieve a good enough result. The food bank will not miss money it never had, and George will be out $50 either way. If we are worried about the disvalue created when Harriet breaks an implicit promise to George, we can offset this by painting Harriet in a more flattering light: we might stipulate that if Harriet does not steal the cash, she will not have money to buy groceries and will have to go to the food bank herself. Satisficing seems to lack the means to explain why Harriet's diversion of the $50 is wrong because it cannot direct Harriet to the better results of delivering the $50 to the food bank.

Critics of satisficing have suggested that satisficing may even justify avoidable harms. Tim Mulgan offers a variation of the notorious trolley problem in which a bystander can (a) throw a large sandbag into the path of a runaway trolley heading toward a cliff, preventing the deaths of all the trolley's occupants, or (b) throw a small sandbag, slowing the trolley enough that

---

[145] Ben Bradley, "Against Satisficing Consequentialism," *Utilitas* 18, no. 2 (June 2006): 107-108.

only a couple occupants of the trolley die. It seems uncontroversial that, in the absence of the

larger sandbag, throwing the smaller sandbag would not only be good enough, but best, given

that the alternative is the death of all the passengers. This would seem to show that throwing the

the smaller sandbag is a "good enough" action. But adding in the larger sandbag seemingly makes

throwing just the smaller sandbag not only insufficient, but absolutely reprehensible. Mulgan's

point is that even common-sense morality often expects not a "good enough" choice, but the best

choice available under the circumstances, while satisficing would seemingly want to credit the

bystander with doing the right thing if he/she threw the smaller sandbag, regardless of the

availability of the larger bag. With this and related examples, Mulgan urges that satisficing

consequentialism must permit obvious and avoidable immorality, a result so repugnant that,

whatever the defects of maximizing, maximizing is at least superior to satisficing.[146]

For similar reasons, a satisficing model is not an adequate solution to the challenges

posed by wandering virtues. At first blush, it seems straightforward enough to adapt satisficing

to virtue; we might say, with Horace, "Let the wise man bear the name of madman, the just of

unjust, should he pursue Virtue herself beyond due bounds."[147] But in virtue ethics, the virtues

are themselves the arbiters of due bounds, just as in utilitarianism, utility is the definition of

adequacy. In consequentialism, it seems wrong to say that someone who does something that is

marginally good, "good enough," is doing the right thing when they might readily have done

something far better. In the same way, it seems wrong to think that a person who aims to be just

hopeful enough to qualify as "hopeful" is really hopeful at all. We would not celebrate the hope

---

[146] Tim Mulgan, "How Satisficers Get Away with Murder," *International Journal of Philosophical Studies* 9, no. 1 (January 2001): 41-45.

[147] Horace, *Epistles* 1.6.15-16 (in Horace, *Satires, Epistles, The Art of Poetry*, trans. H. Rushton Fairclough, Loeb Classical Library 194 [Cambridge, MA: Harvard University Press, 1926], 287).

of someone who was constantly aiming to suppress that hope; in fact, it seems contrary to the virtue of hope to try to suppress itself. Wandering virtues will not be dissolved or ameliorated with analysis in terms of satisficing.

Chapter Conclusion

In this chapter, I have identified a type of virtue, wandering virtue, that will arise in a theory of virtue that does not presume (or is not persuaded by arguments in favor of) *eudaimonia* or the unity of the virtues. I have defined wandering virtues as those virtues that (1) encourage their possessors to neglect one or more other virtues, (2) possess no clear coordinate vices other than those that describe deficiencies of virtue, and (3) lack intrinsic references to the values of others considered as actual individuals. I have reviewed several established concepts in theories of virtue that bear similarities to wandering virtues and have shown that none of these concepts adequately describe wandering virtues. I have also examined the closest analogs to wandering virtue in deontology and consequentialism in order to show that the problems of wandering virtues are not plausibly solved by transposing wandering virtues into another family of normative theory. In the chapters that follow, I turn to in-depth analyses of three different wandering virtues and their connections with clinical medicine, with the expectation that these analyses will continue to clarify the notion of wandering virtues and show their usefulness for moral reflection in the practical environment of medicine.

CHAPTER 3

MODESTY

Delimiting the Virtue of Modesty

Any treatment of the virtue of modesty will be complicated by modesty's diverse lexical associations. Depending on context, "modesty" can evoke hemlines, shrinking violets, or quiet confidence. The last of these is relevant to (but not coextensive with) the virtue of modesty with which I am concerned here, while the first two are not. The first sort of modesty that I am excluding from my analysis, "modesty" as cultural standards for attire, does have applications to clinical medicine. Clinicians' attire should be professional and hygienic, while patients' hospital-issued garments are seemingly designed to maximize both convenience and ugliness, but norms of attire are not properly in modesty's field of concern. Due concern for professionalism is independent from modesty, hygiene is largely a matter of fact, and the attractiveness or ugliness of clothing would fall within the fields of concern for the virtues of aesthetic appreciation or taste, not the virtue of modesty. The second sort of modesty that I exclude, the modesty by omission that we associate with overwhelmingly shy persons, is not the same as the virtue of modesty. A reticent person may or may not entertain inward views of herself/himself that are aptly characterized as modest: a vain person who does not advertise her/his vanity is no less vain for keeping quiet about it.

I define the virtue of modesty as a habit (1) that responds to and generates norms with regard to one's own attitudes toward one's abilities, accomplishments, and failures (2) by emphasizing human limits. There have been efforts to separate this into discrete virtues of

modesty and humility, so that modesty would be concerned with one's attitudes toward one's abilities and accomplishments, while humility would be concerned with one's attitudes toward one's failures. Although it will not be my emphasis in rehearsing their arguments later in this chapter, Judith Andre and Julia Driver both accept this distinction, with Andre focusing on humility and Driver on modesty. Similarly, while commending humility, the bioethicists Joseph Fletcher and Edward Spencer apparently split modesty and humility along similar lines: "The virtuous clinician understands the limits of medical knowledge and technique and recognizes her or his fallibility."[148] But the distinction between modesty and humility, clear enough in theory, is often difficult to sustain in practice. One's attitudes about one's accomplishments (and potential for future accomplishments) may be grotesquely inflated by one's obliviousness toward, or outright denial of, one's past and present failures. Conversely, preoccupation with the failures that accompanied one's accomplishments can inappropriately diminish one's assessment of those accomplishments and also one's likelihood of accomplishing worthy goals. For these and related reasons, I think it better to treat modesty and humility together. I prefer "modesty" over "humility" as the overarching label because modesty's troublesome connotations are more easily distinguished from it than are humility's. Except where an author's usage or conceptual clarity requires the distinction, I will use "modesty" to refer to both sides of the proposed distinction.

My analysis of the virtue of modesty proceeds in three steps. First, I review several important accounts of modesty. These accounts span a continuum of sorts. I begin with David

---

[148] John C. Fletcher and Edward M. Spencer, "Clinical Ethics: History, Content, and Resources," in *Fletcher's Introduction to Clinical Ethics*, ed. John C. Fletcher, Edward M. Spencer, and Paul A. Lombardo, 3rd ed. (Hagerstown, MD: University Publishing Group, 2005), 15.

Hume, who thinks that modesty is a vice, not a virtue; proceed to G. K. Chesterton, who thinks that modesty was once a virtue but has become a vice; continue to Julia Driver, who grants that modesty is a virtue but believes it is a virtue that shows why consequentialism is the proper home of the virtues; and end my review with Judith Andre, who thinks that humility is definitely a virtue, but whose account requires more adaptation than others to accommodate modesty's positive aspect.[149] Second, I present an account of modesty as a wandering virtue, an account that does justice to the strangeness that troubles Chesterton and Driver while allowing a greater range of activity than does Andre. Third, I examine some of the ethical problems surrounding medical prognosis in light of the wandering virtue of modesty. Treating modesty as a wandering virtue helps make ethical sense of these problems and suggests some possible steps to ameliorate them.

---

[149] I have selected these accounts of the virtue of modesty/humility because they agree that modesty is troubled in some way, just as it seems to be in our experience. There are other robust, contemporary treatments of modesty/humility, notably Jeanine Greenberg's and Norvin Richard's. But Greenberg's and Richard's analyses are not readily applicable to my work here: both explicitly redefine humility in such a way that it cannot be troublesome once humility is properly understood. Greenberg defines true (Kantian) humility as "that meta-attitude which constitutes the moral agent's *proper* perspective on herself as a dependent and corrupt but capable and dignified rational agent. Through her proper appreciation for the role of moral principles in her life, the humble agent clears the static of *undue* self-love […] and thus has the value of herself in the *proper* place in her overall hierarchy of value." [emphasis added] (Jeanine Greenberg, *Kant and the Ethics of Humility: A Story of Dependence, Corruption, and Virtue* [Cambridge: Cambridge University Press, 2005], 133) Richards defines true humility as "having an accurate sense of oneself, sufficiently firm to resist pressures toward incorrect revisions." (Norvin Richards, *Humility* [Philadelphia, PA: Temple University Press, 1992], 5) Linda Zagzebski makes a different argument that humility is accurate by definition. Zagzebski argues that "the moral and intellectual virtues differ [no] more than one moral virtue differs from another." (Linda Trinkaus Zagzebski, *Virtues of the Mind: An Inquiry into the Nature of Virtue and the Ethical Foundations of Knowledge* [Cambridge: Cambridge University Press, 1996], 158) Zagzebski further reasons that like the moral virtues, the intellectual virtue of humility is not properly virtue apart from a unifying *phronesis* to direct it. (Zagzebski, *Virtues of the Mind*, 219-231) Zagzebski's argument will not be persuasive, however, if we already have reason to be suspicious of such a unifying virtue of *phronesis*. Greenberg's, Richard's, and Zagzebski's definitions of humility make a good deal of sense in the context of their respective arguments. But all three definitions seek to establish by definition what I think cannot be shown in experience, that true modesty/humility cannot go wrong.

Is Modesty A Vice?

Granting the definition of modesty that I have proposed, not all commentators agree that this habit is actually a virtue. David Hume lumped humility in with "[c]elibacy, fasting, penance, mortification, self-denial, […] silence, solitude, and the whole train of monkish virtues […] every where rejected by men of sense[.]"[150] Hume's justification for this proceeds from his convictions about the basis of all virtues in utility. The monkish virtues, Hume writes, are properly vices because they "neither advance a man's fortune in the world, nor render him a more valuable member of society; neither qualify him for the entertainment of company, nor encrease his power of self-enjoyment […] We observe, on the contrary, that they cross all these desirable ends[.]"[151] Hume's opposition to celibacy, fasting, penance, and mortification is closely related to his hostility to "the delusive glosses of superstition and false religion[,]"[152] just as are his reproaches of the "gloomy, hair-brained enthusiast, [who] after his death, may have a place in the calendar; but will scarcely ever be admitted, when alive, into intimacy and society, except by those who are as delirious and dismal as himself."[153] But Hume's enmity toward humility stems as much from Hume's high level of confidence in human pride as a motive for morals as from his disdain for much of the Christianity of his time. Hume writes,

> We never excuse the absolute want of spirit and dignity of character, or a proper sense of what is due to one's self, in society and the common intercourse of life. […] A certain degree of generous pride or self-value

---

[150] David Hume, *An Enquiry Concerning the Principles of Morals*, ed. Tom L. Beauchamp (Oxford: Oxford University Press, 1998), 146.
[151] Ibid.
[152] Ibid.
[153] Ibid., 147.

is so requisite, that the absence of it in the mind displeases, after the same manner as the want of a nose, eye, or any of the most material features of the face or members of the body.[154]

According to Hume, pride is the virtue by which persons resist the debasing impulses to sacrifice their good names and characters in pursuit of material gain. Modesty and humility that might constrict this healthy pride would not be virtues at all, but vices conducing to human debasement.

Hume's point that pride can be a virtue is well expressed, but even if we concede the point, modesty and its complement, humility, would still be worthy of consideration as a virtue in the context of clinical medicine. Hume's repudiation of humility (alongside the other vices of gloomy religion) depends on a narrower reading of the requirements for the status of virtue than Hume elsewhere employs. Hume expects that all genuine virtues will contribute to utility, public or personal. But Hume's criticism of humility seems to be based on a narrower reading of utility than elsewhere: in castigating the monkish virtues, Hume lampoons their deleterious effect on the sort of social graces that give immediate pleasure in another's company. Jeremy Bentham famously collapses all utility into the immediate experience of pleasure,[155] but Hume's usage throughout his *Enquiry Concerning the Principles of Morals* seems far more diverse than this. Even in connection with pride, Hume celebrates examples of pride — Alexander the Great's abandonment by his armies, the Athenian statesman Phocion's execution — evidently approved by Hume's version of utility but not made more pleasant by pride.[156] Similarly, there are many situations in clinical ethics in which it makes little sense to speak of making a situation more pleasant or even more bearable, so that few virtues would apply were the expectation that they

---

[154] Ibid., 134.
[155] Jeremy Bentham, *An Introduction to the Principles of Morals and Legislation* (Oxford: Clarendon Press, 1879), 26.
[156] Hume, *Enquiry Concerning the Principles of Morals*, 134-135.

should reliable conduce to pleasure. End-of-life care and decision-making for an incapacitated patient with widely metastatic cancer is never going to become pleasant. The patient's loved ones are unlikely to find the patient's decline more bearable for a clinician's pride, however hard-earned; neither would pride be a praiseworthy affect on the part of the clinician, even for the clinicians' own sake.

Hume's meaning with regard to the characteristic usefulness of virtues is typically much broader than immediate pleasure. Even consequentialists who would claim Hume as a forebear grant that he is not a hedonistic utilitarian (or even consequentialist) with regard to virtue.[157] Hume is explicitly concerned with the goods of social cohesion as well and, fundamentally, with the *evaluations* of others. In this connection, modesty (Hume would prefer humility) certainly has claim to be a virtue. Friedrich Nietzsche, not generally noted for his personal modesty, could still give instrumental reasons in favor of modesty, even to those who might otherwise be prideful. In one of the aphorisms collected in *Human, All Too Human*, Nietzsche defines modesty as "the knowledge that we are not the works we create" and as "absolute irresponsibility (even for the good [one] creates)."[158] Nietzsche reasons that others will come to despise even a great person who preens herself/himself on her/his accomplishments to the neglect or diminution of others'. Whether or not Hume would endorse Nietzsche's latent fatalism, it seems plausible that even Hume might approve of modesty and humility on similar grounds of social utility as long as modesty and humility were not to the point of gloominess or depression. What Hume seems to be objecting to above all is not modesty or humility that restrains unbecoming or insufferable

---

[157] Julia Driver, *Uneasy Virtue* (Cambridge: Cambridge University Press, 2001), 63-65.
[158] Friedrich Nietzsche, *Human, All-Too-Human: A Book for Free Spirits*, trans. Helen Zimmern, vol. 1, 2 vols. (New York: Macmillan Co., 1915), 376.

pride, but rather to carrying modesty or humility to the point of self-abasement, a practice Hume

clearly associates with the demeanor of those narrowly devoted to religion at the expense of their

humanity.

G. K. Chesterton On Modesty

Although G. K. Chesterton may be the opposite of Hume in many respects, Chesterton at

least agrees with Hume that modesty has become a vice for reasons related to religion. However,

Chesterton believes that it is the decline of religion that has transformed the perfectly serviceable

religious virtue of modesty into a vice that is antithetical to religion, of which Chesterton is far

more fond than is Hume. The beneficial versions of modesty and humility — Chesterton uses

them interchangeably — were "largely meant as a restraint upon the arrogance and infinity of

the appetite of man."[159] According to Chesterton, Victorian intellectuals redirected modesty

away from humans and toward the truth: modesty as a curb on human ambition became

modesty as an excuse for human incomprehension. Chesterton derides the intellectual modesty

of his contemporaries, writing, "We are on the road to producing a race of men too mentally

modest to believe in the multiplication table."[160]

What worries Chesterton most of all about lazy skepticism is that it is so easily replicated:

one generation of lazy skeptics may very easily pass an accidental nihilism on to successive

generations. In particular, Chesterton is worried about anarchism, determinism, moral

relativism, nominalism with respect to categories, and pragmatism. The common thread

running through these disparate doctrines is their tendency to diminish the plausibility of purely

---

[159] Gilbert K. Chesterton, *Orthodoxy* (London: The Bodley Head, 1908), 40.
[160] Ibid., 42.

objective facts about the world and our confidence in our ability to know them. Chesterton writes, "[M]adness may be defined as using mental activity so as to reach mental helplessness[,]"[161] and he sees modern modesty with regard to truth tending in that direction.

It is difficult to know whether the specific doctrines that Chesterton reproaches have made inroads since the early twentieth century; certainly all are still familiar. However, with the benefit of a century since Chesterton wrote, we know that, at a minimum, the multiplication table is still widely endorsed despite the persistence of modesty with regard to truth. More generally, Chesterton's anxieties about the viciousness and deleterious effects of modern modesty now seem significantly overblown. But Chesterton was right to think that one of modern modesty's central features is its emphasis on the limits of our ability to know facts, in addition to its well-established concern with our attitudes toward our own accomplishments and failures. Nevertheless, modesty's extension to knowledge is not as unnatural as Chesterton supposed. Naive realism with regard to our perception of the external world had been sharply criticized for centuries before Chesterton. Experimental psychology concurrent with and subsequent to Chesterton thoroughly substantiated these worries that what we perceive may be inconsistent with the perceptions of others or what we might otherwise acknowledge as the facts of the matter. When even perception is subject to error, knowledge of facts becomes an accomplishment itself. And our attitude toward our accomplishments is uncontroversially part of the scope of modesty.

---

[161] Ibid., 62.

Is Modesty the Achilles's Heel of Virtue Ethics?

Modesty fares better in Julia Driver's assessment than in Hume's or Chesterton's: Driver at least regards modesty as a virtue, not a vice. But Driver argues that modesty is a virtue that proves that consequentialism is preferable to virtue ethics. Driver classifies modesty with "blind charity, impulsive courage, and a species of forgiveness, as well as of trust" as "virtues of ignorance[,]" virtues "that actually require[] that the agent be ignorant."[162] Driver defines the virtue of modesty as the disposition to unknowingly, sincerely "underestimate […] self-worth to some limited degree."[163] (This definition seems readily extensible to humility as well.) Driver's hypothetical example is Albert Einstein, who, according to Driver, would have manifested her sense of modesty if he had regarded "himself as a great physicist, just not the greatest physicist of the 20th century[.]"[164] Driver does not elaborate, but she is clear that serious underestimations do not qualify as modest: if Einstein had regarded himself as a mediocre physicist, he would no longer be modest, but rather depressed. And Einstein would have to be perfectly sincere in his slightly lower than accurate self-evaluation. It would not qualify as modesty on Driver's account if Einstein, responding to the question "Are you the greatest physicist of our time?", politely replied, "I am a great physicist, but I do not know if I am the greatest" while privately believing himself the greatest physicist of his generation. To be modest, Einstein would need to believe in earnest that he was not the greatest physicist of his generation, and Einstein would be wrong so far as he believed this. Driver concludes that modesty "rests upon an epistemic defect."[165]

---

[162] Driver, *Uneasy Virtue*, 16.
[163] Ibid., 18.
[164] Ibid., 19.
[165] Ibid.

If modesty depends on its possessor being in error, it is a fatal problem for accounts of virtue that assume that all virtues will necessarily interoperate harmoniously: Driver's modesty is plainly incompatible with intellectual virtues such as accuracy, and possibly with moral virtues such as honesty, if we understand honesty to be the virtue exhibited by persons committed to communicating true understandings to others. Most virtues will be much worse for involving errors: justice, for instance, promptly deteriorates when the agent's grip on the facts of the situation slips. But other virtues, such as modesty, cannot exist without errors. Driver writes, "[A]ny account of virtue must be able to tolerate some actual mistakes […] as long as those mistakes systematically promote the good more than not."[166] Neither perfectly reliable functioning nor perfectly reliable good intentions can account for why these virtues of ignorance should count as virtues, but their avowed tendency to good outcomes (despite their errors and associated unreliability) can supply such an account. This, in turn, opens the door to Driver's modified definition of a moral virtue as "a complex *psychological* disposition (or disposition cluster) to feel, behave, and/or act well" so as to "systematically produce more actual good than not."[167] Such an overtly consequentialist account, Driver argues, allows for why modesty and other virtues of ignorance should be virtues despite the errors they entail.

Translating the virtues into a consequentialist framework will also benefit consequentialism by accounting for the ambivalence that attends consequentialism's beloved hard moral cases. Importantly, Driver does not think that virtue, even translated into a consequentialist framework, defines what is right. The right thing to do, for Driver, remains what it is for many maximizing consequentialists: the act that will produce the greatest surplus of

---

[166] Ibid., 41.
[167] Ibid., 68.

good consequences over bad.[168] But virtue will at least explain why performing such acts often seems so dreadful. Considering the case of a gentle and generally virtuous man Marvin who cannot bring himself to assassinate the cruel tyrant who has taken over his country, Driver suggests that it is exactly Marvin's virtue — his disposition that ordinarily conduce to good consequences — that prevents him from doing the right thing, while a deeply vicious person might not hesitate to do what is right. In connection with McCloskey's case of the utilitarian forced to choose between the death of one innocent person or the deaths of twenty people in a riot that will break out if the first person is not handed over to a mob to be lynched,[169] including virtues alongside consequentialism essentially allows Driver to explain that the utilitarian should do the right thing and sacrifice the first innocent, even though the utilitarian's ability to contemplate that sacrifice, let alone make it, will reveal that the utilitarian's character is substantially defective.[170]

It seems clear that Driver's consequentialist cooptation of virtue is an improvement as far as utilitarianism is concerned. Driver can explain why the poor devils who find themselves in consequentialist thought experiments should be in moral agony while evaluating something as cold as net utility, and why these same reprobates should subsequently despise themselves for doing the right thing. By the same token, it is equally clear that Driver's strategy is not an improvement from the standpoint of virtue ethics as a rival to consequentialism, or for the concept of virtue in general. Not only does Driver subsume virtue ethics under consequentialism,

---

[168] Driver is not a hedonistic utilitarian, though: the sort of good consequences she commends "is the flourishing of social creatures, which does not always get cashed out in terms of pleasure." Driver, *Uneasy Virtue*, 91-92.
[169] H. J. McCloskey, "A Non-utilitarian Approach to Punishment," *Inquiry* 8, no. 1 (January 1965): 249–63.
[170] Driver, *Uneasy Virtue*, 72.

she relegates virtue to a strictly secondary role, as the dispositional codifications of rules conceived along utilitarian lines.

However, there is one further strength of Driver's consequentialist account of virtue that deserves mention, though the strength is not prominent in Driver's own argument. Although Driver is apparently committed to value maximization as the criterion for the rightness of actions, she explicitly rejects maximization as a criterion for virtue, just as I did in the previous chapter. Driver's consequentialist definition of virtue excludes maximization: the disposition need only systematically produce net utility, not produce the most net utility it possibly good. This is very helpful for those of us who wish to ascribe the virtue of benevolence to our neighbors despite our knowledge that Mother Theresa's benevolence far exceeded that of our neighbors, and also despite our suspicions that the comparatively detached scientific interest that led to the discovery of penicillin did still more good than Mother Theresa. Driver suggests that because maximizing is excluded from her requirements for virtue, it can be helpfully applied to the recognized virtues in order to rank them: "the better virtues will be the ones that produce more good. Generosity is probably better than wit in that it produces more good. If there is a virtue that produces more good than any other, then that would be the best."[171]

As appealing as this ranking mechanism may be, it also creates tension within Driver's project. As Driver defines modesty, modesty's ability to produce good is inherently dampened by the disvalue (ignorance) upon which modesty depends for its existence. No doubt modesty's social utility is considerable. It seems plausible that modesty deflects or at least abates the jealousy of others and that modesty helps its possessors avoid dangerous overreach: it is

---

[171] Ibid., 74.

probably better to somewhat underestimate yourself and what you are capable of than to significantly overestimate yourself or what you can manage. But Driver has configured modesty so that all these gains come at the cost of ignorance and untruthful representation of oneself, and it would surely be better to know precisely what you can do for society (and then do it) than to either underestimate or overestimate your capacities. Modesty may conduce to more good than harm, but its inherent inefficiency will place it much lower in the ranking of valuable virtues than others — such as integrity, honesty, and accuracy — that would override the virtue of modesty as Driver has defined it. It seems strange to use what should be an unimportant virtue as a rationale for completely subsuming all virtues within a consequentialist frame that overwhelms them.

The most serious difficulty, though, stems from Driver's definition of modesty as requiring ignorance that is invariably corrigible. In Driver's modesty, there is a clear fact of the matter that the modest person ignores, favoring (albeit unawares) an underestimate: the modest person gets it wrong at a moment when he/she could have known better and gotten it right. Driver's view has considerable plausibility as long as one focuses "modesty" on self-esteem, self-worth, or pride. But the problems Driver attaches to modesty lose much of their force if we dispense with the assumption that the ignorance involved in modesty is always corrigible. Consider knowledge of the future. In common sense — or at least in the context of clinical medicine — much knowledge of the future is probabilistic at best: based on the data at hand, certain outcomes seem more likely than others. But we routinely do not know which outcomes will come to pass. We can take different attitudes toward this probabilistic knowledge and the incorrigibility of the accompanying uncertainty, but we cannot know we are in error until it is

111

too late to do anything about it. Consider three pollsters working from the same large data set and trying to predict the outcome of an election. One pollster is unduly prideful: "I'm an incredibly smart person, I've collected a tremendous amount of data, I understand that data perfectly, and my predicted outcome is all but certain." Another pollster is proud, but not overtly hubristic: "I'm intelligent, I've taken a lot of pains to gather all the data I think is relevant, I understand that data well, and my prediction is as good as any you'll find." The third pollster is recognizably modest: "I'm intelligent, I've got all the data that's likely to matter, but the future is a funny thing and my prediction, though highly informed, is really a best guess that may prove to be wrong." The third pollster's modesty is not an error of the sort that Driver's modesty requires: the third pollster's modesty rather reflects a certain attitude toward the limits of what humans can know about things that have not yet come to pass and how much confidence humans should invest in that knowledge. But it still makes sense to call the third pollster modest: there are prideful and modest attitudes to have toward the same facts and the same uncertainty. Notice, also, that these ascriptions of pride and modesty remain credible even if all three are right or all three are wrong in their predictions. The pollsters are recognizably prideful or modest even while their ignorance is incorrigible, before there is a fact of the matter (the election's outcome) about which they can be right or wrong.

Uncertainty may even apply to the self-esteem with which Driver's modesty is specifically concerned. It is a characteristically consequentialist assumption that a person's social worth can be accurately quantified, but this assumption is debatable. A person's worth in the eyes of her/his spouse and children is likely to be much higher than in the eyes of a prospective mugger, with the worth assigned to that person by her/his employer somewhere in between (and hopefully not

too close to the mugger's estimate). Is the correct evaluation of self-worth the self-worth assigned by those who see the person the most, the person's family? Is the person's true worth assigned by an "impartial" observer, with all the problems attempts at impartiality entail? Is the person's worth the sum or average of the worths assigned by all those who interact with the person? The problems associated with quantifying the family's estimate are considerable; the problems with establishing the fact of the matter in the second and and third cases are nigh on insurmountable. Estimates of a person's social worth may be less uncertain (or less incorrigibly so) than are the outcome of an election most of a year from now and the local daytime high temperature on election day, but social worth is still subject to enough incorrigible uncertainty that modesty with respect to self-worth may be better served by characteristic attitudes than by mandatory underestimation.

Judith Andre On Humility

Judith Andre defines humility as "the ability to recognize and be at ease with one's flaws."[172] Humility is the skill or habit of self-reflection by which persons accept the truth of their mistakes and failures with proportionate responses, "an emotional condition that recognizes and responds to one's failings in such a way that the self regains harmony and finds strength and hence is less likely to fail in the same way in the future."[173] Andre rightly observes that this is an especially valuable skill to have because of the almost inevitable distortion of perception that occurs when we learn that we are in error. As Andre's short definition suggests, this sort of humility has two steps. The first is accepting the hard truth that one really has made a mistake

---

[172] Judith Andre, *Worldly Virtue: Moral Ideals and Contemporary Life* (Lanham, MD: Lexington Books, 2015), 117.
[173] Ibid., 118.

or has failed; the second is "a calm and centered integration of the new awareness. One sees more of one's defects than before, and comes, relatively soon, to live at peace with the changed self-image."[174] Andre's example is of a writer who encounters an unfavorable review and who can only with time come to see the truth in some or many of the criticisms, but it is easy to identify other instances of the distorting effects of embarrassment or pain on our self-assessments. Spats between otherwise happy couples seem often to have their basis in the difficulty one or both parties have in accepting news of their inevitable human failings — a late arrival for dinner, a thoughtless turn of phrase — with grace and perspective. Andre's humility is the skill by which persons grow better at taking these moments that could phase a less virtuous person and adapting them into moments of personal growth. Andre applies this account of humility to medical error as a way of accounting both for how some physicians become more proficient in acknowledging and addressing their mistakes and for how the broader culture of medicine can become more humble. Andre's foremost suggestion for both is candor: that doctors practice admitting their mistakes and that medicine become "a profession in which errors can be more easily acknowledged."[175]

Andre prefers to focus on humility, as opposed to modesty, because "[m]odesty turns out to offer a milder version of the problems that humility does[,]"[176] and because Andre does not approve of some of the strategies used in connection with "modesty" as opposed to "humility," even while she affirms that both modesty and humility are responses to the same moral intuitions. While I am persuaded that Andre's account of humility is one of the most promising

---

[174] Ibid., 121.
[175] Ibid., 122.
[176] Ibid., 114-115.

accounts on offer, it does not actually extend to cover modesty as readily as do others considered here. Andre's success in defining humility in such a positive way — so that it is "at its core, an affirmative emotional capacity, demonstrated in how one sees oneself and the world, and in what one does"[177] — is actually a significant part of this difficulty. Andre's humility does an exceptional job of responding to one's failures, both in encouraging strong, harmonious attitudes toward those failures and in encouraging action to diminish the likelihood of those failures recurring. But those responses cannot be directly translated over to modesty, such that modesty would respond to accomplishments and evidence of one's abilities by restoring harmony, finding strength, and diminishing the likelihood of future accomplishment. One's inner harmony is not likely to be disturbed by success as it is by failure, one's strength is not really in question as one succeeds, and certainly modesty is not plausibly described as an attitude that directly discourages future accomplishment. The core of Andre's account, though, does admit of extension to modesty: modesty and humility alike aim at preventing one's successes and failures from distorting one's attitudes about oneself and about one's potential. With regard to the task of responding to failure, Andre's account of humility seems almost exactly right; when extended to accomplishments, though, it makes more sense to stress human limitation instead of internal harmony.

Modesty as a Wandering Virtue

In rehearsing the accounts of modesty (or humility) offered by Hume, Chesterton, Driver, and Andre, I have argued that modesty is a virtue, that modesty's field of concern includes one's abilities (especially one's ability to know and predict things) alongside one's self-estimate and

---

[177] Ibid., 111-112.

one's failures. In brief, I have defended the working definition of the virtue of modesty that I initially proposed: a habit that responds to and generates norms with regard to one's own attitudes toward one's abilities, accomplishments, and failures by emphasizing human limits. I turn now to making the case that modesty is not only a virtue, but a wandering virtue, and that analyzing modesty as a wandering virtue can help make sense of the ethical difficulties that can attend medical prognosis.

If the virtue of modesty is to be a wandering virtue as I have described the category, modesty must (1) encourage its possessors to neglect one or more other virtues, (2) possess no clear coordinate vices other than those that describe a deficiency of modesty, and (3) lack intrinsic references to the values of others considered as actual individuals. That modesty satisfies the third requirement is uncontroversial. Modesty — not only as I have defined it but as it is defined by any of the authors I have reviewed — is narrowly concerned with its possessor's attitudes toward herself/himself with respect to her/his own abilities, accomplishment, and failures. Granted, a few accounts of modesty define it in terms of its possessor's self-assigned ranking vis-a-vis the worth of others.[178] But even these accounts that apparently refer to others are not concerned with the values that those others actually endorse, or even with those others' own estimates of their worth, but only with the ostensibly modest person's personal estimate of those others' worth.

Modesty also fulfills the second requirement: modesty possesses no clear coordinate vices other than those that describe a deficiency of modesty. Incidental support for my contention that modesty's coordinate vices all fall on the side of deficiency comes from Robert

---

[178] For a quick synopsis of several of these accounts, see Jeanine Greenberg, *Kant and the Ethics of Humility: A Story of Dependence, Corruption, and Virtue* (Cambridge: Cambridge University Press, 2005), 107-111.

Roberts and Jay Wood, who enumerate a helpfully long list of the vices to which modesty (they use "humility") is opposed: "arrogance, vanity, conceit, egotism, hyper-autonomy, grandiosity, pretentiousness, snobbishness, impertinence (presumption), haughtiness, self-righteousness, domination, selfish ambition, and self-complacency."[179] All of these vices reflect the various ways in which one's modesty can be deficient: the vain person is immodest with respect to appearance, the hyper-autonomous person is immodest with respect to independence, the snobbish person is immodest with respect to taste, and so on. Modesty's resistance to these numerous vices firmly establishes modesty's status as a virtue, and an important one, given our collective human propensities toward these vices. But none of vices that modesty opposes are concerned with excessive modesty. It is difficult to imagine what such a vice of excessive modesty would look like, or even how it would be defined provided it were not trivially defined as "too much modesty." Defining a vice of excessive modesty in this way will not persuade us if we expect, as I have suggested we should, that coordinate vices should be identifiable without direct comparison to the virtues that oppose them. For instance, we can identify vain and selfish people without having to refer directly to a standard of modesty from which they depart. We can certainly aver that some persons are observably too modest for their own good, but this cannot establish that such modesty is vicious in the absence of the doctrines of eudaimonism and the unity of the virtues.

With regard to wandering virtues' first requirement, that the wandering virtue encourage neglect of other virtues, Driver has already done the heavy lifting. I do not agree with Driver that modesty necessarily entails ignorance, but modesty certainly tends toward ignorance with

---

[179] Robert C. Roberts and W. Jay Wood, *Intellectual Virtues: An Essay in Regulative Epistemology* (Oxford: Oxford University Press, 2007), 236.

respect to one's abilities and accomplishments, and modesty subsequently benefits from this ignorance. Modesty's habitual responses emphasize human limits, so that the modest person's attitudes toward her/his accomplishments will downplay both those accomplishments' significance and the modest person's agency in achieving them. And this modesty extends to the modest person's abilities and potential for future success (or, with regard to intellectual abilities, potential for accurate prediction). With regard to failures, the modest person fares better, as Andre would expect: a modest person will not be surprised at concrete evidence of her/his own limits, and a response to failure emphasizing human limits may even be beneficial. But to the extent that modesty tends toward attitudes that result in less than accurate (that is, false) assessments of abilities and accomplishments, modesty at a minimum encourages neglect of the virtue of honesty, the habit by which we respond to and generate norms related to truth. So far as modesty suggests that the modest person is more limited than in fact he/she is, it will tend also to diminish realizations of other virtues, although these other virtues will be difficult to specify in advance. And modesty has an interesting feature that makes it especially difficult to rein in: if a modest person is shown to be in error about her/his self-knowledge and attitudes toward one's her/his accomplishments or abilities, this may only reaffirm the modest person's limits and the appropriateness of attitudes emphasizing those limits.

George Eliot furnishes a poignant example of such wandering modesty in the central character of *Middlemarch*, Dorothea Brooke. Eliot characterizes Dorothea as exceptionally beautiful, beneficent, clever, pious, economical, intelligent, educated, courageous, and energetic: in Eliot's words, "the hereditary strain of Puritan energy […] glowed alike through faults and

virtues[.]"[180] With all of her worldly advantages, Dorothea seems unlikely to let modesty, habitual emphasis on her human limits in her attitudes toward herself, get the better of her, but this is exactly what she does. Eliot establishes at the outset that Dorothea's dispositions are reliably toward limiting the worth and import of her abilities and accomplishments. In the first three chapters alone, Dorothea eschews jewelry for fear of calling attention to her beauty, forms an intention to abandon riding horses (at which she is accomplished) because it calls positive attention to her, deprecates the extent of her (in fact considerable) reading and knowledge, repudiates almost every compliment offered to her, and persuades herself that her capacities for independence are feeble (they will prove to be anything but). Dorothea convinces herself in short order that she ought to marry the much older Edward Casaubon, a local cleric and would-be scholar of religion whose lack of animating passion is memorably characterized by one of his neighbors: "Somebody put a drop [of Casaubon's blood] under a magnifying-glass, and it was all semicolons and parentheses."[181] There is no doubt that Casaubon is an outwardly respectable person, or that he aims (but fails) to be a consistently decent man. But his preoccupation with amateur scholarship (which proves to be utterly trivial) and his lack of human warmth make him a poor prospective husband in everyone's eyes save Dorothea's. Dorothea, though, habitually downplays her strengths as weaknesses, her needs as failures, and her passions as misguided: Dorothea's attitudes toward herself, her accomplishments, and her abilities consistently emphasize their limited importance because they are all so obviously human. Dorothea's modesty drives her to be fundamentally dishonest with herself, so that it seems to her that Casaubon is the one man perfectly suited to the limited person Dorothea habitually affirms

---

[180] George Eliot, *Middlemarch* (New York: Barnes & Noble Books, 2003), 5.
[181] Ibid., 65.

herself to be. Nevertheless, the truth will out: following her wedding to Casaubon, Dorothea slides deeper and deeper into misery, misery abated only by Casaubon's death and her growing affection for the man who will become her second husband. And in her growth as a person, Dorothea's modesty is strangely re-inscribed: she comes to realize that for all her merit and all her modesty, she had been a far worse person than she knew, often cruel to her family and friends and overbearing in her zeal for virtue.

Roberts and Wood, whose list of modesty's coordinate vices was so helpful, would strongly disagree with my contention that modesty encourages the neglect of other virtues. Roberts and Wood define true humility as the virtue in which "concern for status is swamped or displaced or put on hold by some overriding virtuous concern."[182] Roberts and Wood give two examples of this: Jesus of Nazareth, whose humility consisted in disregarding his status as God, temporarily setting this status aside in favor of an earthly life (with a very humiliating end) in order to exhibit God's love; and the Cambridge philosopher G. E. Moore, whose humility consisted in disregarding the status he could otherwise have enjoyed as one of the great intellects of his place and time, preferring to pursue philosophic truth even when it led him to contradict himself.[183] The behavior that Roberts and Wood ascribe to humility inverts my first requirement for wandering virtues: Roberts and Wood impose a requirement on humility that it specially attend to another, more important virtue, not neglect other virtues. But Roberts and Wood evidently recognize that this is an imposition above and beyond what is normally expected: the exceptional examples they supply underscore the extent to which their true or praiseworthy humility diverges from the modesty and humility to which we are more accustomed. And even if

---

[182] Roberts and Wood, *Intellectual Virtues*, 239.
[183] Ibid., 239-241.

we were to grant Roberts and Wood's definition of humility, it would still permit exactly those problems with modesty that I have attributed to Dorothea Brooke. Dorothea's modesty is entirely in service to "her desire to make her life greatly effective[,]"[184] specifically, to serve God and to benefit her community. But all the same, Dorothea's modesty wanders from the straight and narrow and takes her flourishing with it. Unless we further stipulate that modesty be in the service of a greater virtue *rightly* conceived, even Roberts and Wood's requirement will not prevent modesty from encouraging neglect of other virtues, including honesty at a minimum. For all the reasons I have rehearsed in the first and second chapters, I am skeptical of definitions of virtue that include the stipulation that virtues get things exactly right.

Dorothea's example also helps address the lingering concern that modesty's coordinate vice of extremity might be self-effacement. Although it is not usually positioned as such, self-effacement — diminishing oneself to the point that one is indistinguishable from one's context — might be thought to be an extremity of modesty. Self-effacement is not always construed as negative, or as a vice. Certain schools of Christian theology praise those who strive to live into Christ's example so thoroughly that their original selves vanish. But other persons, religious or not, regard self-effacement as a vice. If self-effacement is a vice and is rightly positioned as an extreme realization of modesty, then modesty would not be a wandering virtue after all. Modesty would then have a coordinate vice of extremity other than those of deficiency. But Dorothea makes clear that self-effacement is not an adequate descriptor of the extremes of modesty. Dorothea is clearly modest, even as she is by no means self-effacing: she wants to make an indelible mark on her community through her charity and piety. Dorothea's modesty does not

---

[184] Eliot, *Middlemarch*, 23.

constrain her aspirations for who she will become; her idealism is one of her most remarked-upon traits in *Middlemarch*. Dorothea's modesty only constrains her assessment of the worth of who she already is. Dorothea reminds us that a modest person may still be very ambitious, so long as her/his ambitions are not directed at self-aggrandizement, and in so doing Dorothea reminds us that the virtue of modesty may wander independent of ambition.

Modesty And Medical Prognosis

Medical prognosis presents a number of interesting theoretical problems, including epistemological and even metaphysical questions about the nature of probability. Perhaps most elemental is the question of what sort of clinical prediction merits the label "prognosis." In 1960, the medical sociologist Fred Davis distinguished "'real' uncertainty as a clinical and scientific phenomenon" from "the uses to which uncertainty — real or pretended, 'functional' uncertainty — lends itself in the management of patients and their families by hospital physicians[.]"[185] Davis's specific focus was pediatric polio. In the middle of the twentieth century, it was very difficult for physicians to know whether a child would recover from a polio infection and what the extent of that child's durable disability would be during the first two weeks of a child's hospitalization with polio. This predictive uncertainty progressively resolved on the basis of clinical evidence after the first two weeks of hospitalization. The parents of polio patients, however, initially had to be persuaded — and typically were persuaded within the first two weeks — that doctors were sincerely uncertain about their child's future. Parent's hopes for their child's recovery stepped in to fill this void of professional certainty. Parents, who initially struggled to

---

[185] Fred Davis, "Uncertainty in Medical Prognosis: Clinical and Functional," *American Journal of Sociology* 66, no. 1 (July 1960): 41–42.

understand physicians' initial prognostic uncertainty, often had to be persuaded anew when the physicians did become confident in an unhappy prognosis. In brief, Davis described a mismatch between clinicians' predictive uncertainty and parents' understanding of that uncertainty, a mismatch no less reliable for the transformation it underwent over the course of the child's hospitalization. On the basis of his research, Davis offered a four-fold typology of the intersections of communicated prognoses and clinical confidence in those prognoses. Only one of these types is unlikely to cause trouble: when a clinician "communicates" a prognosis in which that clinician has a high degree of confidence. Second best is a frank "admission of uncertainty," though (to repeat) Davis saw this become complicated down the line more often than not. Although his aim is primarily descriptive, Davis discourages physicians from conveying prognoses in which they are uncertain (which he calls "dissimulation") or from withholding prognoses in which they are confident ("evasion").[186]

It seems self-evident that a physician's clear communication of predictive certainty is preferable to the alternatives, but it is not clear to me that only a clinically certain (or near-certain) outcome should count as prognosis, especially because certainty is often difficult to establish in advance. But Davis seems right to exclude dissimulation and evasive communication from prognosis, and that admitting uncertainty either acknowledges the complexities that attend uncertainty or (in Davis's narrative) create those complexities. The primary reason, meanwhile, that Davis deprecates frank admissions of uncertainty is that he is confident that, with time, the preferable, much more certain prognosis is typically available. Even if Davis could plausibly dignify only near-certain predictions with the label prognosis, this confidence in

---

[186] Ibid., 46-47.

medical certainty has since evaporated. Clinicians now rarely surprise patients and their surrogates when clinicians admit uncertainty about a particular patient's course early in a hospitalization or course of treatment. Renée Fox attributes this to the public's growing awareness of the vagaries of cancer and of other diseases that are not easily cured.[187] Most members of the public have known two people with roughly identical cancer diagnoses whose clinical courses diverged sharply, and seasoned clinicians are still more aware of the ways that patients' medical outcomes can depart from clinical expectations. It now seems unhelpfully narrow to confine true prognosis to near-certain medical predictions, since these would omit much of today's medical practice, and more fair to acknowledge as prognoses those admissions of uncertainty that allow for the wide range of possible outcomes facing patients with complex or poorly-understood conditions.

In addition to its broader, theoretical difficulties, medical prognosis presents pressing, practical concerns in the clinical environment: doctors dislike prognosticating, patients and surrogates regard prognoses as extremely important, and prognoses are often wildly inaccurate. Nicholas Christakas and Theodore Iwashyna's 1998 study of 697 internists found that three-fifths of internists found prognostication "stressful," that almost as many found it "difficult," that four-fifths thought "patients expect too much certainty," and that nine-tenths avoid specificity in prognostication.[188] These attitudes are almost diametrically opposed to those of patients' surrogate decision-makers: Leah Evans and colleagues' 2009 survey of 179 surrogates for

---

[187] Renée C. Fox, "The Evolution of Medical Uncertainty," *Milbank Memorial Fund Quarterly: Health and Society* 58, no. 1 (Winter 1980): 16.

[188] Nicholas A. Christakis and Theodore J. Iwashyna, "Attitude and Self-Reported Practice Regarding Prognostication in a National Sample of Internists," *Archives of Internal Medicine* 158, no. 21 (November 23, 1998): 2389-2395.

incapacitated intensive care patients found that 87% wanted physicians to communicate even uncertain prognoses, so long as that uncertainty was frankly addressed.[189] That uncertainty may be more considerable than even physicians appreciate, however. Christakis and Elizabeth Lamont's 2000 study of 365 physicians' prognoses for 504 hospice outpatients found that only 20% of prognoses concerning a patient's expected survival (in days) were within 33% of the patient's actual length of survival, while most prognoses (63%) overestimated the patient's remaining days of life by greater than 33%.[190] Compounding the problems with evidently predictable biases in individual clinicians' prognoses, many standardized measures fare little better in terms of accuracy. Lindsey Yourman and colleagues found in 2012 that sixteen recently-proposed standardized indices predicting mortality in older adults were not sufficiently reliable for application to medical decision-making or healthcare policy.[191]

If ever there were a feature of medical practice crying out for modesty, it would seem to be medical prognosis. Patients and their surrogates value prognosis: what can be expected from an illness often figures prominently in their decision-making, not just medically but with regard to their lives more broadly. Prognosis is a charged moment. Clinicians, meanwhile, struggle both to be accurate in their prognoses and to muster the will to communicate those prognoses. Clinicians run flush up against human limits in their efforts at prognostication. What we expect

---

[189] Leah R. Evans et al., "Surrogate Decision-Makers' Perspectives on Discussing Prognosis in the Face of Uncertainty," *American Journal of Respiratory and Critical Care Medicine* 179, no. 1 (January 2009): 48–53.
[190] Nicholas A. Christakis and Elizabeth B. Lamont, "Extent and Determinants of Error in Doctors' Prognoses in Terminally Ill Patients: Prospective Cohort Study," *British Medical Journal* 320 (February 19, 2000): 469–72. These optimistic prognoses, though obviously uncertain, would not have been adequately captured by Davis's category of "dissimulation," in that they were communicated to researchers, not patients: there were none of the usual ulterior motive to over-estimate that bedevil the delivery of bad news in clinical contexts.
[191] Lindsey C. Yourman et al., "Prognostic Indices for Older Adults: A Systematic Review," *Journal of the American Medical Association* 307, no. 2 (January 11, 2012): 182–92.

modesty to accomplish in connection with medical prognosis will depend in large part upon what we make of modesty itself.

A Vignette of Medical Prognosis

Mr. Edwards is a 64-year-old man with a past medical history notable for an intracranial aneurysm and a (comparatively mild) bilateral stroke admitted to the hospital approximately one month ago after a fall at his assisted living facility. Imaging upon Mr. Edwards's arrival at the hospital revealed an acute subdural hematoma. Since his admission, Mr. Edwards has suffered seizures, which are now suppressed with medication, and respiratory insufficiency, for which he is intubated and on a ventilator. Approximately one week ago, Mr. Edwards stopped responding to commands and interacting with his visitors; new imaging has revealed that Mr. Edwards has suffered new, extensive strokes on the left side of his brain. The consulting neurologist, Dr. Taylor, has advised the primary team that Mr. Edwards's new strokes have left him paralyzed on the right side and unable to understand or form speech. Dr. Taylor has further advised the primary team that Mr. Edwards's prospects for any meaningful neurological recovery are negligible, that Mr. Edwards is at high risk for further strokes, and that even without those probable strokes Mr. Edwards will be completely dependent and unable to interact with others for the rest of his life.

After obtaining the opinion of the consulting neurologist, Mr. Edwards's primary attending physician, Dr. Williams, asks Mr. Edwards's wife of forty years to come to the hospital for a meeting to discuss next steps. Dr. Taylor, unfortunately, has rotated off and cannot attend the meeting with Mrs. Edwards, so it falls entirely to Dr. Williams to communicate Mr. Edwards's dismal prognosis to Mrs. Edwards. Dr. Williams knows Dr. Taylor to be highly capable and

thorough neurologist. But Dr. Williams has seen many highly improbable things while caring for stroke patients during her residency, fellowship, and now three years as an attending physician.

When the time comes for Dr. Williams's meeting with Mrs. Edwards, Dr. Williams begins by updating Mrs. Edwards on her husband's very serious condition. Dr. Williams then tells Mrs. Edwards about Dr. Taylor's prognosis; in response to Mrs. Williams's skeptical questions, Dr. Williams strongly endorses Dr. Taylor's expertise. But then Mrs. Edwards says, "Dr. Williams, I believe you when you say that Dr. Taylor is the expert. But I'm sure you've taken care of a lot of patients like my husband. What do *you* think? Could he get better? I know that it would be enough for him if he could just see his granddaughters and hear their voices again; we were making it work in the assisted living facility before and I'm sure we could make it work if he needed a lot more help than that. I want to know what *you* think: is there even a chance that my husband could ever do that someday?"

Dr. Williams knew that this sort of question was inevitable, but after a decade of medical training and three years as an attending physician, she is still deeply conflicted about how to answer. Dr. Williams does not doubt Dr. Taylor's prognosis on an intellectual level: Dr. Williams agrees that Mr. Edwards's chances of any recovery are extremely remote. Dr. Williams has seen almost all of her similarly situated stroke patients die within days or weeks, regardless of medical intervention. Strictly on the basis of the medical evidence, Dr. Williams is inclined to recommend a transition to comfort measures only, eventually including withdrawal of ventilatory support with the knowledge that this will almost certainly result in Mr. Edwards's death. But Dr. Williams has also seen a tiny number of her similarly-situated stroke patients recover and live for a few more months. The lives that these patients have are not lives that Dr. Williams would want for

herself or recommend to anyone in her family: they remain dependent for all acts of daily living and seem only to follow simple commands. But Dr. Williams knows that those added months and (rarely) years have been meaningful for some of those patients' families.

Dr. Williams decides to say to Mrs. Edwards, "I haven't seen nearly as many stroke patients as Dr. Taylor has, and I strongly encourage you to take his guidance very seriously. For my own part, I've seen nearly all of the patients I've had who were like your husband die in the hospital. But I've seen a few live longer than I expected and get a little better. The brain is a very complex organ, and while we understand injuries to it pretty well, there's always a chance that our predictions will be a little off the mark. I want you to understand that I've never seen anyone fully recover from strokes like your husband has had. I've seen a couple make it out of the hospital to a skilled nursing facility. I wish I could give you some certainty, but I can't. It is my professional opinion that the best thing we can do for your husband is keep him comfortable, rather than try to continue to provide aggressive interventions that are very unlikely to benefit him. But I can't tell you I *know* he won't recover at all: with strokes, we just can't be perfectly certain."

At this point, Mrs. Edwards interjects, "You say you've seen a couple patients like my husband get better. What do we need to do to give my husband that chance? I'm not going to give up on him." Dr. Williams is unhappy with this, but she reasons that the poor outcome she expects for Mr. Edwards is only highly probable, not certain. It could be, after all, that she would not be doing Mr. Edwards the kindness she expects by transitioning him to comfort measures instead of continuing aggressive interventions aimed at stabilizing or improving Mr. Edwards's condition.

Analyzing the Vignette in Light of Wandering Modesty

By the end of the vignette, it is more likely than it might have been that Mr. Edwards's final days will be filled with aggressive treatments that will yield no medical benefit and that he will still succumb to the sequelae of his strokes during the current hospitalization, being pricked, prodded, scanned, and invasively supported along the way. If Mr. Edwards's luck is different — better or worse is difficult to say — he will stabilize enough that he will receive a tracheostomy for more convenient ventilatory support, a surgically-placed tube to accommodate long-term artificial nutrition, and a discharge to a long-term acute care facility, where he will have additional strokes, develop an infection, or suffer some other complication that will send him back to the intensive care unit, where he will die, never having regained awareness. If Mr. Edwards is exceedingly resilient, he will join the handful of patients who remind Dr. Williams of her predictive limits as a physician, though Mr. Edwards will still require assistance with all acts of daily living, and may still require artificial nutrition and hydration if his speech therapy cannot rehabilitate him sufficiently to take food by mouth.

These and similar considerations suggest that something has gone very wrong when family meetings for patients like Mr. Edwards result in highly aggressive plans of care. Some explanations for the alleged failure revolve around patients' surrogate decision-makers. These surrogate decision-makers are sometimes said to be excessively hopeful, deluded, or in denial about the seriousness of the patient's condition. The gentlest possible resolutions involve consistent and frequent communication with the patient's surrogate decision-maker in order to give the surrogate time to process unwelcome news. More confrontational resolutions involve overriding or even replacing surrogate decision-makers when their decisions are deemed inconsistent with the patient's medical interests or expressed desires.

Other explanations for the undesirable outcome pin blame on the physician having the discussion: if the physician had given firmer directions to the surrogate, the patient's plan of care would have more closely resembled what was medically best for the patient. I have even heard physicians like Dr. Williams called cowardly because they put questions of patient care to patients' surrogates when the probabilities all pointed in one direction. The charge of cowardice is based on the view that admissions of uncertainty are often motivated by fear of surrogates' reactions to bad news or by fear of being wrong. A courageous physician in Dr. Williams's situation, this line of reasoning goes, would tell Mrs. Edwards that Mr. Edwards was dying, that a transition to comfort care was the only medically-appropriate course of treatment, and that this was what was going to happen.

It is understandably tempting to assume that something must have gone poorly when something has a poor outcome, especially when what goes poorly is as apparently manageable as a conversation. But treating Dr. Williams's modesty as a wandering virtue is both more humane and more helpful. Rather than chastising Dr. Williams for a failure of character she did not exhibit, we can instead acknowledge that what happened was that one of Dr. Williams's genuine virtues fared too well.

Although there is always danger in attributing character traits on the basis of a limited sample, if we suppose that Dr. Williams's behavior in the vignette is characteristic of her behavior in general, it seems clear that Dr. Williams is modest. Dr. Williams's attitudes toward her own abilities and accomplishments in patient care emphasize her human and professional limits. Dr. Williams defers to the expertise of the consulting neurologist, despite Dr. Williams's experience

caring for many similar stroke patients. And Dr. Williams readily admits the limits of her ability to know Mr. Edwards's course in advance.

If genuine modesty were guaranteed *a priori* to conduce to *eudaimonia*, to entail all other virtues, or to operate through a unifying virtue of *phronesis* than ensures its right function, Dr. Williams's "modesty" would be specious. In this case, though, the plausibility of the vignette, which is derived from several real patient care situations, weighs against the credibility of *a priori* assurances that genuine virtues will not go awry. And Dr. Williams's modesty seems to go awry in the ways we would expect of a wandering virtue. First, Dr. Williams's modesty encourages her to neglect other virtues, including mercy and honesty. Dr. Williams enters the vignette responsive to the norms of mercy: she is attentive to, and motivated by, Mr. Edwards's present suffering and dismal prognosis to recommend a transition to comfort measures only. But by the end, Dr. Williams's modesty has overridden these concerns of mercy, and indeed Dr. Williams has persuaded herself that the merciful thing may be to give Mr. Edwards the chance Mrs. Edwards requests. In so doing, Dr. Williams's modesty has also encouraged neglect of the virtue of honesty, as wandering modesty almost inevitably will. To be sure, Dr. Williams's remarks to Mrs. Edwards are all true, as far as they go, but the virtue of honesty expects more than consistently true statements: an honest person will communicate an intelligible, thorough account of the truth with an ideal end-point of shared understanding. Though all of Dr. Williams's statements are true, Mrs. Edwards's understanding of her husband's prognosis is almost certainly more optimistic than the truth would warrant or than Dr. Williams would endorse.

Second, Dr. Williams's modesty never runs into a coordinate vice of extremity or excess. I have urged that modesty lacks such coordinate vices of excess, and Dr. Williams's behavior in the vignette bears this out: her modesty never becomes something other than modesty, even as it wanders away from other virtues and takes Dr. Williams's plan for Mr. Edwards with it. Third and finally, Dr. Williams's modesty resides in her own analysis and nowhere else; it does not consult the actual values of others. Dr. Williams's acquiescence to Mrs. Edwards's optimism is not based in an inquiry into what Mrs. Edwards expects Mr. Edwards would value, or even a rigorous inquiry into what Mrs. Edwards herself values: allusions to time with grandchildren are more suggestive than substantial, and it might have been possible for Dr. Williams to dissuade Mrs. Edwards from an aggressive plan of care if the two of them had spent more time exploring what, specifically, Mrs. Edwards hoped for Mr. Edwards and whether those hoped-for outcomes remained possible. Instead, Dr. Williams's modesty intervenes, and her confidence in her prognosis and plan of care declines.

If Dr. Williams's difficulties stem from (or at least involve) modesty's character as a wandering virtue, it suggests that some typical suggested responses will be ineffective. First and foremost, if modesty is a virtue, albeit a tricky one, neither Dr. Williams nor Mrs. Edwards will benefit morally from an attempt to cut the Gordian knot and deny the applicability of modesty altogether. Although modesty *conduces* to the neglect of the virtue of honesty, immodest or proud prognosticators are *inevitably* dishonest: a clinician who implies her/his certainty about a diagnosis that is only highly probable has deceived. An immodest version of Dr. Williams would likely have an easier time persuading Mrs. Edwards to accept the recommended plan of care, but would do so at the cost of Mrs. Edwards's informed consent to that course of care on behalf of

her husband. Second, if Dr. Williams's difficulties stem from one of her genuine virtues, it will be unfair and counterproductive to accuse her of a failure of character, as the charge of cowardice implies. Dr. Williams's difficulty is not habitual fear and unwillingness to dare what ought to be dared: Dr. Williams goes into the meeting with Mrs. Edwards and communicates hard truths without undue trepidation. Neither is it fair to say that Dr. Williams is afraid of being wrong. She frankly admits that she has been wrong before, which is precisely the issue. Dr. Williams's difficulty is that she is only too well aware of the limits of her knowledge of the future and that her habitual attitudes reflect this, as they must if she is to be modest. This sort of wandering modesty is self-reinforcing: a person who emphasizes her/his limits will have an increasingly difficult time assessing whether the limits set by modesty are too narrow.

It would be contribution enough if wandering modesty guided us to avoid discouraging virtue or impugning the character of virtuous clinicians, but wandering modesty also has positive suggestions for helping Dr. Williams and clinicians similar to her. First, because we ought not expect Dr. Williams's modesty to self-correct or to be balanced out by the virtues of which wandering modesty encourages neglect, we should instead ensure that Dr. Williams has external support from the rest of the healthcare team for the accuracy and reliability of her prognosis and for the appropriateness of basing Mr. Edwards's plan of care on that prognosis. Family meetings in which only the primary service sends an attending physician are routine, and understandably so: consulting services are often booked solid throughout the week, and coordinating spare moments across a primary team and multiple consulting services is often daunting. But placing the full weight of medical judgment on a modest attending physician provides no safeguards against that modesty's wandering. Putting other clinicians in the room

adds voices that can reorient the (appropriately) modest attending physician: even a consulting physician who is modest about her/his own abilities can still assure another clinician of her/his own abilities.[192] In this way, wandering modesty is better constrained, not by adding on other virtues, but by adding other voices that can evaluate and respond to the norms generated by the attending physician's modesty.

The second strategy suggested by treating modesty as a wandering virtue, perhaps surprisingly, recommends increasing the range of modesty's application. The same challenges of tight scheduling that make it so difficult to organize family meetings in the first place also contribute to high demands on the productivity of those meetings when they finally take place: the various clinicians on the primary team, especially, hope that these meetings will result in clear plans of care going forward. But family meetings are often the first opportunity a patient's family members have had to sit down with representatives from most of the clinical services involved in their loved one's care or to hear their loved one's prognosis. It is ambitious to the point of immodesty to expect that this same meeting will smoothly transition from news of a poor medical prognosis to making emotionally painful decisions in the best medical interests of the patient. Better would be to send modest clinicians into the meeting with more modest expectations for what they will address.

---

[192] Larry Churchill rightly points out that Dr. Williams's modesty might here have served her better than it did: had Dr. Williams's modesty focused closely on her dearth of experience in relation to the experience of the consulting neurologist, Dr. Williams might have declined to relate her own experience at all. Modesty, even if a wandering virtue, need not always go astray. Wandering virtues are especially prone to go astray, but are not always in error, which distinguishes them both from Driver's "virtues of ignorance" and from vices. However, because Dr. Williams is left to her own devices and has made the consulting neurologist's opinion her own, her modesty is likely to impinge on her confidence in the prediction. This problem is ameliorated if the consulting neurologist can be present.

Chapter Conclusion

In this chapter, I have argued that the features of modesty variously valued and criticized by Hume, Chesterton, Driver, and Andre are best explained if modesty is understood as a wandering virtue. I have suggested that wandering modesty can help explain some of the moral difficulties commonly associated with medical prognosis in the face of genuine uncertainty. The positive contributions that this analysis offers are not altogether what one would expect in a virtue ethic. Treating modesty as a wandering virtue does not explain problems in terms of a deficiency of virtue, but of insufficient concessions to the peculiar features of wandering virtues. This pattern of explanation is made even more clear in connection with the next virtue I consider as a wandering virtue, patience.

CHAPTER 4

PATIENCE

Robert Kaster's Analysis of Roman Patientia

The problems of the virtue of patience have long been apparent to its commentators. The pre-Christian Romans were peculiarly afflicted: the same *patientia* could signify diverse evaluations. Robert Kaster's careful analysis of Roman attributions of the virtue *patientia* provides a valuable starting point for my own analyses of patience as a wandering virtue and of patience in clinical medicine. The precondition for any manifestation of *patientia* "is the quality entailed in being the recipient, not the generator, of action, or experience."[193] Kaster subdivides Roman uses of *patientia* into three related families of meaning. The first is the patience that enables a person to tolerate both the inevitable hardships imposed by an inhospitable natural world (distinct from human society) and pain, whether inflicted by humans or by something else. The Romans reliably ascribed this patience to the more-or-less mythical founders of their republic, whose subsistence farming compelled them to face down unfriendly nature and whose numerous battles occasioned grievous injuries. In the Roman mind, this first version of the virtue of patience was unequivocally good. The second version of patience was less common, but more excellent. This second aspect of patience extends beyond the ability to tolerate, and function under, adverse conditions to include a willing embrace of hardships one cannot avoid. Firmness of disposition and comportment in the face of torture and death are emblematic of this second

---

[193] Robert A. Kaster, "The Taxonomy of Patience, or When Is 'Patientia' Not a Virtue?," *Classical Philology* 97, no. 2 (April 2002): 135.

sort of patience, and these connections patience is no longer merely good, but great-making. The third version of patience, however, was only a virtue in some people, but emphatically not a virtue in the best sort of people (in the Romans' estimation). This third version of patience is toleration of social insults and injuries, the sort of patience the Roman elite expected slaves to exhibit unconditionally and hoped (but did not really expect) that free women would exhibit voluntarily. This third sort of patience is uncontroversially a virtue in slaves and in women. But patience's virtuousness in a free man is inversely proportional to that man's social status: the more elite a man is, the less patience for social insult he ought to have. Kaster rightly observes that no Roman could dispense with patience altogether: the constant reprisals that would have ensued had Roman men possessed no patience for one another's frequent insults (real or perceived) would have collapsed the whole of Roman society. Even so, "if *patientia* in the great produced admiration, it was admiration born of fear, and the knowledge that forbearance was merely the dormant state of awful power."[194]

We can look back at the attitudes of the pre-Christian Romans and see — as all but the Roman elite probably did see at the time — how invidious were the classism and sexism undergirding the attributions of *patientia* that fell within Kaster's third category. Clinical medicine would surely be improved if classism and sexism were no longer active concerns, but there is abundant evidence that classism and sexism continue to hinder both medical education and care.[195] Nevertheless, classism, sexism, and similar prejudices are publicly decried in present-

---

[194] Kaster, "Taxonomy of Patience," 144. Some theologians still map this sort of patience on to the Christian God. Romano Guardini suggests that God's example of perfect patience "is the patience of the one who could use force but spares, because he is truly Lord, noble and gracious." (Romano Guardini, *The Virtues: On Forms of the Moral Life*, trans. Stella Lange [Chicago: Henry Regnery, 1967], 31)

[195] The seminal article, responses to which have substantiated its anecdotal concerns about witting and (especially) unwitting perpetuation of prejudice in medical education and practice, is Frederic W. Hafferty and

day U.S. healthcare (even if they are still privately practiced) and should play no role in justifying the virtue of patience.

Once its unsavory justifications are set aside, Roman *patientia* (as Kaster analyzes it) seems to me a fairly comprehensive account of what is still expected of the virtue of patience today, at least in the context of clinical medicine. First, a patient person — typically the patient hospital patient — will bear the inevitable, physical hardships associated with illness and disease without expecting illness and disease to be other than they are. This can be transposed to clinicians: a patient clinician will bear the physical discomforts associated with treating illness and disease without expecting that illness or disease should be other than they are. Second, a patient person will bear these natural hardships in a way that is at least not anxious, reluctant, or resentful, and that is at best willing. Third, a patient person will also tolerate social injuries to her/his dignity, but without the willingness and acceptance that characterize a patient person's responses to natural ills.

Kaster's analysis of Roman *patientia* also clarifies why the coordinate vices of patience are so difficult to pin down: though patience is a single virtue concerned with bearing up under injury and with expected behavior and characteristic attitudes are recognizably similar irrespective of the source of injury, patience's willingness to endure these injuries varies depending on whether the injury is natural or social in origin. Patience's willingness to bear social injuries is limited in ways that its willingness to bear physical hardship is not; this distinction will play an important role in my argument that patience is well-described as a wandering virtue.

Ronald Franks, "The Hidden Curriculum, Ethics Teaching, and the Structure of Medical Education," *Academic Medicine* 69, no. 11 (November 1994): 861–71.

The Virtue of Patience as a Feature of Talcott Parsons's "Sick Role"

In the middle of the twentieth century, the sociologist Talcott Parsons developed and elaborated an account of illness and ill persons' relationship to physicians and to society that he collectively labeled the "sick role." Parsons argued that the sick person is excused from her/his normal responsibilities to society and receives certain dispensations from social norms, but in return the sick person takes on atypical responsibilities to her/his physician. With regard to the sick person's normal responsibilities from which he/she is excused, Parsons supplies the examples of children who are excused from school because of their illness and adults who are excused from work because they are sick; we might readily extend this to skipping parties, religious services, and civic gatherings on grounds of not feeling sufficiently well to attend. Parsons observes that, as a matter of social convention, sick persons are excused from responsibility in another sense: sick persons are not normally faulted for their illnesses. Infection with one of the more common illnesses (such as bronchitis, cold, influenza, or pneumonia) is not thought to be a moral failure, though there are conspicuous departures from this. But these exemptions are accompanied by a new, focused responsibility: to seek the aid of a physician and to comply with the physician's plan of care: by doing these things, the sick person indicates to society that he/she has done what he/she can to improve her/his health and to return to her/his normal responsibilities.[196]

Parsons's sick role has come in for significant criticism since he elaborated it. First, Parsons's inclusion of an expectation that the sick person will seek to regain her/his health is at

---

[196] Talcott Parsons, "Illness and the Role of the Physician: A Sociological Perspective," *American Journal of Orthopsychiatry* 21, no. 3 (July 1951): 454-456.

best an uneasy fit for patients with chronic or progressive diseases:[197] for instance, a patient with

Parkinson's disease may hope for a return to rude health, but it is beyond the limits of medicine

to provide as much. Parsons's sick role, as he developed it, would not readily accommodate the

adherence of the patient with Parkinson's disease. Second, since the middle of the twentieth

century, some patients have become much more active in directing their own care than was the

compliant patient of Parsons's sick role. A subset of the healthy population is now actively

concerned with improving its health even when apparently well, as attested by the proliferation

of gyms, home fitness equipment, and herbal supplements; as patients, they gather information

about their conditions and research the doctors to whom they have access.[198] Third, the sick role

has been criticized by proponents of narrative medicine for its monolithic interpretation of what

is, for patients, a highly particular experience that varies significantly from person to person.[199]

Together, these suggest that the sick role is not as universally applicable or as uniform as Parsons

maintained it was.

Parsons himself seems not to have been sympathetic to these criticisms, which was

perhaps to the detriment of his theory. Parsons might well have addressed these criticisms

simply by limiting its application to patients hospitalized with serious but potentially remediable

conditions. But Parsons rightly took pains to repudiate another line of criticism that was notably

off-target: that a person in the sick role was not dependent on medical expertise for direction.

Parsons's position on this point was very clear:

---

[197] Alexander Segall, "The Sick Role Concept: Understanding Illness Behavior," *Journal of Health and Social Behavior* 17, no. 2 (June 1976): 164-165.

[198] Chris Shilling, "Culture, the 'Sick Role' and the Consumption of Health," *British Journal of Sociology* 53, no. 4 (December 1, 2002): 622, 628-631.

[199] Arthur W. Frank, "From Sick Role to Practices of Health and Illness: The Wilson Lecture," *Medical Education* 47, no. 1 (January 2013): 18–25.

social organization of health care, overwhelmingly in modern societies, but particularly in North America, has come to be organized in terms of an asymmetrical hierarchy with respect to the functions of this particular system, of which the two polar aspects are the role of physician as the highest grade of publicly certified expert in health care and the role of sick person independent of the latter's status in other respects.[200]

The reason for this relationship is the physician's ability and certified expertise in treating disease, while the sick person, in seeking the aid of the physician, tacitly acknowledges that he/she lacks what he/she needs (knowledge or authority) to address her/his condition alone. Modern hospital medicine might even be said to have been organized around physicians' medical expertise and its delivery, to the neglect of the preferences, designs, and autonomy of patients.[201] This is not to say that there is nothing for the sick person to do once he/she has sought the aid of the physician; it is to say that much of what the "responsible" sick person (someone fulfilling the sick role) does is adhere to the course of treatment as directed by the physician, rather than take responsibility for directing her/his life. And to do this well is to do it with confidence in (not anxiety toward) the physician, without reluctance at the inconveniences and pains of adherence, and without resentment of the authority of the physician. The sick role calls on the sick person to be, in a word, patient. Karen Lebacqz's definition of patience in the context of clinical medicine, though not explicitly connected with Parson's description of the sick role, seems apt: "To be patient is to preserve cheerfulness and serenity of mind in spite of injuries that result from the attempt to realize the good or to live humanly."[202]

---

[200] Talcott Parsons, "The Sick Role and the Role of the Physician Reconsidered," *Milbank Memorial Fund Quarterly: Health and Society* 53, no. 3 (Summer 1975): 266.

[201] Judith Lorber, "Good Patients and Problem Patients: Conformity and Deviance in a General Hospital," *Journal of Health and Social Behavior* 16, no. 2 (June 1975): 213–25.

[202] Karen Lebacqz, "The Virtuous Patient," in *Virtue and Medicine*, ed. Earl E. Shelp (Dordrecht: D. Reidel, 1985), 280.

There are more humane and less authority-driven conceptualizations of the doctor–

patient relationship than Parsons's; in the practice of medical ethics, such a conceptualization

would certainly be preferable.[203] But the sick role continues to well describe what is often

expected of patients, especially acutely ill hospital patients, whether it is the relationship we

would recommend or not. And at the level of virtue, excellent discharge of the sick role trades

above all on patience, both for one's physical discomfort in therapy and the social injury of an

inferior position in the medical hierarchy.

Distinguishing Patience from Delayed Gratification

Adapting patience to the overarching framework I have proposed for virtues, I will define

patience as the habit (1) that responds to and generates norms with respect to what one suffers

(2) by diminishing anxiety, reluctance, and resentment. This definition both is informed by and

covers the classical *patientia* that Kaster analyzes and the patience expected of hospital patients

in Parsons's sick role.

My definition of patience does omit one conventional use of the term, that of willingness

to delay or defer some activity.[204] John Bunyan supplies one of the best-known examples of

patience of this sort in his allegory of Passion and Patience early in *The Pilgrim's Progress*. The

protagonist of *The Pilgrim's Progress*, Christian, is shown a scene of the siblings Passion and

Patience, corresponding to worldly and heavenly concerns, respectively. Mid-scene, Passion is

showered with a heap of riches, to Passion's great delight, and Passion in turn heaps scorn on

---

[203] See Larry R. Churchill, Joseph B. Fanning, and David Schenck, *What Patients Teach: The Everyday Ethics of Health Care* (New York: Oxford University Press, 2013), 115 ff.

[204] For a contemporary, philosophical example of patience in this vein, see Joseph H. Kupfer, "When Waiting Is Weightless: The Virtue of Patience," *Journal of Value Inquiry* 41, no. 2–4 (December 2007): 265–80.

Patience for Patience's lack of the same riches. But Passion's heap of riches is quickly transformed into dust, leaving Passion bereft of its happiness. Patience, meanwhile, has stored up a heavenly reward that will never molder. "Therefore Passion had not so much reason to laugh at Patience because he had his good things at first, as Patience will have to laugh at Passion, because he had his best things last; […] he that hath his portion last, must have it lastingly[.]"[205] With all due respect to Bunyan, the moral taught by his "Patience" is not the value of the virtue of patience, but rather the importance of taking a long view of self-interest when evaluating patterns of life. Passion and Patience, in the end, both seek the same thing: a reward. But the rewards desired by Passion and by Patience differ in two key respects. First, Passion's reward is tangible and close at hand, while Patience's reward is longer in arriving; second, Passion's reward eventually comes to naught, while Patience's reward is ostensibly eternal, though by the end of the allegory Patience still has not received its reward. Patience may be just as self-interested as is Passion, but Patience benefits from its willingness to delay its gratification and secures a far superior reward. Bunyan's character "Patience" is only patient (in the sense with which I am here concerned) to the extent that Patience bears Passion's ridicule without anxiety, reluctance, or resentment. There is no evidence in the text that Patience does bear Passion's slights gladly, and in fact, Bunyan suggests that Patience may simply be containing its contempt for Passion until a more opportune time.[206]

---

[205] John Bunyan, *The Pilgrim's Progress (from This World to That Which Is to Come)* (London: Simpkin, Marshall, & Co., 1856), 62.

[206] Counseling patience in the face of temporal frustration in order to wait for and receive eschatological goods complicates efforts to adapt even very sophisticated theological accounts of patience into a more empirical framework. The prime example of such a theological account is, in my mind, that of Søren Kierkegaard, who considers the virtue of patience at length in three quasi-sermons published 1843-1844: "To Gain One's Soul in Patience," "To Preserve One's Soul in Patience," and "Patience in Expectancy." Kierkegaard offers many worthy cautions about patience, and especially about impatient attributions of "too much" patience: impatience will always regard any patience as too much and too great: "Is there no danger, then? Impatience itself screams that

Bunyan's character "Patience" illustrates the common confusion between, on the one hand, "patience" as a delay or deferral and, on the other hand, the virtue of patience considered as such. We frequently counsel children (and almost as often adults) that they should "be patient," by which we mean to indicate that the best time for a certain course of action is not yet at hand, and that things will go better for them if they will simply wait for a more opportune time. But however elevated, this appeal is to self-interest, not to patience as a virtue. A child who is willing to wait until after dinner to eat ice cream at least wins the approval of his parents who insist that dessert is a lower priority than actual nutrition; in fact, if his parents are especially firm, the child might not receive the ice cream at all if he is unable to drop the topic of ice cream until then. An investor who heeds her broker's advice to wait out a downturn in the stock market does so not do so out of some abiding concern for how society will evaluate her character, but because she expects ultimately to walk away with more money than she would if she sold off her stocks during the downturn. The child and the investor might be "patient" in a colloquial sense, but neither manifests a stable habit of bearing up under adversity without anxiety, reluctance, or resentment. In fact, both the child's and the investor's delays in gratification are wholly compatible with impatience at the level of character. The child might inwardly rail against his parents for their unjust dessert policies, while the the investor might hold her stocks while anxiously reading the business section of the newspaper every morning in the hopes of seeing

there is. But patience has discovered the danger, that the danger is not that it is too late but that impatience itself is wasting the last moment. What human being was ever as mean as impatience! Is it not friendship of sorts to sit with the unfortunate one and wring one's hands and wail with him — and make him forget that there was time." (Søren Kierkegaard, *Eighteen Upbuilding Discourses*, trans. Howard V. Hong and Edna H. Hong, Kierkegaard's Writings 5 [Princeton, NJ: Princeton University Press, 1990], 200) But for all his obfuscating talk about the paradox of patience, Kierkegaard ultimately defines true patience by its orientation to God, who will not go wrong and in whom patience is always secure. The challenge with patience, according to Kierkegaard, is not in the virtue itself, but in its acquisition. See Anthony Rudd, "Kierkegaard on Patience and the Temporality of the Self: The Virtues of a Being in Time," *Journal of Religious Ethics* 36, no. 3 (September 2008): 491–509.

signs of economic improvement. If delayed gratification is a norm, it is one that more properly falls within astuteness's field of concern, not patience's.

Patience Satisfies the Second Requirement for Wandering Virtues

This distinction between colloquial "patience" (that is, delayed or deferred gratification) and the virtue of patience is essential to showing that the virtue of patience satisfies the second requirement for wandering virtues, that their coordinate vices are all of deficiency. Colloquial "patience" is limited at the extremes of deficiency and excess: it will eventually become apparent to the person who delays or defers gratification whether he/she has gotten it right. The child who delays his requests for ice cream will learn that his delay was worthwhile if he receives his ice cream after dinner, and the investor who holds her stocks will learn her delay was worthwhile if her stocks rebound. A person who persists in an obviously defective plan to secure her/his interests is recognizably foolish or stubborn: these are vices that characterize those who delay too long, and these vices stand opposite the vices that describe those who cannot bear to wait (hastiness and impetuousness, among others). However, the *virtue* of patience does not have coordinate vices except those of deficiency. One may be impatient, that is, one may respond to what one suffers with high levels of anxiety, reluctance, and resentment and expect that others should feel that way about one's suffering as well. But it is difficult to describe a version of the virtue of patience that has somehow gone too far. Criticizing a person's exceptional patience — patience that enables her/him to bear what he/she suffers without anxiety, reluctance, or resentment — implies the patient person should be anxious, reluctant, or resentful. So far as this criticism is self-evidently unjustified, so far can we be confident that patience lacks coordinate vices of extremity.

In very rare instances, criticism of forbearance in the face of interpersonal injury may be justified.[207] Kaster's distinction between patience for natural injuries and patience for interpersonal injuries is helpful. There are times that suffering interpersonal injuries without reluctance or resentment may not be characteristic of virtue, but rather of an exceedingly low self-estimate. And for the Romans (as Kaster analyzes them), this was exactly the point. The Romans thought patience for interpersonal injury no virtue at all in those whose high social worth meant they ought not suffer insults at all (let alone gladly), but in turn the Romans thought patience was a virtue in those of low social worth, especially slaves, who ought to suffer insults without complaint. However, these invidious social distinctions are unbecoming in present-day democratic society: one might reason that citizens of equal worth ought to resent the injuries done to them by others, and that it can hardly be virtuous to respond to social injuries without the resentment that is their due. Joseph Butler's account of resentment of injuries and forgiveness of them suggests something to this effect. Reflecting on Jesus' instruction that his followers ought love their enemies (Matthew 5.43-44), Butler concludes that what Jesus must have intended by this is not that injured Christians ought actually shower their adversaries with affection, but rather that injured persons should resent their injuries only to the extent that a neutral third party would resent them. Forgiveness, on Butler's account, is merely the injured

[207] Nicolas Bommarito argues that in at least some strands of Buddhism, anger is never justified and so criticism of forbearance when one might be angry would never be justified. I am reluctant to appeal to this argument because (by Bommarito's own admission) this repudiation of anger is not widely shared in the North American context (scholarly or popular), because Bommarito's argument utilizes "perspective" as a sort of stand-in for flourishing, and because I am not fully competent to assess the accuracy of his claims about the Buddhist ethical tradition. But if it seems plausible to the reader that anger, anxiety, and the like are emotions we ought never entertain or give credence to, then patience will by definition lack any coordinate vice of extremity: one cannot be too patient if one should never feel the ways patience discourages one from feeling. Nicolas Bommarito, "Patience and Perspective," *Philosophy East and West* 64, no. 2 (2014): 269–86.

person's mitigation of her/his resentment so that it is roughly equivalent to what an impartial

observer would feel toward that injury.[208]

Thus the case can be made that there is nothing praiseworthy about suffering

interpersonal insults without anxiety, reluctance, or resentment. And this case could be taken so

far as to imply that those who (wrongly) suffer interpersonal insults without reluctance or

resentment are exhibiting some sort of vice, one we might label obsequiousness, habitual

disregard of one's worth or dignity. We can identify this vice in sycophants who attach

themselves to persons of greater power and influence: the sycophant's continued membership

in the entourage is predicated entirely on her/his unquestioning acquiescence to the opinions

and whims of the powerful person on whom the whole entourage is parasitic. The biblical

prophets seem to have been routinely confounded by the false prophets who had secured social

and institutional approval at the expense of the truth: Jeremiah famously accuses the societally-

approved prophets and priests of "treat[ing] the wound of my people carelessly, saying, 'Peace,

peace,' when there is no peace." (Jeremiah 6.14, NRSV) We can find contemporary examples as

well. Think of board members for banks and investment houses who, despite their enormous

wealth and influence, could not muster the will to question improbable profits and dubious

business strategies as the good times rolled on toward the financial sector's collapse in 2008. On

university campuses, some fraternity and sorority pledges, who are often drawn from families

with substantial material and social advantages, submit to degrading hazing practices during

initiation despite the efforts of university administrators to eliminate abuses. Sycophants such

as these, one might argue, are recognizably too patient with the social injuries inflicted upon

---

[208] Joseph Butler, *Fifteen Sermons Preached at the Rolls Chapel; to Which Are Added Six Sermons Preached on Public Occasions* (London: Thomas Tegg, 1841), 93.

them, too willing to have their credibility, intelligence, and dignity insulted as a condition for membership in a prestigious group. If the virtue of patience had a proper limit at its boundary with the vice of obsequiousness, then the virtue of patience would not qualify as a wandering virtue: patience would have a coordinate vice other than that of deficiency.

There are, however, several reasons to doubt that the virtue of patience can be bound by impatience on the one side and obsequiousness on the other. First, the sycophant's forbearance in the face of interpersonal injury is actually closer to the colloquial patience exhibited in delayed gratification than to the virtue of patience. The sycophant's obsequiousness is merely persistence in the face of insults and abuses in order to secure the sycophant's perceived self-interest; when the sycophant's interests no longer align with that of the powerful people exploiting the sycophant, the sycophant's apparent patience will evaporate along with her/his loyalty. The board members for banks and investment houses who passively accepted the improbable, rosy representations of dishonest executives would not have acquiesced had not their own financial interests aligned so closely with those same executives. Fraternity and sorority pledges would not endure hazing were there not an exclusive membership waiting on the other side of the abuse. Obsequiousness offends not with its forbearance in the face of social injury, but rather with its tawdry ends and its calculated acceptance of personal degradation to achieve those ends. This sort of calculated debasement is what David Hume sought to combat by elevating pride to the status of virtue, and with Hume it seems best to think that obsequiousness is not the coordinate vice of extreme patience, but rather a coordinate vice of the virtues of autonomy, self-regard, or pride.[209]

---

[209] David Hume, *An Enquiry Concerning the Principles of Morals*, ed. Tom L. Beauchamp (Oxford: Oxford University Press, 1998), 134.

In any case, we ought to be very careful about attributing the vice of obsequiousness. The examples of obsequiousness above are carefully selected to ensure that the persons involved uncontroversially have other options and the resources required to make those options readily accessible: the board members are wealthy and well-connected; with regard to hazing, many college Greek organizations are compliant with university prohibitions on hazing, and Greek life is not a degree requirement in any case. But it seems completely inappropriate to attribute the vice of obsequiousness to those whose forbearance in the face of social injury is due to the injured person's lack of better options. For all our disdain for Roman society's casual acceptance of social inequality, social inequality and its attendant power differentials persist in the present day. A waiter who cheerfully supplies the every need of an odious diner is an example of the sort of person whom society might wrongly label "obsequious": it seems to me that the waiter is doing no more than he must in order to keep his job to support himself; if the waiter's habits permit him to endure slights without becoming poisoned by anxiety or resentment, the waiter's forbearance is praiseworthy (that is, patient), not vicious (that is, obsequious).

Clinical medicine is not excepted from society's enduring predilection for hierarchy. Perhaps the clearest example of hospital medicine's hierarchy and the way in which it can limit clinicians' options in the face of social injury is moral distress. In 1984, Andrew Jameton identified "moral distress" as an area of special concern for professional nursing ethics. Characterizing the phenomenon, Jameton writes, "Moral distress arises when one knows the right thing to do, but institutional constraints make it nearly impossible to pursue the right course of action."[210] As examples of moral distress, Jameton suggests nurses' feelings toward a

---

[210] Andrew Jameton, *Nursing Practice: The Ethical Issues* (Englewood Cliffs, NJ: Prentice-Hall, 1984), 6.

hospital requirement that all patients receive an unnecessarily broad (for the hospital, profitable) panel of studies on admission, toward needless tests, toward residents fumbling through painful procedures, and toward an incompetent surgeon being screened by a hospital administrator.[211] In addition to nurses, moral distress has since been described in medical students, whose junior position in the institutional hierarchy makes them especially vulnerable to social injuries to their values without possibility of redress.[212] Moral distress arises precisely because a clinician's sense of what is right is being trampled and that person is unable to remedy it. In the absence of better options, it seems inappropriate to condemn forbearance in the face of injury as obsequious.[213] And if it is often inappropriate to attribute the vice of obsequiousness in clinical medicine, it is unrealistic to think that the vice of obsequiousness can serve as a coordinate vice that will bound excessive realizations of patience.

There is one further consideration that weighs against positioning obsequiousness as patience's coordinate vice of extremity: it only applies to one of the two sources of injury with which patience is concerned. The injuries that the obsequious person bears too gladly are all social, not directly physical. But physical illness and injury are the water in which hospital medicine swims. For all the interpersonal injuries that attend healthcare (and that explain the physical injuries afflicting some patients), hospital medicine addresses itself first to the physical

---

[211] Ibid., 6, 278-283.

[212] For a recent review of moral distress in nursing, see A. S. Burston and A. G. Tuckett, "Moral Distress in Nursing: Contributing Factors, Outcomes and Interventions," *Nursing Ethics* 20, no. 3 (May 1, 2013): 312–24. For moral distress in medical students, see Kimberly D. Lomis, Robert O. Carpenter, and Bonnie M. Miller, "Moral Distress in the Third Year of Medical School; a Descriptive Review of Student Case Reflections," *American Journal of Surgery* 197, no. 1 (January 2009): 107–12; Catherine Wiggleton et al., "Medical Students' Experiences of Moral Distress: Development of a Web-Based Survey," *Academic Medicine* 85, no. 1 (January 2010): 111–17.

[213] Similar consideration motivate Ann Hamric, John D. Arras, and Margaret E. Mohrmann to caution against mandating courage in clinicians; by extension, they would likely discourage ascribing cowardice to clinicians whose position makes "courage" tantamount to professional suicide. Ann B. Hamric, John D. Arras, and Margaret E. Mohrmann, "Must We Be Courageous?," *Hastings Center Report* 45, no. 3 (May 2015): 33–40.

complaints of its patients. We might say that in some few cases it is inappropriate for a person to bear social insults too gladly, but we would be loath to criticize a person sincerely free from anxiety, reluctance, and resentment when facing down a cancer diagnosis. Much of the suffering in hospital medicine is beyond the scope of obsequiousness, and so too is much of the patience exhibited in response to suffering in medicine.

Patience's most promising apparent coordinate vice of extremity, obsequiousness, ultimately fails in the role: obsequiousness (1) is more accurately characterized as a deficiency of autonomy, self-regard, or pride than an excess of patience; (2) is rarely attributed fairly; and (3) cannot apply to the natural injuries that constitute so much of patients' suffering in clinical medicine. The only other plausible candidate for a vice of extremity with regard to patience — at least that I have seen — is what Eamonn Callan calls "a sort of witless passivity in the midst of avoidable suffering and hardship."[214] In order to account for the differences between avowedly witless passivity and genuine patience, however, Callan appeals directly to the good per se and denies that apparently witless passivity is a good example of patience, on the grounds that other, less troublesome examples of patience abound.[215] But Callan's resort to both strategies is telling: the first appeals to objective morality to protect patience (it cannot go wrong because it is by definition right), while the second is a circular effort to admit only the evidence that supports the position that real patience is distinct from witless passivity. Beyond the problems with Callan's argument, "witless passivity in the face of avoidable suffering" seems open to the same practical objections of attribution that trouble obsequiousness. If one sets the bar for the "potentially avoidable" low, a person's patience will shade into witless passivity if he/she endures

---

[214] Eamonn Callan, "Patience and Courage," *Philosophy* 68, no. 266 (October 1993): 523.
[215] Ibid., 538-539.

something that he/she might have avoided by radically changing her/his pattern of life, that is, by being a different person than in fact he/she is. A waiter enduring abuse from a diner with patience might then be "witless" because he has not seriously entertained the possibility of abandoning the most lucrative form of employment for which he is presently equipped. But if one sets the bar for the "potentially avoidable" high, few persons' patience will become witless passivity, even as that patience does them harm: a vice that does not even correlate with extreme, potentially harmful realizations of a virtue is probably no coordinate vice at all. Neither of the apparent candidates for a coordinate vice of extreme patience holds up under scrutiny.

Patience Also Satisfies the First and Third Requirements for Wandering Virtues

It takes less work to show that the virtue of patience satisfies the first requirement for wandering virtues, that of encouraging neglect of other virtues. Patience does encourage neglect of other virtues, most consistently the virtue of insight (or self-awareness), the habit by which one responds to and investigates one's private experience, and the virtue of initiative, the habit by which one responds to and generates norms with regard to one's independent, self-directed activity. The virtue of patience, which replies to suffering by diminishing anxiety, reluctance, or resentment, is not directly opposed to the virtue of insight: a person might be well aware that he/she is suffering but habitually answer that suffering without anxiety, reluctance, or resentment. But the virtue of patience will certainly find it easier to abate anxiety, reluctance, and resentment if its possessor is simply less cognizant of the severity of pain and injury in the first place. It is not merely that patience benefits from this neglect of insight or self-awareness: patience encourages it. A person whose habitual response to suffering is exceptionally free from anxiety, reluctance, or resentment might come to regard even the most grievous suffering as

unimportant and beneath notice. This is exactly the response we observe in many of the Christian ascetics of the late antique and medieval periods. Simeon Stylites, before he took up his eponymous habit of standing atop a column in the middle of the Syrian desert, is reported to have bound his whole body with a rope: "it ate into his flesh so that the rope was covered by the rotted flesh of the righteous man."[216] Simeon patiently bore his (self-inflicted) maladies without anxiety or complaint, but the stench of his wounds was so great that the other monks in his monastery had him evicted. When the truth came out about Simeon's extraordinary suffering, the abbot who evicted him pleaded with Simeon to "teach me what patient endurance is and what it offers."[217] Simeon returned to his monastery for a few years, apparently to satisfy the abbot's request. Eventually, however, Simeon's patience became so exceptional that he no longer found his open wounds mortifying, and he left his monastery to live outside in stone enclosures and eventually atop pillars of his own construction, completely exposed to the elements.[218] Present-day psychiatrists might want to diagnose Simeon with something instead of designating him a saint, but Simeon seems to me a clear (albeit extreme) illustration of how a person's progressive realization of the virtue of patience can dull her/his insight into the extent of her/his pain and sufferings.

Insofar as patience abates anxiety, reluctance, and resentment of pain and suffering, patience also reliably encourages neglect of the virtue of initiative. The motivational utility of aversion to pain and suffering is well-established in the neuroscience literature.[219] Informally,

---

[216] Robert Doran, trans., *The Lives of Simeon Stylites* (Kalamazoo, MI: Cistercian Publications, 1992), 89.
[217] Ibid., 91.
[218] Ibid., 91-99.
[219] A useful, recent summary of theories and studies of pain and motivation: Edita Navratilova and Frank Porreca, "Reward and Motivation in Pain and Pain Relief," *Nature Neuroscience* 17, no. 10 (September 25, 2014): 1304–12.

our individual experiences, especially in childhood, have likely taught all of us the extent to which avoiding pain (or avoiding repetition of a known pain) can impel us to action. Someone who burns himself taking a pan out of the oven will contrive an improved scheme for insulation; a person whose arthritis acts up when she skips her daily walk will be much more likely to make that walk a priority. Our experience of something unpleasant can motivate us to take action in ways that we are unlikely to consider when things are going smoothly. Patience, though, diminishes several of the aversive features of pain and suffering; in handling pain and suffering well, patience can lead to neglect of the virtue of initiative insofar as addressing our suffering can motivate us. Simeon's enthusiasm for the mortification of his flesh reminds us that patience and initiative are compatible, but plainly it took extraordinary efforts on his part to identify new endeavors as he became acclimated to what was already an intolerable situation considered from a more neutral perspective. In those of us who are less plausible candidates for sainthood, the virtue of patience, because it makes us less impatient with unpleasant situations, can diminish the motivating force we derive from our desire to escape that unpleasantness.

With regard to the third requirement for wandering virtues, patience excludes reference to the actual values of others; it is strictly concerned with the patient person herself/himself and her/his responses to suffering. The virtue of patience thus satisfies all three of the requirements for wandering virtues. Patience (1) encourages the neglect of other virtues, especially insight and initiative; (2) has no coordinate vices save those of deficiency, which vices we can broadly label impatience; and (3) does not have intrinsic references to the values of others considered as actual individuals.

The Patient Hospital Patient and Lapses in Emergent Health Care

Some of the very "best" hospital patients — the most agreeable, the most compliant, the most peaceful, and often accompanied by equally pleasant family members — end up receiving worse healthcare than much more frustrating hospital patients, patients who (with their family) whine, complain, exaggerate their discomfort and the severity of their symptoms, and pester staff with concerns. Treating patience as a wandering virtue helps clarify both why the patience of good hospital patients can harm them and what can be done to diminish the frequency of these harms.

An alarming, near-miss example of the harms that can befall "good" (that is, patient) patients in need of emergent medical care was reported in the *New England Journal of Medicine* by the physician Louise Aronson in 2013. The patient was Aronson's 75-year-old father. Aronson's father had been home two weeks from a hospitalization for quadruple bypass, a hospitalization extended by several complications. Her father's blood pressure dropped rapidly at home (as evidenced by his collapse into Aronson's arms); he was rushed to an area emergency department in an ambulance. Once there, however, the emergency department physicians concluded that the culprit was dehydration, and Aronson's father reported feeling better after receiving fluids. Aronson's father's blood pressure dropped again, but Aronson refrained from interfering with the emergency department's plan of care; a nurse silenced the low blood pressure alarm and increased the fluids. Aronson's father's blood pressure later dropped again, and, when no one came running, Aronson went to the nursing station to make her case to the clinicians to review her father's condition. Aronson was politely rebuffed, and she decided not to press the issue. Aronson writes, "I hoped to remain in my assigned role as patient's offspring. At least as important, I didn't want to be the sort of family member that medical teams complain

about."[220] Aronson does not frame her motives this way, but it seems fair to interpret her aims along the lines of the virtue of patience: she did not want to look like a "bad," impatient surrogate and, by extension, to make her father seem like one of the "bad," impatient hospital patients who exaggerate their problems and resist the medically-recommended course of care. So strong was Aronson's disposition toward patience that even questioning the emergency department clinicians felt like crossing the Rubicon: after her polite rebuff at the nursing station, Aronson gloved up and performed a rectal exam on her (consenting) father in the emergency department, an action made only slightly less awkward by the fact that her father was a physician as well. The rectal exam revealed massive intestinal bleeding. Aronson took her blood-covered glove back to the nursing station for show-and-tell, and her father was promptly delivered into the hands of the intensive care unit. Reflecting on her conduct in the episode, Aronson writes,

> I had quieted my internal alarms for more than 2 hours. Instead, I had considered how doctors and nurses feel about and treat so-called pushy or "difficult" families, and as a result, I had prioritized wanting us to be seen as a "good patient" and "good family" over being a good doctor-daughter. [...] When we call patients and families "good," or at least spare them the "difficult" label, we are noting and rewarding acquiescence. Too often, this "good" means you agree with me and you don't bother me and you let me be in charge of what happens and when.[221]

Aronson is the authority on her own experience, of course, but it seems to me that what Aronson describes as undue concern for the attitudes of the physicians treating her father might instead be patience on her part and his: Aronson and her father were not as anxious or resentful as they might have been, two of the characteristics of a virtuous response to physical suffering. Whether Aronson would accept credit for the virtue of patience, it seems plausible that other hospital patients in need of emergent medical care are aptly described as patient in the face of

---

[220] Louise Aronson, "'Good' Patients and 'Difficult' Patients — Rethinking Our Definitions," *New England Journal of Medicine* 369, no. 9 (August 29, 2013): 796.
[221] Ibid., 797.

their pain, perhaps to their detriment. It may be that these patients exhibit a habitual response to suffering (one that diminishes anxiety, reluctance, and resentment) that leads them to make less of their suffering than is necessary to draw the urgent clinical attention that their medical conditions warrant. We could map this back on to a situation analogous to that of Aronson's father. A drop in blood pressure may not be exceptionally painful, but losing one's footing, scaring one's family, and taking an ambulance to the emergency room are surely events about which others might be more upset than Aronson's father seems to have been. Had his upset persisted into his interactions with clinicians, those clinicians might have enquired more directly into the cause of his repeated drops in blood pressure, sparing his daughter the trouble and embarrassment of making the diagnosis herself and accelerating his transfer to an appropriate level of care. This is not to say that Aronson's father or Aronson would have been morally or emotionally better off if either had been more upset: it is simply to observe that a less composed patient might have drawn more attention to herself/himself in the hectic environment of the emergency department.

Moreover, Aronson does not give clinicians such as herself sufficient credit when she conflates the "good" patient label with passivity. Clinicians can distinguish between, on the one hand, a depressed, resigned patient who acquiesces without protest and who would benefit from a psychiatry consultation and, on the other hand, a patient hospital patient whose calm and self-composure in the face of suffering elicit admiration. Clinicians identify something medically wrong with the former, but not the latter; clinicians know that acquiescence born of depression can spell trouble in the longer term.[222] It may be a fair criticism of some of clinicians to write that

---

[222] Jerry L. Grenard et al., "Depression and Medication Adherence in the Treatment of Chronic Diseases in the United States: A Meta-Analysis," *Journal of General Internal Medicine* 26, no. 10 (2011): 1175–82.

they consistently equate "good" patients with acquiescent ones, but it is not fairly applied to all clinicians, even those who consciously or unconsciously distinguish between good patients and more troublesome ones.

What we take the problem to be will directly impact what we expect in a solution. Aronson suggests that "we could benefit from a lens shift toward seeing more-vocal patients and families as actively engaged in their health care, presenting new, potentially important information, and expressing unmet care needs."[223] This is well said, though some emergency department physicians might wish to qualify Aronson's recommended cultural shift with the caveat "unless the patient is asking for a prescription for opioids."[224] But if I am correct that in at least some cases the virtue of patience gets the better of the hospital patient, it will not be enough to tell clinicians that they need to seize the opportunities presented by vocal patients and family members, however true that might be. Rather, clinicians need to be mindful that a patient hospital patient does not necessarily, because he/she is patient, have insight into the seriousness of her/his situation: a patient's apparent lack of urgency or fright does not make the underlying medical condition any less urgent or fearsome. The clinical evidence demands attention, whether the patient is demanding attention or not. And clinicians might remind their conspicuously patient hospital patients (and family members) that the patient's task, especially in the emergent care context, is not to be patient, but to collaborate with the healthcare team to

---

[223] Aronson, "'Good' patients and 'difficult' patients," 797.

[224] For interesting statistics on the percentage of emergency department visits that are pain-related and the incidence of opioid prescribing in emergency departments, see Mark J. Pletcher et al., "Trends in Opioid Prescribing by Race/Ethnicity for Patients Seeking Care in US Emergency Departments," *Journal of the American Medical Association* 299, no. 1 (January 2, 2008): 70-78.

address the pressing medical concerns that brought them to the emergency department in the first place.

The Patient Hospital Patient and Avoidable Hospital Readmissions

In the context of an extended hospitalization, wandering patience that impinges on the patient's initiative can diminish the patient's prospects of recovery and, relatedly, increase the likelihood that recently discharged patients will bounce back to the hospital. The physician Abigail Zuger, writing in the *New York Times*, recounts the tale of a 90-year-old woman admitted to the hospital with pneumonia. Zuger does not name her, so I will call the patient Ms. Jacobs. Against the backdrop of a roommate who was "loud, demanding and a complete nuisance," Ms. Jacobs was evidently a very pleasant patient, "the cutest little thing on a ward full of disasters[.]" Ms. Jacobs's patient response to her physical discomfort and her less-than-desirable quarters won the admiration of her clinicians, and in turn they showered her with attention and addressed all her needs: "The doctors joked with her, the nurses stroked her head and brought antibiotics and nebulizers right on time, and her private-duty attendant organized her pillows and fed her little snacks." Ms. Jacobs played the sick role to perfection, was treated like the wonderful patient she was, and went home in what appeared to be fantastic shape. But Ms. Jacobs was back in the emergency department in two days with the same complaints that led to her prior admission. Attempting to explain this undesirable result (a result that can contribute to penalties in Medicare reimbursement), Zuger analogizes Ms. Jacobs's situation to the theater and attributes Ms. Jacob's bounce-back to a change in scene. In the first scene, set in the hospital, Ms. Jacobs is surrounded by medical professionals who respond to her "impeccable manner[s]" by assiduously meeting her needs. In the second scene, set at Ms. Jacobs's home, she is aided only

by the relatives who happen to be there and by a home health aide who is not the constant presence Ms. Jacobs's hospital nurses were. From this, Zuger draws the moral that "what we see in the hospital can sometimes be a masterful illusion, staged by experts. Only by squinting directly at the star of the show until her surroundings blur is there a chance of accurately predicting whether that fabulous performance can be sustained on an empty stage."[225]

Zuger makes excellent use of the theatrical analogy, and she is clearly wise to advise clinicians to look very carefully at what the patient can do herself/himself, not simply at the successes clinicians can engender. But Zuger's analysis omits (understandably, as it is brief by design) reflection on why Ms. Jacobs, not her crotchety hospital roommate, ends up in the starring role. The patience of patients such as Ms. Jacobs in the face of hospitalization can help account for some of the casting decisions; patience's propensity for wandering can help explain why some of these actors make unexpected and unwelcome curtain calls after discharge. Clinicians look at patient hospital patients and see persons whose conduct they admire; clinicians reward that conduct with admiration, attention, and attributions of competence and virtue that exceed what the available evidence supports. A patient hospital patient, whose response to her/his suffering is conspicuously free of anxiety, reluctance, and resentment, is often credited with more than just patience; as Parsons suggested, these patients are credited with being good more generally. This attributed goodness extends far beyond patience to cover wisdom (to adhere to physicians' recommendations) and resolve (to press forward through the difficulties of hospitalization). But Zuger's narrative underscores the extent to which a patient hospital patient can coast on the collective wisdom and initiative of the clinicians caring for

---

[225] Abigail Zuger, "Revolving Doors at Hospitals," *New York Times*, June 9, 2014, http://well.blogs.nytimes.com/2014/06/09/revolving-doors-at-hospitals/.

her/him. When active support drops away at discharge, the very patience that makes hospital patients such as Ms. Jacobs so agreeable during hospitalization may also make them less likely either to identify the health concerns that can cause them to bounce back or to insist that clinicians develop a robust plan of care to support them. Clinicians can have a good deal more confidence that anxious, petulant patients who (medical issues aside) would rather be anywhere else will harp on the needs that brought them to the hospital in the first place and insist on a discharge plan that is more likely to keep them out.

The lack of anxiety, reluctance, and resentment at the discomforts and indignities of hospitalization exhibited by patient hospital patients may also obscure the additional risk of morbidity associated with any hospitalization: patients who seem to be faring well in hospitalization are not likely to be viewed as running the same risks of post-hospitalization difficulties as those who seem to fare poorly during hospitalization. Clinicians have identified numerous stressors that afflict most hospital patients and that continue to affect their health and functioning long after discharge. These stressors include insufficient and irregular sleep, unpredictable schedules, malnourishment, and deconditioning.[226] There are steps that hospitals and individual clinicians can take to address these stressors, including adapting hospital schedules to better respect individual patients' needs (as opposed to serving clinicians' convenience by rounding on all patients at 7 a.m.), giving patients reasonable notice of expected tests and consultations, and delivering occupational and physical therapy to patients even when

---

[226] Allan S. Detsky and Harlan M. Krumholz, "Reducing the Trauma of Hospitalization," *Journal of the American Medical Association* 311, no. 21 (June 4, 2014): 2169–70; Harlan M. Krumholz, "Post-Hospital Syndrome — An Acquired, Transient Condition of Generalized Risk," *New England Journal of Medicine* 368, no. 2 (January 10, 2013): 100–102; Samir K. Sinha and Allan S. Detsky, "Measure, Promote, and Reward Mobility to Prevent Falls in Older Patients," *Journal of the American Medical Association* 308, no. 24 (December 26, 2012): 2573–74.

patients seem content without it. But all these changes require hospitals and clinicians to take steps that will not seem as pressing if patients seem to be bearing up well under the suffering of hospitalization. And if patients who bear up well — patients who are, in a word, patient — are credited with more initiative and insight into their condition than they actually have, the very fact that they do not demand changes in how they are managed in the hospital or as they approach discharge may be wrongly interpreted as their satisfaction with the status quo.

Chapter Conclusion

The ghost of the unity of the virtues haunts the good hospital patient. The character or role of the good hospital patient is overwhelmingly defined by a single, wandering virtue: aptly, patience. But seeing the virtue of patience, clinicians attribute additional virtues that the patient may or may not actually possess; some of these virtues, such as self-awareness and initiative, are virtues of which patience actually encourages neglect. Freeing patience to wander theoretically is a practical reminder that the patience clinicians observe in their very best patients is exactly that: the virtue of patience, not more, not less. If the patient's healthcare requires something other than excellence in bearing suffering without anxiety, reluctance, or resentment — and the patient's healthcare often will require more — the clinicians who care for the patient hospital patient will do well to make further enquiries.

CHAPTER 5

LOYALTY

Is Loyalty A Virtue?

The challenge in showing that modesty and patience are wandering virtues falls almost entirely on the side of the wandering. The question is not whether modesty and patience are virtues: most of us are prepared to at least pay them lip service. The question with the virtues of modesty and patience is whether they are potentially troublesome once properly understood. With loyalty, the situation is reversed. The sordid politics and bloody wars on worldwide display since the beginning of the twentieth century offer abundant evidence that loyalty is troublesome and prone to stray. The question with loyalty is not whether it wanders, but whether it is properly a virtue at all.

I begin this chapter by reviewing two different strategies for insulating loyalty from complaints about its wandering nature: specifying conditions under which loyalty is legitimate and assimilating loyalty to a different, less contentious virtue. Second, I rehearse Simon Keller's arguments against regarding loyalty as either a value or a virtue. Third, I turn to Josiah Royce's conjoint arguments in favor of the centrality of loyalty in both meta-ethics and practical ethics. Fourth and finally, I analyze loyalty as a wandering virtue and apply this analysis to two practical issues in clinical ethics: (1) the problem of doctor–patient confidentiality when it leads to harms to third parties and (2) neglect of justice in the distribution of transplantable solid organs concurrent with the thoroughgoing loyalty of transplant clinicians to their end-stage organ failure patients.

Strategies to Salvage the Virtue of Loyalty

Moral theories that insist on strict impartiality will see loyalty as inherently immoral. The utilitarianism endorsed by Jeremy Bentham, John Stuart Mill, and (more recently) Peter Singer is so rigorously impartial that special loyalty to particular persons (or even to ideals other than the principle of utility) is incompatible with the dictates of morality.[227] Many other moral theories, however, are not so averse to partiality. But paradoxically, some accounts that reject such thoroughgoing impartiality and defend loyalty nevertheless attempt to make loyalty safe by constraining appropriate or legitimate loyalty with reference to what impartial or objective observers would approve. Bernard Gert suggests, "Loyalty must be limited for it to be regarded favorably by impartial, rational persons. Loyalty is morally acceptable only when acting loyally does not involve unjustifiably violating a moral rule; impartiality is is required when one is violating a moral rule."[228] Gert does not mean that the loyal person must be impartial or else not violate a moral rule; this would, manifestly, preclude all but the most benign expressions of loyalty, such as preferring to give one's discretionary income to one charity as opposed to another. What Gert means is that loyalty's violation of general moral rules — which for Gert range from "Do not kill" to "Keep your promises" and "Obey the law" — would have to be the sort of violation that an impartial observer would approve, typically after weighing the rules that the loyal person would uphold at the expense of other rules.[229] It is difficult to imagine many circumstances in which this criterion would permit a person to exhibit her/his loyalty. Some of

[227] Jeremy Bentham, *An Introduction to the Principles of Morals and Legislation* (Oxford: Clarendon Press, 1879); John Stuart Mill, *Utilitarianism*, 4th ed. (London: Longmans, Green, Reader, and Dyer, 1871); Peter Singer, "Famine, Affluence, and Morality," *Philosophy & Public Affairs* 1, no. 3 (Spring 1972): 229–43.
[228] Bernard Gert, "Loyalty and Morality," in *Loyalty*, ed. Sanford Levinson, Joel Parker, and Paul Woodruff, Nomos: Yearbook of the American Society for Political and Legal Philosophy 54 (New York: New York University Press, 2013), 19.
[229] Ibid., 15-20.

those who defied British laws as part of Mahatma Gandhi's campaign of non-violent resistance against the colonial government may have done so out of loyalty to Gandhi or to his movement, rather than out of a thorough, reasoned view that such political action best addressed the needs of India. But even here, their loyal actions are justified only if those actions are otherwise the right thing to do: an objective observer has to approve of favoring some general moral rules over others without reference to the agent's loyalty. On Gert's analysis, actions motivated by loyalty are sometimes permissible, but those actions' quality of being loyal does not figure in those actions' permissibility. Gert sanitizes loyalty by evacuating it of moral value.[230]

In *Nursing Practice*, Andrew Jameton utilizes a broadly consequentialist strategy for sanitizing loyalty that parallels Gert's deontological strategy. Jameton writes that loyalty is in the right when it "express[es] duties that are reciprocal and which harmonize for the good of all."[231] That is to say, loyalty is commendable when it conduces to relationships and outcomes of which we would approve, whether or not loyalty were the motive for realizing them. It is telling that Jameton gives unqualified approval to none of the forms of loyalty actually represented in contemporary hospital medicine. According to Jameton, loyalty between clinicians is good, except that it often leads them to obscure one another's mistakes from patients and distorts clinicians' moral sense; a clinician's loyalty to her/his institution is good, except that institutions

---

[230] Although it is not his primary concern, Philip Pettit offers a concise argument for why dutiful pursuit of an ideal will not readily accommodate the particular appeals upon which loyalty depends. If you are loyal for the sake of the ideal of loyalty, you are not genuinely loyal to the person or cause to which you are putatively loyal; if you are genuinely loyal to a person or cause, the overarching ideal of loyalty will not figure in your reasons for being so. Pettit's resolution of the apparent paradox is not especially satisfactory from the standpoint of normative theory. Pettit carves out a specific sort of reasons that can, he thinks, accommodate particular reasoning on universal grounds, and while he establishes that these reasons are possible, he cannot show that they are in fact the sort of reasoning that loyal persons do. Pettit ultimately shows that a certain sort of loyalty could be rationally justified, but does not show that the loyalty we encounter in lived experience actually is this sort of loyalty. Philip Pettit, "The Paradox of Loyalty," *American Philosophical Quarterly* 25, no. 2 (April 1988): 163–71.

[231] Andrew Jameton, *Nursing Practice: The Ethical Issues* (Englewood Cliffs, NJ: Prentice-Hall, 1984), 123.

are often cynically self-serving and are only exploiting clinicians' loyalty to the institutions' ends.[232] While Jameton endorses the virtue of loyalty in principle, the loyalty that is achieved in medical practice falls far short of the loyalty that Jameton recommends.

This is emblematic of the difficulty with Gert's and Jameton's respective strategies: the loyalty we encounter in life rarely satisfies the stringent requirements that both impose on loyalty if it is to be legitimate. In fairness to Gert and Jameton, an account of something that only approves of a small fraction of its instances is not in itself remarkable. Half-court shots in basketball are almost always a poor strategic choice, but if a player at half-court has the ball and no time to pass as time expires, a half-court shot goes from a poor strategic choice to the recommended one. To offer a more serious example, we typically disapprove of withdrawing ventilatory support from patients who cannot breathe independently, but many medical ethicists do now approve of withdrawing ventilatory support from patients who cannot breathe independently, who are comatose, who have no significant chance of recovery, and whose surrogates consent to the withdrawal of ventilatory support. But we should expect a virtue to be different: if a habit is a virtue, it should be praiseworthy more often than not. If a habit is typically worthy of censure, it is almost certainly a vice. Gert and Jameton's sanitized versions of loyalty, though, would seem to approve only a small fraction of the instances of loyalty we find in the wild.

Another approach to salvaging loyalty from the difficulties to which it is prone is to assimilate loyalty to a different, less contentiously virtuous trait, often fortitude or persistence. Romano Guardini defines worldly loyalty as a commitment that "overcomes change, injury, and

---

[232] Ibid., 119-121.

danger but not by a power of persistence inherent in one's disposition […] loyalty is more than that; it is the firmness which results when a man has assumed a responsibility and abides by it."[233] Despite Guardini's effort at drawing a distinction, this still seems to be fortitude or persistence, only in a person who was not born with a disposition to it: loyalty is fortitude or persistence learned in service to responsibility. Assimilating loyalty to fortitude or persistence is an appealing strategy in some respects. Fortitude and persistence are better constrained by recognizable coordinate vices than is loyalty. We have a difficult time explaining how someone is "too loyal" except when we mean that he/she is regrettably loyal to the wrong person/thing. But we can identify someone whose fortitude or persistence has exceeded its mandate and become stubbornness, just as we can identify someone whose lack of fortitude or persistence makes her/him vacillating or indecisive. If we agreed to actually denote "fortitude" or "persistence" when we used the word "loyalty," we might ensure that "loyalty" would not stray further than indecisiveness or stubbornness.

In other respects, assimilating loyalty to fortitude or persistence does not improve loyalty's prospects. Fortitude and persistence, no less than loyalty in its conventional sense, can be possessed by a person who pursues deplorable ends. Fortitude and persistence can aid a wicked person in realizing her/his ends, while loyalty to a bad group might help motivate a person to pursue deplorable ends and provide social support in pursuing those ends. It is difficult to say whether a resolute wicked person acting independently is more or less dangerous than is a person loyal to a bad group. However, it is worth noting that whichever is more dangerous, the two characters are recognizably different. Fortitude and persistence are the traits of an

---

[233] Romano Guardini, *The Virtues: On Forms of the Moral Life*, trans. Stella Lange (Chicago: Henry Regnery, 1967), 58.

individual considered as an individual, but loyalty is a trait that is almost always entangled in relationships to others. We do sometimes talk about loyalty to an ideal, independent of a real and present community that shares it: we might think of a knight errant in a medieval romance who is loyal to the ideal of chivalry, whether or not those he meets on his travels share the ideal of chivalry. But an account of loyalty that ignored loyalty's frequent reference to relationships with family, friends, colleagues, and fellow citizens would, it seems to me, no longer be concerned with loyalty as it is typically understood, but rather (as the strategy intends) with fortitude or persistence. As important as the virtues of fortitude or persistence are, I intend here to focus not loyalty, not on fortitude or persistence in disguise.

Simon Keller's Argument against Regarding Loyalty as a Virtue

Simon Keller's ethical analysis of loyalty in *The Limits of Loyalty* is one of the most thorough developed in the past several decades; on the basis of his thorough analysis, Keller concludes that loyalty is not a virtue at all. Keller's account is highly nuanced: Keller treats loyalty neither as a mere theoretical nut for universal morality to crack nor as the central feature of the moral life. Keller works to build a theoretical account of loyalty from phenomena that are (on his account) uncontroversially instances of loyalty: the loyalty of friends to one another (friendship), the loyalty of citizens to their country (patriotism), and the loyalty of children to their parents. Keller delineates five expressions of loyalty. First, loyalty can be expressed in concern, "prioritizing X's interests, or welfare, over the interests of comparable others." Second, loyalty can be expressed through advocacy, sticking up for a cause, ideal, or person not to advance that cause, ideal, or the interests of the person, but rather to defend that cause's, ideal's, or person's special worth. Third, one may express loyalty through ritual gestures that advertise or reaffirm

one's commitment to a cause, ideal or, person: as examples of this, Keller offers standing during

performances of the national anthem, attending religious services, and wearing a wedding band.

Fourth, one may express loyalty by identifying oneself with a cause, ideal, or person: Keller's clear

example is of a person whose loyalty (as a fan) to a sports team motivates her/him to take the

team's victories and losses personally. Fifth, loyalty manifests itself "in the tendency to form or

resist certain beliefs. As someone's loyal friend, you may be especially inclined to believe that she

is not guilty of the crimes of which she is accused. As a loyal parent, you may be especially

inclined to believe that your child has special virtues and talents."[234]

On Keller's analysis, loyalty often "comes into conflict with certain standards of good

epistemic conduct."[235] Specifically, Keller has in mind the "epistemic norm telling us that our

beliefs should, in standard cases at least, be responsive only to the evidence, or to what we take

to be the evidence, for or against their truth" and the "epistemic norm telling us not to put

ourselves into situations from which we are likely to emerge with beliefs that are not in the right

ways responsive to the evidence."[236] Keller, though by no means doctrinaire, seems to harbor

significant sympathies for deontological approaches to ethics. But what Keller calls "standards

of good epistemic conduct" might equally well be called the virtue of honesty: the honest person

will, as a matter of disposition or habit, strive both to form and harbor true beliefs based on the

best available evidence and to avoid situations in which he/she expects to be deceived or

otherwise dissuaded from the truth.

---

[234] Simon Keller, *The Limits of Loyalty* (Cambridge: Cambridge University Press, 2007), 4-7.
[235] Ibid., 25.
[236] Ibid., 29.

Keller has no difficulty mustering credible examples in which loyalty encourages neglect of standards of good epistemic conduct (that is, on my analysis, the virtue of honesty). A loyal friend will often harbor a far higher estimate of her/his friends than the available evidence warrants. A loyal friend attending a friend's poetry reading will form a higher estimate of her/his friend's poetry than the evidence justifies; another loyal friend will believe that her/his friend is a valuable teammate for pick-up basketball despite the latter friend's woeful ball-handling and shooting.[237] (My friends in seminary justified my participation in their church-league basketball team, despite my utter lack of basketball ability, by assuring me that the five fouls I could give before fouling out were a worthwhile contribution; unfortunately, my ability is so minimal that I would foul without intending to foul, squandering my one potential contribution.) A loyal patriot's departure from standards of good epistemic conduct may be as benign as believing without adequate warrant that her/his country has certain objectively valuable characteristics that contribute directly to the country's identity. An American patriot, for instance, might think that the U.S. is a (sometimes "the") land of liberty, despite the abundance of available evidence that persons in the United States have hardly been uniformly free throughout the nation's history. But patriotism's neglect of honesty can, of course, be still more extreme, as exemplified by the old saw "My country, right or wrong."[238] Keller argues that the loyalty of children to their parents is excepted from the problems that characterize loyalties to other classes of persons or things because of the peculiar way in which society structures family relationships; Keller reasons from the special goods that only children can provide to a *prima facie* duty to provide

---

[237] Ibid., 27-35.
[238] Ibid., 64-75.

these goods to one's parents.[239] Although I will not loiter on this point, it seems to me that the special, comparatively untroubled loyalty that Keller attributes to the filial relationship might benefit from a change in terminology, as what is described is a sort of explicit, structural reciprocity out of step with the structures Keller describes in other sorts of loyalty.

In good Kantian form, Keller distinguishes loyalty from conscientiousness, both of which can manifest themselves as steadfast commitment to an ideal. Keller's distinction seems to rest upon whether the commitment is the result of reasoning or sentiment. If one reasons through whether a cause, ideal, or person, then one's commitment is conscientious and, evidently, not susceptible to the same vicissitudes that afflict loyalty. If, however, one's commitment is rooted in affection or sentiment, then it is loyalty, and can give rise to trouble.[240]

When all is said and done, Keller defines loyalty as a commitment to a cause, ideal, or person, based in sentiment, that (with the exception of the loyalty of children to their parents) conduces to neglect of good epistemic conduct. Proceeding from this account, Keller argues that loyalty is neither valuable in itself nor a virtue. Keller suggests that the value we ascribe to a loyal friend or a loyal teammate is no different than the value we ascribe to a *good* friend or a good teammate. Loyalty is part of being a good friend or a good teammate, but loyalty's value is entirely parasitic on the goodness of the relationship in which it participates.[241] In order to examine loyalty as a virtue or trait of character, Keller tweaks his definition slightly: loyalty becomes "a tendency to form particular bonds of loyalty and act in their light."[242] The virtue of loyalty is, for Keller, a personal propensity to the commitments that constitute individual instances of loyalty.

[239] Ibid., 124-135.
[240] Ibid., 2-3.
[241] Ibid., 146-152.
[242] Ibid., 155.

Keller thinks golden retrievers a prime example of this sort of loyalty: a golden retriever will, with comparatively little incentive, become intensely loyal to the human who cares for it. The problem with this, Keller observes, is that the dog has little ability to discriminate between good humans to whom to be loyal and bad ones: dogs' willingness to accept people as they are may be one of the most appealing features of canine loyalty. However, a person with a tendency to form commitments with a similar lack of discernment would place herself/himself in considerable danger. Keller invites his readers to reflect on whether they would want to raise a child to be loyal in the sense of being notably disposed to form commitments without stopping to discern the worthiness of the causes, ideals, or persons to whom he/she is committed. Keller concludes (reasonably, I think) that we would not want to encourage this trait in a child, an indirect but telling argument that loyalty is not a virtue, or at least not a very important one. The trait of loyalty, Keller suggests, is not only not an important virtue, but probably not a virtue at all. Loyalty "is rather like […] the trait of being opinionated. There are much worse things than being opinionated by nature, and much worse things than being loyal by nature; neither is of a piece with cruelty or greed. Still, these are traits that it is better, on the whole, to be without."[243]

Josiah Royce's Argument for the Centrality of Loyalty to Ethics

In his early (more Hegelian) career, Josiah Royce sought to establish "harmony" as the unifying principle of all legitimate ethics and religion.[244] However, in his mid- to late-career, Royce revised his views and propounded an account of meta-ethics in which loyalty was foundational to all moral value. By loyalty, Royce means specifically "[t]he willing and practical

---

[243] Ibid., 160-161.
[244] Josiah Royce, *The Religious Aspect of Philosophy: A Critique of the Bases of Conduct and of Faith* (Boston: Houghton, Mifflin and Co., 1894).

and thoroughgoing devotion of a person to a cause. A man is loyal when, first, he has some cause to which he is loyal; when, secondly, he willingly and thoroughly devotes himself to this cause; and when, thirdly, he expresses his devotion in some sustained and practical way, by acting steadily in the service of his cause."[245]

Royce does not specify the causes and ideals that loyalty should take as its object. The particular causes to which persons are loyal will depend on the person and on that person's circumstances. What matters most is that the person is loyal, in the sense of being willingly, thoroughly, actively devoted to a specific cause. By way of both acknowledging the difficulties attendant upon this ambiguity and resolving those difficulties, Royce offers the following case study:

> A young woman, after a thorough modern professional training, begins a career which promises not only worldly success, but general good to the community in which she works. She is heartily loyal to her profession. It is a beneficent profession. She will probably make her mark in that field if she chooses to go on. Meanwhile she is loyal to her own family. And into the home which she has left for her work, disease, perhaps death, enters. Her younger brothers and sisters are now unexpectedly in need of such care as hers; or the young family of her elder brother or sister, through the death of their father or mother, has come to be without due parental care. As elder sister or as maiden aunt this young woman could henceforth devote herself to family tasks that would mean very much for the little ones in question. But this devotion would also mean years of complete absorption in these family tasks, and would also mean an entire abandonment of the profession so hopefully begun, and of all the good that she can now be fairly sure of doing if she continues in that field.[246]

In the paragraphs that follow, Royce excludes the possibility of pursuing both ends simultaneously and reinforces the good to be done in pursuing either path. Royce's advice to the hypothetical young woman seems, at first blush, vacuous: "Have a cause; choose your cause; be decisive."[247] But Royce is actually making an important normative claim. It is not finally important which path the young woman follows; neither course is correct to the exclusion of the

---

[245] Josiah Royce, *The Philosophy of Loyalty* (New York: Macmillan Co., 1936), 17.
[246] Ibid., 183-184.
[247] Ibid., 187.

other. It is, however, vitally important that the young woman pursue one course or the other with loyalty. Neither the young woman nor anyone else will benefit if the young woman is indecisive and thereby chooses, in effect, neither to help her family nor to benefit society through her profession. The choice made, Royce's message is reassuring: as long as she is loyal to the cause she chooses, the young woman can be confident she has made the right choice.[248]

Royce's confidence that either choice would be equally right, so long as it is made and pursued loyally, rests in his insight that no matter the particular cause, one must be loyal to it in order to be good, or even to be anyone at all. Royce affirms (with many other philosophers) that human beings enter life with incoherent personalities. Royce continues from this assumption to assert that a personality begins to cohere when persons assert both their independence from outside influences and their capacity to choose between those influences. Some people will not be loyal to any cause or ideal, but according to Royce, a person who pursues this route will never cohere into a mature personality. This seems extreme, but it can be expressed in a more common-sensical way. Apart from noting that he or she was an individual of the human species, we would likely be at a loss to describe an adult who was totally devoid of loyalty. Such a person would never hold a job or sustain a personal relationship for long enough to identify her/him with her/his employment or her/his friends. If this person had no remaining connections to her/his family and had no hobbies, it would be difficult to characterize her/him at all. Royce's claim that one's very personality depends on loyalty is not so outrageous as it might seem: "if you wholly decline to devote yourself to any cause whatever, your assertion of moral independence

---

[248] Ibid., 195-196.

will remain but an empty proclaiming of a moral sovereignty over your life, without any definite life over which to be sovereign."[249]

The situation is different with persons who are loyal to causes and ideals. We can say of a person who is loyal to his children that he is a father, of a person committed to her career in medicine that she is a physician, of a person committed to performing music for others that he is a musician. A person's loyalty to his children, her medical career, or his music performance gives normative meaning to evaluations: the first might be a better or worse father, the second a better or worse physician, and the third a better or worse musician. Each of these evaluations is only intelligible because the person in question is in fact committed to the cause; we do not say of an childless woman that she is a good mother, of a welder that he is a bad physician, or of a restaurateur that she is a great musician. It is in loyalty to causes beyond oneself that one begins to be realized as a coherent moral personality. "There is only one way to be an ethical individual. That is to choose your cause, and then to serve it[.]"[250]

Royce does labor to exclude a small number of causes and ideals from the range of causes and ideals to which one may legitimately be loyal. The principle Royce proposes to discriminate between legitimate causes and illegitimate ones is the principle of "*loyalty to loyalty*[.]"[251] Royce concedes that this actually excludes very few causes, in that any loyalty will promote loyalty *per se*. Royce is persuaded that conflict between particular causes is almost inevitable; the only limitation that loyalty to loyalty imposes on this conflict is that "you may never assail whatever is sincere and genuine about [your opponent's] spirit of loyalty [...] Prevent the conflict of

---

[249] Ibid., 93.
[250] Ibid., 98.
[251] Ibid., 118.

loyalties when you can, minimize such conflict where it exists, and [...] utilize even conflict, where it is inevitable, so as to further the cause of loyalty to loyalty."[252] So far as a person is free to choose the causes to which he/she is loyal, he/she ought to select the causes that seems most likely to promote loyalty, not just to one's own cause, but to any cause that is similarly compatible with loyalty to loyalty. The most direct way in which Royce's loyalty to loyalty manifests itself is in the virtue of loyalty, which Royce takes to be the form of all the virtues (in addition to the core of moral anthropology and, indeed, all morality). Royce believes that witnesses to profound loyalty will be naturally inspired by this loyalty both to respect the loyalty exhibited and to emulate it. Royce prefers to analogize the way in which particular loyalties promote loyalty in general to contagion, but loyal persons in Royce's thought might be equally well described as moral exemplars, to use a more familiar term from virtue ethics.[253]

More recently, R. E. Ewin and Richard Rorty have made arguments for the meta-ethical centrality of loyalty. Ewin proposes that loyalty has a similarly foundational role in human moral character, but that, contrary to what Royce urged, loyalty is not properly a virtue. Just as Royce's loyalty is the precondition for coherent personality, Ewin's loyalty is the precondition for coherent character. But Ewin does not share Royce's confidence in loyalty's goodness. Moreover, Ewin expects that all genuine virtues will participate in some version of *phronesis*, and Ewin finds that loyalty does not. Ewin's loyalty is foundational, but neither good nor bad itself: Ewin's "loyalty seems to take its colouring from the other virtues and vices that it brings into play."[254] Rorty, for his part, has suggested that even the venerable idea of justice may, in fact, be better

---

[252] Ibid., 158-159.
[253] Ibid., 129-138.
[254] R. E. Ewin, "Loyalty and Virtues," *Philosophical Quarterly* 42, no. 169 (October 1992): 418.

explained as loyalty to the largest group with which we identify.[255] It is not my purpose here to defend Ewin's or Rorty's positions, but merely to observe that the meta-ethical thesis that a fair part of morality is based in loyalty still attracts some interest. But even with this interest in loyalty's meta-ethical import, Royce's distinctive contribution remains the close connection he drew between loyalty's role in normative ethics and loyalty's dependability in meta-ethics.

Royce has had his critics. George Fletcher compares Royce unflatteringly to "the pop psychology fostered in self-actualization therapy" because of Royce's "naive faith in voluntary self-definition[,]" "the assumption that loyalty to causes is freely and autonomously chosen. [Royce] has no sense of the historical self that inclines individuals toward loyal commitments to their friends, families, countries, and religious communities."[256] This is, frankly, a gross misrepresentation of Royce. First, Royce was keenly attentive to the role that communities play in forming persons and even wrote specifically on the topic.[257] Second, while Royce's reflections on choosing a cause to serve were timely in a social context in which industrialization and urban migration continued to alter the fabric of American society, it is not the choice or the freedom of that choice that ultimately matters to Royce. What matters is the loyalty with which one pursues one's cause or ideal, loyalty that, Royce thinks, is more likely if one has some sense of agency in the selection of one's cause. Royce took the role of choice seriously,[258] but he could have afforded to be fairly cavalier about the liberty (or lack thereof) one has in choosing one's causes, since any loyalty to any cause or ideal conduces to the overarching good of loyalty to loyalty.

---

[255] Richard Rorty, "Justice as a Larger Loyalty," in *Justice and Democracy: Cross-Cultural Perspectives*, ed. Ron Bontekoe and Marietta Stepaniants (Honolulu, HI: University of Hawai'i Press, 1997), 9–22.

[256] George P. Fletcher, *Loyalty: An Essay on the Morality of Relationships* (New York: Oxford University Press, 1993), 152-153.

[257] Josiah Royce, *Race Questions, Provincialism, and Other American Problems* (New York: Macmillan Co., 1908), 55 ff.

[258] Royce, *Philosophy of Loyalty*, 93-98.

Other interpreters of Royce attempt to correct perceived defects in Royce's argument and sacrifice some of its distinctive features along the way. Keller distinguishes loyalty to particular causes and ideals from loyalty to loyalty more sharply than does Royce; Keller concludes that, given the concerns that afflict particular loyalties to lamentable causes and ideals, Royce must only have wanted to recommend the latter.

> The person whom Royce describes being loyal to loyalty is better described as follows. She understands and values the human's capacity to commit himself fully to a higher cause, and thereby give his life structure, unity and certainty. She may be committed to any number of local causes herself, but her greatest commitment is to the nurturing and promotion of this human capacity for wholehearted commitment, wherever it is found. The instruction that emerges from this construal of Royce is, "Devote yourself wholeheartedly to the cause of wholehearted devotion."[259]

Keller is one of the most astute commentators Royce has, but Keller, I think, substantially alters Royce's arguments in order to identify Royce more closely with contemporary meta-ethical universalists. Certainly Keller's version of Royce successfully avoids the liabilities that attend an uncritical affirmation of any and every loyalty to causes, irrespective of those causes' merits. As Keller construes Royce, the legitimacy of all of our particular loyalties is to be evaluated with reference to the universal standard of human flourishing in devotion. But Royce himself prefers to answer the difficulty of distinguishing good loyalties from bad ones metaphysically, and seems finally to conclude that while particular loyalties may be more or less excellent, few (if any) loyalties are illegitimate. In *The Philosophy of Loyalty*, at least, Royce is confident that the conflict between causes that leads to some being labeled good and others bad is not ultimately real. Royce's confidence stems from the observation that individuals loyal to the same cause can combine their efforts across space and time to achieve far-reaching successes that would be impossible for individuals considered alone. "Loyalty […] from moment to moment indeed thrills

---

[259] Keller, *Limits of Loyalty*, 189.

with a purely fragmentary and temporary joy in its love of its service. But the joy depends on a belief in a distinctly superhuman type of unity of life. [...] The loyal serve a real whole of life, and experiential value too rich for any expression in merely momentary terms."[260] Royce's routine appeals to metaphysics until late in his career have been something of an embarrassment for later commentators who find his hybrid of pragmatism and absolute idealism implausible;[261] Royce himself turned from explicit metaphysics toward something closer to hermeneutics at the end of his life.[262] But in *The Philosophy of Loyalty*, thoroughgoing loyalty to a cause is reliably good, whether or not its possessor has evaluated that loyalty in connection with overarching loyalty to loyalty: loyalty to a cause is the basis of moral identity and will flow, inexorably, to unitary reality. Royce's almost limitless confidence in the virtue of loyalty makes little sense apart from his metaphysics.

Loyalty as a Wandering Virtue

After a circuitous route, I return to the question that opened this chapter: is loyalty a virtue? Royce positions loyalty as the form of all virtue; Keller sees in loyalty no virtue at all, but merely a "trait[] that it is better, on the whole, to be without."[263] In part this comes down to definitions, and in part it comes down to a fundamental disagreement about the basis and nature of human moral character. Keller, it must be said, defines the *virtue* of loyalty (as opposed to loyalty in general) rather unhelpfully: Keller's virtue of loyalty is a personal propensity to the

---

[260] Royce, *Philosophy of Loyalty*, 330.
[261] R. T. Allen's complaint against Royce's loyalty to loyalty seems to stem directly from Allen's aversion to Royce's appeal to what Allen aptly labels "causes, which appear to be ontologically unrestricted" in order to tether all particular loyalties to "loyalty to loyalty." R. T. Allen, "When Loyalty No Harm Meant," *Review of Metaphysics* 43, no. 2 (December 1989): 284-285.
[262] Josiah Royce, *The Problem of Christianity* (Chicago: University of Chicago Press, 1968).
[263] Keller, *Limits of Loyalty*, 161.

commitments that constitute individual instances of loyalty, without consideration or regard for the objects of that loyalty.[264] An indiscriminate propensity to devote oneself to causes and persons is obviously not a virtue, but it is not at all clear that this is a suitable definition of the virtue of loyalty. Conversely, Royce's claim that the virtue of loyalty is the form of all particular virtues is also implausible. The examples Royce furnishes, benevolence and justice, are both other-regarding virtues.[265] But there are many virtues that are not other-regarding: modesty and patience are two of them. And it seems a stretch to call one's modesty or one's patience instances of loyalty to the flourishing of the loyalties of all other persons. Nevertheless, Royce is right to emphasize the central role that loyalty plays in integrating us into the groups that will shape our moral identities. Keller's Kantian distinction between reasoned commitments and sentimental loyalties suggests that Keller believes that how one ought to live out one's commitments can be defined by reference to impartial reason alone. A host of moral communitarians and sentimentalists would disagree with Keller on the impartiality of moral requirements, as would others who are agnostic about reason's ability to grasp ethics unaided. If one believes that impartial reason is the beginning and end of morality, then loyalty is no virtue at all. But if one thinks it more likely that a person's participation in causes and relations with persons outside herself/himself provides a vital contribution to her/his moral identity, then it would be better for her/him to participate in those causes and groups well, rather than poorly. And habitually doing things well, rather than poorly, is the work of virtue.

---

[264] Ibid., 155.

[265] Royce, *Philosophy of Loyalty*, 144-146. I am being generous to Royce; he furnishes no direct examples of specific virtues as particular instances of the virtue of loyalty, but later treats justice and benevolence in connection with specific obligations, excellent discharge of which would, presumably, be virtuous.

Royce's emphasis on decisiveness in choosing to what and whom one will be loyal reveals something that Keller's fraught definition excludes. The virtue of loyalty does not consist in forming many relational commitments, as if the virtue of loyalty were some sort of networking exercise in which success was defined by the number of loyalties one has. Rather, the virtue of loyalty consists in how one lives out one's commitments to causes, ideals, and persons besides oneself. Keller's excellent example of loyalty in friendship cuts against him here. Keller suggests that "loyalty" is simply an epiphenomenal feature of any good friendship, but our own experience teaches us that some good friends are more loyal than others. Some friends, good to us at any sensible hour of the day, will have no patience for a phone call at two in the morning; other friends will take call and will not even begrudge us a trip out in the night if need be. Some friends are good to each other only while circumstances keep them together, but others remain close despite the geographic distance between them and the passage of time. And some of our friends seem not only to be loyal to us in these ways, but to be loyal to all their friends in these ways. These consistently loyal ways of living out commitments to one's friends are not accidental or incidental, but habitual. The virtue of loyalty, I suggest, is the habit by which we respond to and generate norms of participation and inclusion in causes and relationships.

I share some of Royce's high esteem for the virtue of loyalty, but I hasten to add that I also share Keller's abiding concerns. And if virtues needed to uniformly conduce to the good in order to be true virtues, this consideration might drive us to follow Ewin and carve out a strange space for loyalty outside of virtue and vice. However, if virtues can wander, then loyalty may be a virtue and still often conduce to characters and outcomes that are less than good. There is no question that loyalty fulfills the first requirement of wandering virtues by encouraging neglect of other

virtues, as those who are deeply loyal to deplorable causes make abundantly clear. Neither Ewin nor Keller dignifies loyalty with the name of virtue, but both helpfully supply several ways in which loyalty frequently affects other virtues. Keller rightly argues that the virtue of loyalty motivates neglect of the virtue of honesty: we are likely to favor higher estimates of those to whom we are loyal than the evidence supports, and perhaps to have lower estimates than the evidence supports of those who seem to antagonize the objects of our loyalty.[266] Loyalty may affect the virtues of benevolence, kindness, and sympathy: loyalty will motivate us to respond more promptly and fervently to the experiences of those to whom we are loyal and may, in turn, make us less responsive to the experiences of the adversaries (real or perceived) of those to whom we are loyal.[267] Loyalty especially encourages neglect of the virtue of justice, insofar as the latter is concerned with norms of equity. Loyalty may cause us to see the same favorable treatment as justice when it is bestowed on those to whom we are loyal and unjustifiable largess when it is bestowed on those to whom we are not; the same unfavorable treatment may seem hideously unjust when imposed upon the objects of our loyalty but no less than is deserved when it is imposed on those who fall outside our loyalty.[268]

Loyalty also fulfills the second requirement for wandering virtues, that of lacking coordinate vices except those of deficiency. Disloyalty and treachery denote a dearth of loyalty, but it is very difficult to identify what it would be like to be "too loyal" without prejudicial distinctions between the objects of loyalty. Is a gang member's loyalty somehow too loyal when he takes a bullet and bleeds out for his gang leader while the gang is shooting up a rival's safe

---

[266] Keller, *Limits of Loyalty*, 29.
[267] Keller, *Limits of Loyalty*, 64-65; Ewin, "Loyalty and Virtues," 415-416.
[268] Ewin, "Loyalty and Virtues," 416-417.

house? We may deplore the gang member's cause, his actions, and his avoidable death, but I do not see how we can fault the gang member's loyalty, by which he has responded to the norms of participating in his group with the costliest sacrifice he could offer. Loyalty itself will tend to lead its possessors to think that no extent of habituation in loyalty is ever too much: the more habitually responsive one becomes to the norms of participation and inclusion, the more committed one is likely to become to remaining included. And often we even celebrate loyalty that shrinks from nothing: the soldier who sacrifices herself/himself to save the lives of her/his squad is the paradigmatic example, but teachers in public primary and secondary schools who give every waking moment to advance the education of their pupils are also commended.[269]

Because it so often attaches to other persons, loyalty might seem to fail the third requirement for wandering virtues, that of lacking intrinsic references to the values of others considered as actual individuals. In reply, I offer two considerations. First, as often as it attaches to other persons, loyalty no less often attaches to groups to which specific values are attributed, independent of whether those values are reliably shared by the members of the group. My support for my hometown college basketball team supplies a ready example. I am loyal (though certainly not as loyal as some) to the team, but the excess of enthusiasm associated with supporters of my team is not a value that I share, or that most supporters I know actually share. I am not going to burn a couch in the street to celebrate a win, even though this practice is

---

[269] Griffin Trotter, who applies Royce's account of interpretation to a perceived crisis in medical ethics, suggests that humility is the outer constraint on loyalty's potential to get things wrong, because loyalty's tendency to neglect its fallibility is "arrogance" and humility curbs this arrogance. But in a familiar ploy, Trotter distinguishes "genuine loyalty" from loyalty in general in order to account for why loyalty so often seems not to involve humility. Trotter is no doubt correct that loyalty is made safer by modesty/humility, but this is true not just of modesty but of honesty, benevolence, justice, and many other virtues. Not only is humility not a vice and thus not a potential coordinate vice of loyalty, it is not clear that it is especially a coordinate virtue of loyalty, either. Griffin Trotter, *The Loyal Physician: Roycean Ethics and the Practice of Medicine* (Nashville, TN: Vanderbilt University Press, 1997), 245.

applauded by the most rabid fans of my team. Nevertheless, extreme enthusiasm is a value of the group, one that I hold my nose and tolerate as part of membership. My loyalty here makes no reference to the actual values of others, even though those others are within the same group and even though I have a pretty clear idea of what those values are. Loyalty may often have reference to the values of others considered as actual individuals, but loyalty hardly requires it. Second, even loyalty to specific persons may not refer to them as they actually are. Sometimes this is because the person to whom we have become habitually loyal has changed. For Guardini, this seems to have been exactly loyalty's point: one's loyalty in marriage, according to Guardini, ought not to refer directly to one's spouse as he/she changes over time, but ought rather refer to the responsibilities one has assumed toward one's spouse, which do not change.[270] In other instances, loyalty's distorting effects on our perception of those to whom we are loyal mean that we are loyal not to the other person as he/she actually is, but as our loyalty has made her/him to be. Many of us can think of a friend to whom we were loyal but who, in hindsight, was not at all the friend to whom we thought we were loyal. Some of us may fear that we sometimes are that friend ourselves. Loyalty's rose-tinted glasses may do some good in encouraging the other person to become the person her/his loyal friends think her/him to be, but they also prevent us from seeing the objects of our loyalty as they are. Even interpersonal loyalty can get by without reference to other persons considered as actual individuals; interpersonal loyalty may actually have an easier time without such references. Thus loyalty satisfies the third requirement for wandering virtues, that of lacking intrinsic reference to the values of others considered as actual individuals.

---

[270] Guardini, *Virtues*, 57-58.

One of the foremost fictional examples of wandering loyalty is, conveniently, a medical

man: Dr. John Watson, Sherlock Holmes's stalwart companion. Watson is famously loyal to

Holmes. Watson will shutter his medical practice for the day and leave his wife at home upon

receiving an invitation from Holmes, all for the opportunity to tag along and chronicle Holmes's

exploits while having his own intelligence insulted. Watson seems often to be loyal more to an

ideal than to the man before him: Watson routinely characterizes Holmes as a cold, aloof,

calculating machine of a man, and Watson seems surprised anew each time Holmes actually

expresses some genuine emotion, including, it turns out, a friend's fondness for Watson. And

Watson's loyalty to Holmes most certainly encourages him to neglect other virtues, including

justice and honesty. In some of their adventures, Watson commits more crimes at Holmes's

behest than Holmes actually solves. One of their earliest adventures includes the charming

exchange below, beginning with Holmes:

> "By the way, Doctor, I shall want your co-operation."
> "I shall be delighted."
> "You don't mind breaking the law?"
> "Not in the least."
> "Nor running a chance of arrest?"
> "Not in a good cause."
> "Oh, the cause is excellent!"
> "Then I am your man."
> "I was sure that I might rely on you."[271]

Holmes and Watson go on to incite a riot and attempt an arson in a failed effort to steal

a photograph.

---

[271] Arthur Conan Doyle, *The New Annotated Sherlock Holmes*, ed. Leslie S. Klinger, vol. 1 (New York: W. W. Norton & Co., 2005), 26-27.

Wandering Loyalty, Doctor–Patient Confidentiality, and Harms to Third Parties

Turning from fictional doctors to real ones, doctor–patient confidentiality is one of the most common contexts in which a physician's loyalty can wander away from the physician's other virtues. For the most part, it is uncontroversially the case that physicians ought to keep their patients' confidences, whether or not keeping those confidences promotes the patients' health. This obligation to keep patients' confidences is one of the most conspicuous norms to which a physician's virtue of loyalty responds. But keeping patients' confidences is more controversial when patients' confidences can lead to harms to other persons. Since the California Supreme Court's rulings in *Tarasoff*,[272] almost all U.S. states have clarified or formalized a legal duty on the part of psychotherapists to warn and/or protect affected third parties of plausible threats of violence against them made by psychotherapy patients.[273] Governmental insistence on psychotherapists' duty to warn was not met with universal enthusiasm on the part of therapists, but it has subsequently become part of the acknowledged legal landscape of psychotherapy.[274]

Since the spread of HIV/AIDS, medical ethicists have debated whether clinicians have a parallel duty to warn or protect the sexual partners of their HIV-positive patients about the patients' HIV status when the patients will not disclose their HIV status directly. (This is separate from reporting the incidence of infection to public health departments, which is usually done with little controversy.)[275] In a typical case presentation, a clinician learns that a patient who is

---

[272] Tarasoff v. Regents of University of California, 529 P.2d 553 (Cal. 1974); Tarasoff v. Regents of University of California, 551 P.2d 334 (Cal. 1976).

[273] Rebecca Johnson, Govind Persad, and Dominic Sisti, "The Tarasoff Rule: The Implications of Interstate Variation and Gaps in Professional Training," *Journal of the American Academy of Psychiatry and the Law* 42, no. 4 (2014): 470-471.

[274] Brian Ginsberg, "Tarasoff at Thirty: Victim's Knowledge Shrinks the Psychotherapist's Duty to Warn," *Journal of Contemporary Health Law and Policy* 21, no. 1 (2004): 1–35.

[275] Sandra Roush et al., "Mandatory Reporting of Diseases and Conditions by Health Care Professionals and Laboratories," *Journal of the American Medical Association* 281, no. 2 (July 14, 1999): 164–70.

HIV-positive or is likely to become so does not want his status — and it is usually "his" status[276] — disclosed to a significant other who is unaware of the activities that led the patient to contract HIV. The clinician's first step is always to seek to persuade the patient to cooperate with efforts to protect those whom the patient may expose, or may already have exposed, to HIV; this might take the form of direct disclosure by the patient or more oblique efforts to caution the patient's sexual partners without necessarily revealing the identity of the patient.[277] But should these efforts at persuasion fail, the clinician is faced with a dilemma: ought the clinician disclose the patient's HIV-positive status to the significant other, violating the patient's confidence? Or ought the clinician keep the patient's confidence, perhaps leading to preventible harms to the patient's significant other? Consequentialist and principle-based arguments can be made in favor of both positions. In favor of disclosure, the clinician has duties to public health and would of course prefer to avoid the adverse effects of HIV infection for the patient's significant other. In favor of keeping the patient's confidence, the clinician has duties to the patient, including keeping the patient's confidences; a policy of disclosure, if made known to patients, would likely discourage them from seeking treatment for their infection and more generally discourage the candor that facilitates effective medical care.[278]

---

[276] In part, this emphasis on male patients likely stems from HIV's early association with gay males, but it also serves to avoid complications related to the prevalence of domestic violence against women and well-founded fears that disclosing a woman's HIV-positive status to her sexual partner(s) has an elevated risk of precipitating violence against them. See Richard L. North and Karen H. Rothenberg, "Partner Notification and the Threat of Domestic Violence against Women with HIV Infection," *New England Journal of Medicine* 329, no. 16 (October 14, 1993): 1194–96.

[277] Ronald Bayer and Kathleen E. Toomey, "HIV Prevention and the Two Faces of Partner Notification," *American Journal of Public Health* 82, no. 8 (August 1992): 1158–64.

[278] Morton Winston and Sheldon H. Landesman, "Case Studies: AIDS and a Duty to Protect," *Hastings Center Report* 17, no. 1 (February 1987): 22–23.

Introducing virtues into this mix will not resolve the dilemma, but recognizing the role played by the virtue of loyalty (and its characteristic wandering) will at least offer a more charitable approach to clinicians' and ethicists' ambivalence about disclosing a patient's HIV-positive status over the patient's objections. There are unflattering explanations available. Donald Ainslie argues that medical ethicists and aligned clinicians unreflectively applied *Tarasoff* to sexually-active, HIV-positive patients without sufficiently considering whether the sexual partners of HIV-positive patients might not already be aware of the risk in a general sense. This insufficient consideration was born, Ainslie argues, of medical ethics' dissociation from, and indifference to, the experience and priorities of patients. Ainslie does not make the point so sharply, but in contrasting professional commitments with commitments to patients, Ainslie's complaint against the duty to warn might be framed in terms of a lack of loyalty to patients.[279] Conversely, other clinicians favor legal protections for disclosure over patient objections. Samuel Knapp and Leon VandeCreek, while hopeful that such instances will rarely arise, want clinicians to have options when they encounter patients who "continue to engage in high-risk behaviors with unsuspecting, identifiable partners."[280] Knapp and VandeCreek identify the lingering concern that nags at many clinicians caring for troubled patients: there may be some patients who, despite clinicians' best efforts, seemingly do not deserve the same loyalty that is extended to most patients.

Treating loyalty as a genuine virtue, but one prone to wander, can allow us to chart a middle path. Loyalty to one's patients is absolutely essential, as Ainslie implies (and almost all

---

[279] Donald C. Ainslie, "Questioning Bioethics: AIDS, Sexual Ethics, and the Duty to Warn," *Hastings Center Report* 29, no. 5 (October 1999): 26–35.
[280] Samuel Knapp and Leon VandeCreek, "Application of the Duty to Protect to HIV-Positive Patients," *Professional Psychology: Research and Practice* 21, no. 3 (1990): 164-165.

clinicians would agree), but the trouble with loyalty is that it will have a difficult time recognizing when it is loyal "enough," even as it encourages neglect of the virtues that might weigh against loyally keeping patient confidences, such as sympathy and beneficence for third parties. Loyalty to one's patients always risks neglect of the other virtues constitutive of a good clinician and a good person, but this does not mean that loyalty is any less a virtue. At the same time, recalling that loyalty is a virtue, rather than a set of duties to one's patient or a set of desirable outcomes, to some extent softens the sharp dichotomy implied in balancing the duties and consequences of keeping confidences versus disclosing them. A clinician who reluctantly acts on a patient's confidences contrary to that patient's wishes may still be loyal, even if the norms that bound the patient and clinician together in a therapeutic relationship were not the dispositive ones. This has long been true of the duties derived from *Tarasoff*. Imagine a psychiatrist, Dr. Preston, who has done everything in his power — psychotherapeutically and pharmaceutically — to moderate the severe behavioral dysregulation of his patient, Mr. Flowers. Despite Dr. Preston's efforts and Mr. Flowers's reported interest in changing his behavior, Mr. Flowers remains prone to physical violence, which has so far been limited to brawling on slight provocation. But Dr. Preston becomes concerned when Mr. Flowers discloses his strong and apparently thoroughly considered intention to severely beat an irritating but otherwise harmless man in Mr. Flowers's apartment complex. Dr. Preston urges Mr. Flowers to think through more constructive approaches to addressing his frustration, but Mr. Flowers perseveres in his intention to harm his antagonist. Dr. Preston could probably make the case to himself that Mr. Flowers is exaggerating, given that Mr. Flowers has only previously fought with people who were willing to fight him. And Dr. Preston is loathe to endanger the hard-won therapeutic relationship he has with Mr. Flowers.

But Dr. Preston is also concerned about the specificity of Mr. Flowers's plans and the apparent defenseless of the prospective victim. When Dr. Preston warns the prospective victim, he will be breeching Mr. Flowers's confidence. But Dr. Preston will hardly be ignoring the deliverances of the virtue of loyalty. That Dr. Preston is torn at all is evidence that he is highly responsive to his sense of loyalty to his patient and to the therapeutic relationship. It is not that Dr. Preston is disloyal: it is that Dr. Preston is other things also, benevolent among them. Those exceptionally rare patients with communicable, incurable, life-altering diseases who explicitly disregard the safety and health of those around them may similarly find that even very loyal clinicians feel they must, despite their loyalty, act in response to other virtues.

Wandering Loyalty, Transplant Programs, and Transplant Patients

Clinicians in U.S. solid organ transplant programs face a potential dilemma in managing the patients who come to them with progressive organ failure. On the one hand, clinicians have responsibilities to the patients in front of them, including (perhaps most conspicuously) promoting those patients' health. In many cases of end-stage organ failure, transplantation is among the most clinically- and cost-effective interventions.[281] It would seem that clinicians best serve many of their end-stage organ failure patients by working to maximize those patients'

---

[281] For survival benefit of kidney transplant, see Robert A. Wolfe et al., "Comparison of Mortality in All Patients on Dialysis, Patients on Dialysis Awaiting Transplantation, and Recipients of a First Cadaveric Transplant," *New England Journal of Medicine* 341, no. 23 (December 2, 1999): 1725–30. For survival benefit of liver transplant, see Robert M. Merion et al., "The Survival Benefit of Liver Transplantation," *American Journal of Transplantation* 5, no. 2 (February 2005): 307–13. For survival benefit of lung transplantation, see Johan De Meester et al., "Listing for Lung Transplantation: Life Expectancy and Transplant Effect, Stratified by Type of End-Stage Lung Disease, the Eurotransplant Experience," *Journal of Heart and Lung Transplantation* 20, no. 5 (May 2001): 518–24. The clinical benefit attributed to heart transplantation varies; see Michael W. Rich and Robert F. Nease, "Cost-Effectiveness Analysis in Clinical Practice: The Case of Heart Failure," *Archives of Internal Medicine* 159, no. 15 (August 9, 1999): 1690-1700; Jeffrey T. Cope et al., "A Cost Comparison of Heart Transplantation versus Alternative Operations for Cardiomyopathy," *Annals of Thoracic Surgery* 72, no. 4 (October 2001): 1298–1305. Despite variation, there is no doubt that many patients with heart failure will die without heart transplant, and may live several years with one; for these patients, heart transplant, certainly, is more clinically effective than its alternatives.

likelihood of receiving a transplantable organ. On the other hand, American transplant clinicians are expected to cooperate in distributing available solid organs so that the patients throughout the nation whose need for transplant is most urgent, and whose likelihood of success with transplant is greatest, receive transplantable organs first.[282] The plethora of government and non-government agencies that monitor transplantation in the U.S. are not oblivious to the potential for conflict between physicians' aspirations to secure organs for their own patients and the needs of the transplant community as a whole. Programs are required to comply with myriad regulations and to report data on their patients' outcomes in a timely manner. Governmental interest in outcomes is hardly academic. A transplant program's eligibility for Medicare and Medicaid reimbursement can be affected by the program's ability to produce outcomes that meet or exceed national expectations; many private insurers utilize the same data to make decisions about which transplant centers their plans' coverage will include.[283] Thus clinicians' pursuit of their patients' welfare would seem to favor listing and transplanting even high-risk patients, while clinicians' responsibilities to their own transplant programs (and transplant medicine across the nation) will militate against listing and transplanting high-risk patients.

It would be easy enough to analyze clinicians' potentially conflicting obligations to their patients and to their programs in terms of divided or competing loyalties. However, this facile line of analysis would hardly do justice to a complex situation. Poor outcomes are often a good

---

[282] The specific distribution policies regulating transplantable organs often include considerations beyond need and risk, including geographical proximity to the hospital recovering the donor organs. But even these geographic limitations are critiqued for their inconsistency with the agreed-upon ideals of transplant medicine, which do revolve around need and risk. Bruce C. Vladeck, Sander Florman, and Jonathan Cooper, "Rationing Livers: The Persistence of Geographic Inequity in Organ Allocation," *Virtual Mentor* 14, no. 3 (March 2012): 245–49.

[283] Jane Benjey, Mary Cunanan, and Art Thomson, "Regulatory Compliance in Solid-Organ Transplant: What You Don't Know Can Hurt Your Program," *Progress in Transplantation* 17, no. 2 (June 2007): 129–35; Lisa B. VanWagner and Anton I. Skaro, "Program-Specific Reports: Implications and Impact on Program Behavior," *Current Opinion in Organ Transplantation* 18, no. 2 (April 2013): 210–15.

proxy for poor practices more generally. Through 2009, all transplant centers cited for poor

outcomes by the Centers for Medicare and Medicaid Services (a government office and one of

the most influential regulatory bodies in transplantation) were also cited for tangible

shortcomings in care, including patient selection, the adequacy of the informed consent process

ahead of transplant, and patient care.[284] The burden on the patient associated with receiving a

transplant is less explicit in the context of transplant medicine, but is no less important for this.

Transplant commits the patient an intensive-care hospitalization that can vary in length and

may readily stretch to months. Transplant also commits the patient to a lifetime of anti-rejection

medications and a high likelihood of side-effects ranging in severity from the merely irritating to

the life-changing. Intermittent complications from transplant, some requiring hospitalization,

are likely. And though transplant is the recommended intervention for many instances of end-

stage organ failure, transplant nevertheless is not a plain or simple "cure" for end-stage organ

failure. Rather, most forms of solid organ transplant, even when they go to plan, can be expected

to provide a number of years of extended life, with median survival after a successful transplant

ranging from over a decade after receiving a donor kidney down to eight years after receiving

donor lungs.[285] Much worse scenarios are by no means remote: a percentage (ranging from less

---

[284] Thomas E. Hamilton, "Accountability in Health Care — Transplant Community Offers Leadership," *American Journal of Transplantation* 9, no. 6 (June 2009): 1289-1290.

[285] Lars H. Lund et al., "The Registry of the International Society for Heart and Lung Transplantation: Thirty-Second Official Adult Heart Transplantation Report—2015; Focus Theme: Early Graft Failure," *Journal of Heart and Lung Transplantation* 34, no. 10 (October 2015): 1244–54; Akinlolu O. Ojo et al., "Long-Term Survival in Renal Transplant Recipients with Graft Function," *Kidney International* 57, no. 1 (January 2000): 307–13; David P. Vogt et al., "The Long-Term Survival and Causes of Death in Patients Who Survive at Least 1 Year after Liver Transplantation," *Surgery* 132, no. 4 (October 2002): 775–80; Roger D. Yusen et al., "The Registry of the International Society for Heart and Lung Transplantation: Thirty-Second Official Adult Lung and Heart-Lung Transplantation Report—2015; Focus Theme: Early Graft Failure," *Journal of Heart and Lung Transplantation* 34, no. 10 (October 2015): 1264–77.

than 5% with kidney transplant and up to 12% with lung transplant)[286] will die within the first year of receiving a transplant, commonly spending much of that time hospitalized. Regulatory pressure to produce good outcomes and thereby to make the best use of the limited number of organs available for transplant is often to the benefit of patients themselves: programs have strong incentives to provide excellent patient care and diminish the likelihood of bad outcomes and also to avoid transplanting patients who are unlikely to benefit from it, even when death from organ failure within a year is the probable alternative to transplant. When doing one's part to advance the interests of one's transplant program and doing one's part to promote the well-being of one's patients reliably coincide, there is not unavoidable (let alone necessary) conflict between a transplant clinician's loyalty to her/his patients and her/his loyalty to the transplant program of which he/she is a part.

Loyalty's troubles in the context of the allocation of transplantable organs does not stem from direct, necessary, or inevitable conflicts between clinicians' loyalties to different parties, but rather from loyalty's encouragement of neglect of other virtues, especially the virtue of justice. Jesse Schold and his colleagues have identified several trends in U.S. kidney transplantation over the course of the last decade, during which time the federal government has increased scrutiny of transplant programs across the country. Schold et al. have found that kidney transplant centers under scrutiny from the Center for Medicare and Medicaid Services self-report that they are more cautious about patient selection than they were before scrutiny.[287]

---

[286] M. Colvin et al., "Heart," *American Journal of Transplantation* 16 (January 2016): 115–40; A. Hart et al., "Kidney," *American Journal of Transplantation* 16 (January 2016): 11–46; W. R. Kim et al., "Liver," *American Journal of Transplantation* 16 (January 2016): 69–98; M. Valapour et al., "Lung," *American Journal of Transplantation* 16 (January 2016): 141–68.

[287] Jesse D. Schold, Charlotte J. Arrington, and Greg Levine, "Significant Alterations in Reported Clinical Practice Associated with Increased Oversight of Organ Transplant Center Performance," *Progress in Transplantation 20*, no. 3 (September 2010): 279–87.

Schold et al. have also found that when a kidney transplant center is dinged with a low-performance evaluation by the Centers for Medicare and Medicaid Services, those under-performing transplant centers are statistically more likely to remove patients from their waiting lists than are transplant centers performing at or above expectations.[288] Schold and his colleagues have quantified, in the context of kidney transplant, a tendency familiar across transplant medicine as a whole: to become more conservative in response to concerns about flagging patient outcomes at the program, both out of concern for the success of the program and for the well-being of the patients it serves.

But Schold et al. have also found that, independent of all routinely-collected clinical and social data, patients who live in high-risk communities — communities in which comorbidities are more common and in which socioeconomic status and healthcare access are lower — are prone to notably worse outcomes both while awaiting transplant and after receiving one. Patients residing in high-risk communities are 20% more likely than those in low-risk communities to die while on the waiting list for a kidney and 30% more likely to be removed from the waiting list because they have become too sick to transplant or for "other," nebulously-defined reasons. When they remained on the waiting list for a kidney, patients from high-risk communities are significantly more likely to be listed for "expanded criteria donor" (ECD) kidneys, kidneys that are viable for transplant but that are, for various reasons related to the donor's health, less likely to succeed as grafts than are preferable, non-ECD kidneys.[289] Here, too,

---

[288] J. D. Schold et al., "Association of Candidate Removals From the Kidney Transplant Waiting List and Center Performance Oversight: Waitlist Management and Performance Oversight," *American Journal of Transplantation*, January 2016 [online ahead of print].

[289] J. D. Schold et al., "Prominent Impact of Community Risk Factors on Kidney Transplant Candidate Processes and Outcomes: Community Risk and Candidate Outcomes," *American Journal of Transplantation* 13, no. 9 (September 2013): 2374–83.

Schold et al. have quantified in kidney transplant something that is anecdotally common throughout transplant medicine: even independent of the clinical indicators that largely drive formal transplant evaluation, social risk factors can overwhelm a transplant candidacy. These social risk factors, in turn, tend to be concentrated in certain communities.

Transplant clinicians with the virtue of loyalty can be loyal to their particular patients' well-being, to their transplant programs, and (by extension) to those patients' and programs' successes within a regulatory environment that emphasizes outcomes above all else. But clinicians' frequently simultaneous loyalty to their patients and to their transplant programs has unfortunate effects on those clinicians' exercise of the virtue of justice. For clarity's sake, it is important to distinguish the virtue of justice from principles of justice and from just outcomes. The virtue of justice, as I conceive it, is dispositional or habitual responsiveness and initiative with regard to norms of fairness. The norms of fairness include just principles by which to organize society or political life, or fair outcomes for all affected by a decision. But the norms of fairness also include the sense of fairness that we value in everyday life, such as fair play in sport or in how one treats one's children. It is this virtue of justice, habitual responsiveness and initiative with regard to norms of fairness, of which loyalty to transplant patients and to transplant programs encourages neglect. Clinicians are tasked with helping to distribute transplantable organs on the basis of need and likelihood of therapeutic success, but in order to do this, clinicians bracket the norms of fairness. Clinicians must, if they are to be loyal to the patient before them and loyal to their programs, set aside questions of whether it is fair that the particular patient in front of them should be such a poor candidate for transplant: why he has no family in this part of the country, why he has so little money, why he has had a poor diet, why he

195

has struggled to adhere to recommended therapies for his progressive organ failure in the past. The facts are these: the patient needs family caregivers, but has none; he needs more money than he can raise; he eats unhealthily and seemingly cannot improve his diet; he must adhere to therapy if the transplant is to succeed, and has never adhered to medical therapy before. The patient simply is a poor transplant candidate. The most beneficial thing for the patient is not to cut him open and put an organ in him, when, given his situation, he will probably sicken and die anyway, with only an extra surgery and hospitalization to show for his troubles. The best thing for the program's outcome data is not to put an organ in a patient against whom the deck is already stacked. But there is something disquieting and suspect about a genuinely benevolent, thoroughgoing loyalty to patients and their well-being when that loyalty yields better clinical outcomes for those patients with more money and more stable home environments.

The source of discomfort is not that loyalty to the patient and loyalty to the program do not align. Neither is it that loyalty to the patient and loyalty to the program conflict outright with the patient's medical interests. It is that loyalty to both patient and program serves to make fairness medically irrelevant, when morally justice is anything but. The neglected norms of justice are numerous in a system that will gladly recover organs from anyone who can sign the back of a driver's license, but that prefers only to distribute those organs to patients with a stable family and the ability to pay.

Telling transplant clinicians to be more perfectly loyal or more thoroughly beneficent will not supply an appropriate resolution. The problem is not that transplant clinicians are disloyal (or insufficiently loyal) to anyone: clinicians carefully attend to the needs of both their patients and the broader U.S. transplant medicine community. And in so doing, transplant clinicians

manage to be tremendously beneficent as well: transplantation has gone in fifty years from an extremely dangerous intervention offering marginal survival benefit to a intervention that prolongs the lives of thousands of Americans each year. Clinicians are striving to maximize the clinical benefits of transplantation, as we would hope they would do with the scant transplantable organs available. It would be a needless risk to transplant a patient at high risk of graft failure and death within a year — whatever the root cause of that high risk — when a different, lower-risk patient might receive the same organ and live for a decade. Clinicians' loyalty almost has to quiet norms of fairness if they are to be loyal to their patients, to their programs, and to transplant medicine. This may fail the virtue of justice, but as a failure of character it is comparatively small. The much larger failure, it seems to me, is that in contemporary U.S. society, there is a good chance that a physician will be the first stranger to be genuinely loyal to the health and well-being of her/his most unfortunate patients. Addressing the inequalities in American transplant medicine, and in American healthcare more generally, will require a far broader base of concerned commitment.

Chapter Conclusion

The ways in which the virtue of loyalty can wander in clinical medicine show how implausible it is to hope that loyalty's problems will be solved by requiring that genuine loyalty be directed at an object of which we would collectively approve. We want our physicians to keep our confidences, and physicians must do so if they are to adequately address the often-sensitive health needs of their patients. Transplant medicine does a tremendous amount of good for numerous end-stage organ failure patients, but loyalty to patients and to transplant programs may wander all the same. This is not because the objects of physicians' virtue of loyalty are not

good: it is because those objects are not perfect. The virtue of loyalty — the habit by which we respond to and generate the norms of participation and inclusion in causes and relationships — takes the good with the bad. So far as the objects of our loyalty are mixed in character, so far will the virtue of loyalty wander. And perfect objects for loyalty are in short supply, especially in clinical medicine.

CONCLUSION: UNSAFE VIRTUES IN AN UNSAFE WORLD

In his 1872 book *The Martyrdom of Man* — a "universal history" condensed into fewer than six hundred pages — the atheist utopian Winwood Reade spoke for many of his Victorian contemporaries when he wrote,

> By means of his inventions and discoveries, by means of the arts and trades, and by means of the industry resulting from them, [Man] has raised himself from the condition of a serf to the condition of a lord. His triumph, indeed, is incomplete; his kingdom is not yet come. The Prince of Darkness is still triumphant in many regions of the world; epidemics still rage, death is yet victorious. But the God of light, the Spirit of Knowledge, the Divine Intellect, is gradually spreading over the planet and upwards to the skies. The beautiful legend will yet come true; [...] Virtue will descend from heaven, surrounded by her angels, and reign over the hearts of men. Earth, which is now a purgatory, will be made a paradise, not by idle prayers and supplications, but by the efforts of man himself[.][290]

The twentieth century disabused many utopians of their belief in the possibility, let alone the inevitability, of human perfection.[291] But the image of virtue in heaven persists, even among some who, like Reade, deny (or are agnostic about) the reality of an extra-terrestrial heaven. Both the doctrine of eudaimonism and the doctrine of the unity of the virtues allow that we humans may still sometimes go wrong in living out the virtues, but this error will always be a function of our weakness or our ignorance: we may be deficient in our application of the virtues, but the virtues themselves remain blameless and pure, like the angels who surround it. Yet innocence and purity are not coextensive with goodness. It is uncontroversially the role of the virtues to make us better, rather than worse, to make us more responsive and generative of the norms in their field of concern, and the wandering virtues fulfill this role. With modesty, we handle our

---

[290] Winwood Reade, *The Martyrdom of Man* (London: Trubner & Co., 1872), 512-513.

[291] Not everyone gave up on human perfection in earthly life, of course. Although John Passmore is so attuned to perfectionism that he occasionally finds it where it probably is not, he also makes a persuasive case that perfectionism really does persist in places one might not expect. John Passmore, *The Perfectibility of Man*, 3rd ed. (Indianapolis, IN: Liberty Fund, 2000), 453-512.

abilities, accomplishments, and failures better; with patience, we respond better to our own suffering; and with loyalty, we are better members of the communities and better contributors to the causes that help make us who we are. The wandering virtues make us better, but they do not assure us of our innocence or protect our moral purity. In fact, the wandering virtues imperil both: by their very nature, wandering virtues encourage us to neglect other virtues and lack the references to coordinate vices or to other persons that would help us recognize the dangers we are running.

Trade-offs between risk and benefit are familiar in clinical medicine, but they are something that theories of virtue have preferred to avoid. Virtue ethics seem often to provide assurances that the good we do and the character we build will travel together toward something, and the natural end point for this journey of goodness and character has seemed to be moral perfection. If we are to arrive at such a perfect destination, the reasoning seems to go, we need our guides, the virtues, to be perfect, too. Thus we find Reade and, in less rhapsodic prose, eudaimonists and defenders of the unity of the virtues locating us humans in moral purgatory and the virtues in heaven above. Dispositions and habits that fail to conform to the angelic standard this establishes for true virtue are consigned to the limbo of neglect or condemned, as vices, to moral perdition.

Virtues have a dual character, however, of which the end of moral improvement is only one aspect. The virtues direct us to be better than we are, to be sure, but the virtues are, at the same time, *our* dispositions and habits in living our moral lives: wherever they would direct us, the virtues must meet us where we are. Clinical medicine offers stark reminders of facets of human life we might prefer to ignore and that we certainly prefer to avoid. Human health is

tenuous at best, and even low-risk procedures and common medications carry long lists of potentially serious side effects and complications. Assurances of success, such as those eudaimonism and the unity of the virtues proffer to theories of virtue, are in short supply in clinical medicine. Even when physicians and patients have clear ideas of where they would like to end up — a return to health, or, when that is impossible, the mitigation of suffering — they are sometimes at a loss for how to get there. It seems to me that tenuousness and uncertainty characterize not only clinical medicine, but perhaps more of life than we are comfortable admitting.

By the time they enter the wilderness in the fifteenth chapter of Exodus, the Israelites have been assured that they will be delivered out of bondage in Egypt to the land promised to Abraham. The Israelites have witnessed God's incredible power in the form of diverse plagues and miracles, so the Israelites would seem to be soundly assured of reaching their goal. But as soon as they start roaming the barren wilderness, an odd thing happens: the Israelites get thirsty and hungry. Protesting against their impertinence all the while, the Lord supplies water and manna. It turns out that even those with an unimpeachable guide to a glorious destination still have basic needs that are no less pressing for being so thoroughly mundane.

Our virtues cannot all be concerned with directing us toward a distant moral perfection: we also need virtues that help us wander the sometimes bewildering, often precarious terrain directly ahead of us. Our modesty helps us to avoid overreach and to ameliorate failure; our patience helps us when we suffer; our loyalty helps us find and remain with fellow-travelers. Each of these virtues would be dispensable in a morally perfect world: it would be more perfect to have exact knowledge of one's abilities and limits than to be modest, it would be more perfect never

to suffer than to suffer with patience, and it would be more perfect for all of our communal actions to be based on impeccably reasoned commitments than on sometimes unreasoning loyalty to a cause or group. But this is not a perfect world, and modesty, patience, and loyalty are virtues fitted to humans who must navigate the world we have. These virtues, perhaps unsurprisingly, share a few imperfections with their native environment. They are no less virtuous for it.

WORKS CITED

Ackrill, J. L. "Aristotle on Eudaimonia." In *Essays on Aristotle's Ethics*, edited by Amélie Oksenberg Rorty, 15–33. Berkeley, CA: University of California Press, 1980.

Adams, Robert Merrihew. *A Theory of Virtue: Excellence in Being for the Good*. Oxford: Clarendon Press, 2006.

Ainslie, Donald C. "Questioning Bioethics: AIDS, Sexual Ethics, and the Duty to Warn." *Hastings Center Report* 29, no. 5 (October 1999): 26–35.

Allen, R. T. "When Loyalty No Harm Meant." *Review of Metaphysics* 43, no. 2 (December 1989): 281–94.

Andre, Judith. *Worldly Virtue: Moral Ideals and Contemporary Life*. Lanham, MD: Lexington Books, 2015.

Annas, Julia. *Intelligent Virtue*. Oxford: Oxford University Press, 2011.

Aquinas, Thomas. *Introduction to St. Thomas Aquinas: The Summa Theologica, The Summa Contra Gentiles*. Edited by Anton C. Pegis. New York: Modern Library, 1948.

Aristotle. *Nicomachean Ethics*. Translated by Joe Sachs. Newburyport, MA: Focus, 2002.

Aronson, Louise. "'Good' Patients and 'Difficult' Patients — Rethinking Our Definitions." *New England Journal of Medicine* 369, no. 9 (August 29, 2013): 796–97. doi:10.1056/NEJMp1303057.

Badhwar, Neera K. "The Limited Unity of Virtue." *Noûs* 30, no. 3 (September 1996): 306–29.

Bayer, Ronald, and Kathleen E. Toomey. "HIV Prevention and the Two Faces of Partner Notification." *American Journal of Public Health* 82, no. 8 (August 1992): 1158–64.

Beauchamp, Tom L., and James F. Childress. *Principles of Biomedical Ethics*. 6th ed. New York: Oxford University Press, 2009.

Benjey, Jane, Mary Cunanan, and Art Thomson. "Regulatory Compliance in Solid-Organ Transplant: What You Don't Know Can Hurt Your Program." *Progress in Transplantation* 17, no. 2 (June 2007): 129–35.

Bentham, Jeremy. *An Introduction to the Principles of Morals and Legislation*. Oxford: Clarendon Press, 1879. http://books.google.com/books?id=EfQJAAAAIAAJ.

Bommarito, Nicolas. "Patience and Perspective." *Philosophy East and West* 64, no. 2 (2014): 269–86. doi:10.1353/pew.2014.0021.

Bradley, Ben. "Against Satisficing Consequentialism." *Utilitas* 18, no. 2 (June 2006): 97–108. doi:10.1017/S0953820806001877.

Brickhouse, Thomas C., and Nicholas D. Smith. "Socrates and the Unity of the Virtues." *Journal of Ethics* 1, no. 4 (1997): 311–24.

Bunyan, John. *The Pilgrim's Progress (from This World to That Which Is to Come)*. London: Simpkin, Marshall, & Co., 1856. https://books.google.com/books?id=Bv0CAAAAQAAJ.

Burston, A. S., and A. G. Tuckett. "Moral Distress in Nursing: Contributing Factors, Outcomes and Interventions." *Nursing Ethics* 20, no. 3 (May 1, 2013): 312–24. doi:10.1177/0969733012462049.

Butler, Joseph. *Fifteen Sermons Preached at the Rolls Chapel; to Which Are Added Six Sermons Preached on Public Occasions*. London: Thomas Tegg, 1841. https://archive.org/details/fifteensermonspr00butluoft.

Callan, Eamonn. "Patience and Courage." *Philosophy* 68, no. 266 (October 1993): 523–39.

Cape Jr., Robert W. "Cicero and the Development of Prudential Practice at Rome." In *Prudence: Classical Virtue, Postmodern Practice*, edited by Robert Hariman, 35–65. University Park, PA: Pennsylvania State University Press, 2003.

Chesterton, Gilbert K. *Orthodoxy*. London: The Bodley Head, 1908. https://archive.org/details/orthodoxy00chesuoft.

Christakis, Nicholas A., and Theodore J. Iwashyna. "Attitude and Self-Reported Practice Regarding Prognostication in a National Sample of Internists." *Archives of Internal Medicine* 158, no. 21 (November 23, 1998): 2389–95. doi:10.1001/archinte.158.21.2389.

Christakis, Nicholas A., and Elizabeth B. Lamont. "Extent and Determinants of Error in Doctors' Prognoses in Terminally Ill Patients: Prospective Cohort Study." *British Medical Journal* 320 (February 19, 2000): 469–72.

Churchill, Larry R., Joseph B. Fanning, and David Schenck. *What Patients Teach: The Everyday Ethics of Health Care*. New York: Oxford University Press, 2013.

Colvin, M., J. M. Smith, M. A. Skeans, L. B. Edwards, E. R. Callahan, J. J. Snyder, A. K. Israni, and B. L. Kasiske. "Heart." *American Journal of Transplantation* 16 (January 2016): 115–40. doi:10.1111/ajt.13670.

Conan Doyle, Arthur. *The New Annotated Sherlock Holmes*. Edited by Leslie S. Klinger. 3 vols. New York: W. W. Norton & Co., 2006.

Cooper, John M. *Reason and Emotion: Essays on Ancient Moral Psychology and Ethical Theory*. Princeton, NJ: Princeton University Press, 1999.

Cope, Jeffrey T., Aditya K. Kaza, Clifton C. Reade, Kimberly S. Shockey, John A. Kern, Curtis G. Tribble, and Irving L. Kron. "A Cost Comparison of Heart Transplantation versus Alternative Operations for Cardiomyopathy." *Annals of Thoracic Surgery* 72, no. 4 (October 2001): 1298–1305. doi:10.1016/S0003-4975(01)02997-6.

Davis, Fred. "Uncertainty in Medical Prognosis: Clinical and Functional." *American Journal of Sociology* 66, no. 1 (July 1960): 41–47.

De Meester, Johan, Jacqueline M. A. Smits, Guido G. Persijn, and Axel Haverich. "Listing for Lung Transplantation: Life Expectancy and Transplant Effect, Stratified by Type of End-Stage Lung Disease, the Eurotransplant Experience." *Journal of Heart and Lung Transplantation* 20, no. 5 (May 2001): 518–24. doi:10.1016/S1053-2498(01)00241-8.

Den Uyl, Douglas J. *The Virtue of Prudence*. New York: Peter Lang, 1991.

Detsky, Allan S., and Harlan M. Krumholz. "Reducing the Trauma of Hospitalization." *Journal of the American Medical Association* 311, no. 21 (June 4, 2014): 2169–70. doi:10.1001/jama.2014.3695.

Deveraux, Daniel T. "The Unity of the Virtues." In *A Companion to Plato*, edited by Hugh Benson, 325–40. Oxford, UK: Blackwell Publishing Ltd, 2006. http://doi.wiley.com/10.1111/b.9781405115216.2006.00025.x.

———. "The Unity of the Virtues in Plato's Protagoras and Laches." *Philosophical Review* 101, no. 4 (October 1992): 765–89.

Doran, Robert, trans. *The Lives of Simeon Stylites*. Kalamazoo, MI: Cistercian Publications, 1992.

Driver, Julia. *Uneasy Virtue*. Cambridge: Cambridge University Press, 2001.

Eliot, George. *Middlemarch*. New York: Barnes & Noble Books, 2003.

Evans, Leah R., Elizabeth A. Boyd, Grace Malvar, Latifat Apatira, John M. Luce, Bernard Lo, and Douglas B. White. "Surrogate Decision-Makers' Perspectives on Discussing Prognosis in the Face of Uncertainty." *American Journal of Respiratory and Critical Care Medicine* 179, no. 1 (January 2009): 48–53. doi:10.1164/rccm.200806-969OC.

Ewin, R. E. "Loyalty and Virtues." *Philosophical Quarterly* 42, no. 169 (October 1992): 403–19.

Ferejohn, Michael T. "Socratic Thought-Experiments and the Unity of Virtue Paradox." *Phronesis* 29, no. 2 (1984): 105–22.

———. "The Unity of Virtue and the Objects of Socratic Inquiry." *Journal of the History of Philosophy* 20, no. 1 (1982): 1–21. doi:10.1353/hph.1982.0014.

Flanagan, Owen. *The Bodhisattva's Brain: Buddhism Naturalized*. Cambridge, MA: MIT Press, 2011.

Fletcher, George P. *Loyalty: An Essay on the Morality of Relationships*. New York: Oxford University Press, 1993.

Fletcher, John C., and Edward M. Spencer. "Clinical Ethics: History, Content, and Resources." In *Fletcher's Introduction to Clinical Ethics*, edited by John C. Fletcher, Edward M. Spencer, and Paul A. Lombardo, 3rd ed., 3–18. Hagerstown, MD: University Publishing Group, 2005.

Foot, Philippa. "Virtues and Vices." In *Virtues and Vices and Other Essays in Moral Philosophy*, 1–18. Oxford: Clarendon Press, 2002.

Fox, Renée C. "The Evolution of Medical Uncertainty." *Milbank Memorial Fund Quarterly: Health and Society* 58, no. 1 (Winter 1980): 1–49.

Frank, Arthur W. "From Sick Role to Practices of Health and Illness: The Wilson Lecture." *Medical Education* 47, no. 1 (January 2013): 18–25. doi:10.1111/j.1365-2923.2012.04298.x.

Geach, Peter. *The Virtues: The Stanton Lectures 1973-4*. Cambridge: Cambridge University Press, 1977.

Gert, Bernard. "Loyalty and Morality." In *Loyalty*, edited by Sanford Levinson, Joel Parker, and Paul Woodruff, 3–21. Nomos: Yearbook of the American Society for Political and Legal Philosophy 54. New York: New York University Press, 2013.

Ginsberg, Brian. "Tarasoff at Thirty: Victim's Knowledge Shrinks the Psychotherapist's Duty to Warn." *Journal of Contemporary Health Law and Policy* 21, no. 1 (2004): 1–35.

Gottlieb, Paula. "Aristotle on Dividing the Soul and Uniting the Virtues." *Phronesis* 39, no. 3 (1994): 275–90.

Greenberg, Jeanine. *Kant and the Ethics of Humility: A Story of Dependence, Corruption, and Virtue*. Cambridge: Cambridge University Press, 2005.

Grenard, Jerry L., Brett A. Munjas, John L. Adams, Marika Suttorp, Margaret Maglione, Elizabeth A. McGlynn, and Walid F. Gellad. "Depression and Medication Adherence in the Treatment of Chronic Diseases in the United States: A Meta-Analysis." *Journal of General Internal Medicine* 26, no. 10 (2011): 1175–82.

Guardini, Romano. *The Virtues: On Forms of the Moral Life*. Translated by Stella Lange. Chicago: Henry Regnery, 1967.

Hafferty, Frederic W., and Ronald Franks. "The Hidden Curriculum, Ethics Teaching, and the Structure of Medical Education." *Academic Medicine* 69, no. 11 (November 1994): 861–71.

Hamilton, Thomas E. "Accountability in Health Care — Transplant Community Offers Leadership." *American Journal of Transplantation* 9, no. 6 (June 2009): 1287–93. doi:10.1111/j.1600-6143.2009.02683.x.

Hampshire, Stuart. *Two Theories of Morality*. Oxford: Oxford University Press, 1977.

Hamric, Ann B., John D. Arras, and Margaret E. Mohrmann. "Must We Be Courageous?" *Hastings Center Report* 45, no. 3 (May 2015): 33–40. doi:10.1002/hast.449.

Harman, Gilbert. "Moral Philosophy Meets Social Psychology: Virtue Ethics and the Fundamental Attribution Error." *Proceedings of the Aristotelian Society* 99 (n.s.) (1999): 315–31.

Hart, A., J. M. Smith, M. A. Skeans, S. K. Gustafson, D. E. Stewart, W. S. Cherikh, J. L. Wainright, et al. "Kidney." *American Journal of Transplantation* 16 (January 2016): 11–46. doi:10.1111/ajt.13666.

Herdt, Jennifer A. *Putting On Virtue: The Legacy of the Splendid Vices*. Chicago: University of Chicago Press, 2008.

Horace. *Satires, Epistles, The Art of Poetry*. Translated by H. Rushton Fairclough. Loeb Classical Library 194. Cambridge, MA: Harvard University Press, 1926.

Hume, David. *An Enquiry Concerning the Principles of Morals*. Edited by Tom L. Beauchamp. Oxford: Oxford University Press, 1998.

Hurka, Thomas. *Perfectionism*. New York: Oxford University Press, 1993.

Hursthouse, Rosalind. *On Virtue Ethics*. Oxford: Oxford University Press, 1999.

Jackson, Timothy P. *The Priority of Love: Christian Charity and Social Justice*. Princeton, NJ: Princeton University Press, 2003.

Jameton, Andrew. *Nursing Practice: The Ethical Issues*. Englewood Cliffs, NJ: Prentice-Hall, 1984.

Johnson, Rebecca, Govind Persad, and Dominic Sisti. "The Tarasoff Rule: The Implications of Interstate Variation and Gaps in Professional Training." *Journal of the American Academy of Psychiatry and the Law* 42, no. 4 (2014): 469–77.

Kant, Immanuel. *Groundwork for the Metaphysics of Morals*. Translated by Allen W. Wood. New Haven: Yale University Press, 2002.

Kaster, Robert A. "The Taxonomy of Patience, or When Is 'Patientia' Not a Virtue?" *Classical Philology* 97, no. 2 (April 2002): 133–44.

Keller, Simon. *The Limits of Loyalty*. Cambridge: Cambridge University Press, 2007.

Kierkegaard, Søren. *Eighteen Upbuilding Discourses*. Translated by Howard V. Hong and Edna H. Hong. Kierkegaard's Writings 5. Princeton, NJ: Princeton University Press, 1990.

———. *Fear and Trembling, Repetition*. Translated by Howard V. Hong and Edna H. Hong. Princeton, NJ: Princeton University Press, 1983.

Kim, Andrew. "Thomas Aquinas on the Connection of the Virtues." Doctoral dissertation, Catholic University of America, 2013.

Kim, W. R., J. R. Lake, J. M. Smith, M. A. Skeans, D. P. Schladt, E. B. Edwards, A. M. Harper, et al. "Liver." *American Journal of Transplantation* 16 (January 2016): 69–98. doi:10.1111/ajt.13668.

Knapp, Samuel, and Leon VandeCreek. "Application of the Duty to Protect to HIV-Positive Patients." *Professional Psychology: Research and Practice* 21, no. 3 (1990): 161–66.

Krumholz, Harlan M. "Post-Hospital Syndrome — An Acquired, Transient Condition of Generalized Risk." *New England Journal of Medicine* 368, no. 2 (January 10, 2013): 100–102. doi:10.1056/NEJMp1212324.

Kupfer, Joseph H. "When Waiting Is Weightless: The Virtue of Patience." *Journal of Value Inquiry* 41, no. 2–4 (December 2007): 265–80. doi:10.1007/s10790-007-9076-6.

La Rochefoucauld, François duc de. *Reflections; Or, Sentences and Moral Maxims*. Translated by J. W. Willis Bund and J. Hain Friswell. London: Sampson Low, Marston, & Co., 1898. https://archive.org/details/reflectionsorsen00laro.

Lebacqz, Karen. "The Virtuous Patient." In *Virtue and Medicine*, edited by Earl E. Shelp, 275–88. Dordrecht: D. Reidel, 1985.

Lorber, Judith. "Good Patients and Problem Patients: Conformity and Deviance in a General Hospital." *Journal of Health and Social Behavior* 16, no. 2 (June 1975): 213–25.

Lund, Lars H., Leah B. Edwards, Anna Y. Kucheryavaya, Christian Benden, Anne I. Dipchand, Samuel Goldfarb, Bronwyn J. Levvey, et al. "The Registry of the International Society for Heart and Lung Transplantation: Thirty-Second Official Adult Heart Transplantation Report—2015; Focus Theme: Early Graft Failure." *Journal of Heart and Lung Transplantation* 34, no. 10 (October 2015): 1244–54. doi:10.1016/j.healun.2015.08.003.

MacIntyre, Alasdair. *After Virtue: A Study in Moral Theory*. 2nd ed. Notre Dame, IN: University of Notre Dame Press, 1984.

McCloskey, H. J. "A Non-utilitarian Approach to Punishment." *Inquiry* 8, no. 1 (January 1965): 249–63. doi:10.1080/00201746508601433.

McDowell, John. "The Role of Eudaimonia in Aristotle's Ethics." In *Essays on Aristotle's Ethics*, edited by Amélie Oksenberg Rorty, 359–76. Berkeley, CA: University of California Press, 1980.

———. "Virtue and Reason." *Monist* 62, no. 3 (July 1979): 331–50.

Merion, Robert M., Douglas E. Schaubel, Dawn M. Dykstra, Richard B. Freeman, Friedrich K. Port, and Robert A. Wolfe. "The Survival Benefit of Liver Transplantation." *American Journal of Transplantation* 5, no. 2 (February 2005): 307–13. doi:10.1111/j.1600-6143.2004.00703.x.

Mill, John Stuart. *Utilitarianism*. 4th ed. London: Longmans, Green, Reader, and Dyer, 1871. http://books.google.com/books?id=Ju4oAAAAYAAJ.

Mulgan, Tim. "How Satisficers Get Away with Murder." *International Journal of Philosophical Studies* 9, no. 1 (January 2001): 41–46. doi:10.1080/09672550010012129.

Nagel, Thomas. "Aristotle on Eudaimonia." In *Essays on Aristotle's Ethics*, edited by Amélie Oksenberg Rorty, 7–14. Berkeley, CA: University of California Press, 1980.

Navratilova, Edita, and Frank Porreca. "Reward and Motivation in Pain and Pain Relief." *Nature Neuroscience* 17, no. 10 (September 25, 2014): 1304–12. doi:10.1038/nn.3811.

Nelson, Daniel Mark. *The Priority of Prudence: Virtue and Natural Law in Thomas Aquinas and the Implications for Modern Ethics*. University Park, PA: Pennsylvania State University Press, 1992.

Nietzsche, Friedrich. *Human, All-Too-Human: A Book for Free Spirits*. Translated by Helen Zimmern. Vol. 1. 2 vols. New York: Macmillan Co., 1915. https://archive.org/details/completenietzsch06nietuoft.

North, Richard L., and Karen H. Rothenberg. "Partner Notification and the Threat of Domestic Violence against Women with HIV Infection." *New England Journal of Medicine* 329, no. 16 (October 14, 1993): 1194–96.

Ojo, Akinlolu O., Julie A. Hanson, Robert A. Wolfe, Alan B. Leichtman, Lawrence Y. Agodoa, and Friedrich K. Port. "Long-Term Survival in Renal Transplant Recipients with Graft Function." *Kidney International* 57, no. 1 (January 2000): 307–13.

O'Neill, Onora. *Towards Justice and Virtue: A Constructive Account of Practical Reasoning*. Cambridge: Cambridge University Press, 1996.

Parsons, Talcott. "Illness and the Role of the Physician: A Sociological Perspective." *American Journal of Orthopsychiatry* 21, no. 3 (July 1951): 452–60. doi:10.1111/j.1939-0025.1951.tb00003.x.

———. "The Sick Role and the Role of the Physician Reconsidered." *Milbank Memorial Fund Quarterly: Health and Society* 53, no. 3 (Summer 1975): 257–78. doi:10.2307/3349493.

Passmore, John. *The Perfectibility of Man.* 3rd ed. Indianapolis, IN: Liberty Fund, 2000.

Pellegrino, Edmund D., and David C. Thomasma. *The Christian Virtues in Medical Practice.* Edited by David G. Miller. Washington, DC: Georgetown University Press, 1996.

———. *The Virtues in Medical Practice.* New York: Oxford University Press, 1993.

Percival, Thomas. *Medical Ethics; Or, A Code of Institutes and Precepts, Adapted to the Professional Conduct of Physicians and Surgeons.* Manchester: S. Russell, 1803. http://books.google.com/books?id=tVsUAAAAQAAJ.

Peters, Julia. "On Automaticity as a Constituent of Virtue." *Ethical Theory and Moral Practice* 18, no. 1 (February 2015): 165–75. doi:10.1007/s10677-014-9516-x.

Pettit, Philip. "The Paradox of Loyalty." *American Philosophical Quarterly* 25, no. 2 (April 1988): 163–71.

Pieper, Josef. *Prudence.* Translated by Richard Winston and Clara Winston. New York: Pantheon Books, 1959.

Plato. *Laches, Protagoras, Meno, Euthydemus.* Translated by W. R. M. Lamb. Loeb Classical Library 165. Cambridge, MA: Harvard University Press, 1924.

Pletcher, Mark J., Stefan G. Kertesz, Michael A. Kohn, and Ralph Gonzales. "Trends in Opioid Prescribing by Race/Ethnicity for Patients Seeking Care in US Emergency Departments." *Journal of the American Medical Association* 299, no. 1 (January 2, 2008): 70–78. doi:10.1001/jama.2007.64.

Reade, Winwood. *The Martyrdom of Man.* London: Trubner & Co., 1872. https://archive.org/details/martyrdomofman72read.

Richards, Norvin. *Humility.* Philadelphia, PA: Temple University Press, 1992.

Rich, Michael W., and Robert F. Nease. "Cost-Effectiveness Analysis in Clinical Practice: The Case of Heart Failure." *Archives of Internal Medicine* 159, no. 15 (August 9, 1999): 1690–1700. doi:10.1001/archinte.159.15.1690.

Roberts, Robert C., and W. Jay Wood. *Intellectual Virtues: An Essay in Regulative Epistemology.* Oxford: Oxford University Press, 2007.

Rorty, Richard. "Justice as a Larger Loyalty." In *Justice and Democracy: Cross-Cultural Perspectives*, edited by Ron Bontekoe and Marietta Stepaniants, 9–22. Honolulu, HI: University of Hawai'i Press, 1997.

Ross, W. D. *The Right and the Good*. Edited by Philip Stratton-Lake. Oxford: Clarendon Press, 2002.

Roush, Sandra, Guthrie Birkhead, Denise Koo, Angela Cobb, and David Fleming. "Mandatory Reporting of Diseases and Conditions by Health Care Professionals and Laboratories." *Journal of the American Medical Association* 281, no. 2 (July 14, 1999): 164–70.

Royce, Josiah. *Race Questions, Provincialism, and Other American Problems*. New York: Macmillan Co., 1908. https://archive.org/details/racequestionspro00roycrich.

———. *The Philosophy of Loyalty*. New York: Macmillan Co., 1936.

———. *The Problem of Christianity*. Chicago: University of Chicago Press, 1968.

———. *The Religious Aspect of Philosophy: A Critique of the Bases of Conduct and of Faith*. Boston: Houghton, Mifflin and Co., 1894. http://books.google.com/books?id=OqILAQAAIAAJ.

Rudd, Anthony. "Kierkegaard on Patience and the Temporality of the Self: The Virtues of a Being in Time." *Journal of Religious Ethics* 36, no. 3 (September 2008): 491–509.

Schold, J. D., L. D. Buccini, E. D. Poggio, S. M. Flechner, and D. A. Goldfarb. "Association of Candidate Removals From the Kidney Transplant Waiting List and Center Performance Oversight: Waitlist Management and Performance Oversight." *American Journal of Transplantation*, January 2016. doi:10.1111/ajt.13594.

Schold, J. D., E. L. G. Heaphy, L. D. Buccini, E. D. Poggio, T. R. Srinivas, D. A. Goldfarb, S. M. Flechner, J. R. Rodrigue, J. D. Thornton, and A. R. Sehgal. "Prominent Impact of Community Risk Factors on Kidney Transplant Candidate Processes and Outcomes: Community Risk and Candidate Outcomes." *American Journal of Transplantation* 13, no. 9 (September 2013): 2374–83. doi:10.1111/ajt.12349.

Schold, Jesse D., Charlotte J. Arrington, and Greg Levine. "Significant Alterations in Reported Clinical Practice Associated with Increased Oversight of Organ Transplant Center Performance." *Progress in Transplantation* 20, no. 3 (September 2010): 279–87.

Segall, Alexander. "The Sick Role Concept: Understanding Illness Behavior." *Journal of Health and Social Behavior* 17, no. 2 (June 1976): 162–69.

Shilling, Chris. "Culture, the 'Sick Role' and the Consumption of Health." *British Journal of Sociology* 53, no. 4 (December 1, 2002): 621–38. doi:10.1080/0007131022000021515.

Simon, Yves R. *Practical Knowledge*. Edited by Robert J. Mulvaney. New York: Fordham University Press, 1991.

Singer, Peter. "Famine, Affluence, and Morality." *Philosophy & Public Affairs* 1, no. 3 (Spring 1972): 229–43.

Sinha, Samir K., and Allan S. Detsky. "Measure, Promote, and Reward Mobility to Prevent Falls in Older Patients." *Journal of the American Medical Association* 308, no. 24 (December 26, 2012): 2573–74. doi:10.1001/jama.2012.68313.

Slote, Michael. *The Impossibility of Perfection: Aristotle, Feminism, and the Complexities of Ethics*. Oxford: Oxford University Press, 2011.

Slote, Michael, and Philip Pettit. "Satisficing Consequentialism." *Proceedings of the Aristotelian Society* 58 (supplemental) (1984): 139–63, 165–76.

Swanton, Christine. *The Virtue Ethics of Hume and Nietzsche*. Hoboken, NJ: John Wiley & Sons, 2015.

———. *Virtue Ethics: A Pluralistic View*. Oxford: Oxford University Press, 2003.

Trotter, Griffin. *The Loyal Physician: Roycean Ethics and the Practice of Medicine*. Nashville, TN: Vanderbilt University Press, 1997.

Valapour, M., M. A. Skeans, J. M. Smith, L. B. Edwards, W. S. Cherikh, E. R. Callahan, A. K. Israni, J. J. Snyder, and B. L. Kasiske. "Lung." *American Journal of Transplantation* 16 (January 2016): 141–68. doi:10.1111/ajt.13671.

VanWagner, Lisa B., and Anton I. Skaro. "Program-Specific Reports: Implications and Impact on Program Behavior." *Current Opinion in Organ Transplantation* 18, no. 2 (April 2013): 210–15. doi:10.1097/MOT.0b013e32835f07f8.

Vladeck, Bruce C., Sander Florman, and Jonathan Cooper. "Rationing Livers: The Persistence of Geographic Inequity in Organ Allocation." *Virtual Mentor* 14, no. 3 (March 2012): 245–49.

Vogt, David P., J. Michael Henderson, William D. Carey, and David Barnes. "The Long-Term Survival and Causes of Death in Patients Who Survive at Least 1 Year after Liver Transplantation." *Surgery* 132, no. 4 (October 2002): 775–80. doi:10.1067/msy.2002.128343.

Vranas, Peter B. M. "Against Moral Character Evaluations: The Undetectability of Virtue and Vice." *Journal of Ethics* 13, no. 2–3 (2009): 213–33.

Wallace, James D. *Virtues and Vices*. Ithaca, NY: Cornell University Press, 1978.

Watson, Gary. "Virtues in Excess." *Philosophical Studies* 46, no. 1 (July 1984): 57–74.

Westberg, Daniel. *Right Practical Reason: Aristotle, Action, and Prudence in Aquinas*. Oxford: Oxford University Press, 1994.

Williams, Bernard. "Moral Luck." In *Moral Luck*, 20–39. Cambridge: Cambridge University Press, 1981.

Winston, Morton, and Sheldon H. Landesman. "Case Studies: AIDS and a Duty to Protect." *Hastings Center Report* 17, no. 1 (February 1987): 22–23.

Wolfe, Robert A., Valarie B. Ashby, Edgar L. Milford, Akinlolu O. Ojo, Robert E. Ettenger, Lawrence Y.C. Agodoa, Philip J. Held, and Friedrich K. Port. "Comparison of Mortality in All Patients on Dialysis, Patients on Dialysis Awaiting Transplantation, and Recipients of a First Cadaveric Transplant." *New England Journal of Medicine* 341, no. 23 (December 2, 1999): 1725–30. doi:10.1056/NEJM199912023412303.

Yourman, Lindsey C., Sei J. Lee, Mara A. Schonberg, Eric W. Widera, and Alexander K. Smith. "Prognostic Indices for Older Adults: A Systematic Review." *Journal of the American Medical Association* 307, no. 2 (January 11, 2012): 182–92.

Yusen, Roger D., Leah B. Edwards, Anna Y. Kucheryavaya, Christian Benden, Anne I. Dipchand, Samuel B. Goldfarb, Bronwyn J. Levvey, et al. "The Registry of the International Society for Heart and Lung Transplantation: Thirty-Second Official Adult Lung and Heart-Lung Transplantation Report—2015; Focus Theme: Early Graft Failure." *Journal of Heart and Lung Transplantation* 34, no. 10 (October 2015): 1264–77. doi:10.1016/j.healun.2015.08.014.

Zagzebski, Linda Trinkaus. *Virtues of the Mind: An Inquiry into the Nature of Virtue and the Ethical Foundations of Knowledge.* Cambridge: Cambridge University Press, 1996.

Zuger, Abigail. "Revolving Doors at Hospitals." *New York Times.* June 9, 2014. http://well.blogs.nytimes.com/2014/06/09/revolving-doors-at-hospitals/.