

## Moral Dilemmas

Gerard J. Hughes SJ

There are two good reasons for thinking about moral dilemmas, argues Jesuit philosopher Gerard J. Hughes. The first is quite simply to look for an answer to the question, 'When one is in a real dilemma, what on earth is one supposed to do?' The second reason is rather less obvious, and it is to discover what moral dilemmas have to teach us about moral principles quite generally. What can we learn from our considerations of the moral world?

### What is a dilemma?

It is not so very clear what might be meant by 'being in a moral dilemma'. At its vaguest, it means not much more than that someone is not at all sure what they ought to do in a particular situation. But some philosophers have tried to define a moral dilemma much more narrowly: to be in a moral dilemma is to be faced with a situation in which no matter what one does, one does wrong.

The choice facing Sophie in the film *Sophie's Choice* could be represented as a dilemma in this sense. She was a Jewish mother, arriving in a concentration camp with her two small children. The guard offered her a choice: she could pick one child who would be not be harmed; or she could refuse to pick, in which case both children would be killed. Assume for the moment (unrealistically, perhaps, but still, she did assume this) that the guard would keep his promise. Distraught, she shrieked that she was totally unable to make such a choice. The guard then started to make off with both children. In her desperate predicament, she decided that the young boy had perhaps a better chance of surviving, being male and fair-haired. So the little girl was dragged off, screaming, uncomprehending, feeling utterly betrayed. After that, even after the end of the war, Sophie had no more contact with her husband or either of her children. But on what was to be the eve of a new marriage, she committed suicide at



the very thought of having more children and at the enormity of her betrayal of her daughter.

So, what ought she to have done? We might think about the moral principles involved. One might be 'It is wrong to abandon a child to death when that child could have been saved'. Another might be, 'It is wholly unjust to allow one child to be killed in order to save another: the end does not justify the means'. And so on.

Such would be the justification for saying that in a true dilemma, any 'solution' would be morally wrong. More on this later.

Think about what is, sadly, a more common situation. Suppose one is a relief worker in a refugee camp, full of people in extreme need. You know that there is no prospect of any food arriving in less than three weeks; and by that time, many people will have died. So the staff try to arrive at some consensus on how to distribute what little food they have. Ought they to be fair by giving equal shares to everyone but risking many lives, or might they consider that in the end fewer people would die if they discriminated in favour of those most at risk? Or, perhaps they should favour those who already had the best chance of surviving, which might give some hope that more people could be saved? What about if one fed children along with their mothers, then perhaps the children would have a better chance of support in happier times? In all of

these options apart from the first, one has to refuse to feed people who are starving; yet the 'fair' solution seems to have perhaps the worst outcome. Is all life 'sacred' or are some lives most sacred than others?

### Double effect

One traditional solution would be for Sophie to say that in saving one child she did not *intend* to abandon the other, she simply knew that it would be killed. What she did intend was to save one child, and that is what she did, since that was all that she intended. What she knew to be the consequences of so doing makes no difference to what we can properly say she did. This is the traditional principle of Double Effect: what she did had one good outcome (which she intended), to save her son; and one bad outcome (which she knew about *but did not intend*), to abandon her daughter. However, I find this traditional notion of 'intent' unrealistic: to do something knowingly is also to intend, however reluctantly, to bring about what one knows to be the inevitable consequences.

The problem in both these cases is that the moral principles – about fairness, about not abandoning people in need, about saving lives where we can – conflict in practice. The solution advanced by invoking Double Effect masks this basic fact, by suggesting that there really is only one moral principle which is *relevant* in any given case and that one's moral judgement focuses simply on this one, exceptionless, principle. But the conflict between principles is real and perhaps there is no one principle which must override all others in every situation. The often heard claim that there are no true moral principles if exceptions are sometimes permitted is simply false.

### Probabilism

There is quite a different way of looking at it. There is a very respectable view in moral theology which is all too often ignored. It is known as 'probabilism' and was first defended by a Dominican in the late 16<sup>th</sup> Century, was widely advocated by Jesuits at the university of Louvain in the 17<sup>th</sup> and was later adopted by such respected moralists as St Alphonsus Liguori. On the other hand, Pascal was stirred to pillory it as unprincipled laxism. The probabilist claim is simply this: one is morally entitled to act on any view provided that a genuinely good case can be argued for

that view. (The term 'probabilism' is derived from the Latin *probabilis*, meaning 'can reasonably be argued') So, in the refugee camp, it is surely clear that there is more than one reasonable policy one could adopt, as well as perhaps some quite unreasonable ones ('first come, first served' for example). The workers in that camp cannot sensibly, and indeed need not think they are morally required to, find *the* right answer, as if there were only one; it is quite enough if they decide upon a solution that is reasonable in the circumstances. If a moral dilemma is looked at in this way, it is not the case that whatever one does will be wrong; rather, there may be more than one morally reasonable course of action one can rightly take. The distraught Sophie screamed at the guard, 'I cannot choose, you cannot make me choose!' She was only too aware of the reasons against any choice she might make. But choose she did, and, I would argue, blamelessly. If only she had realised that, years later! When moral principles conflict in particular cases, we have to decide which is, in this instance, more important than the other – principles about equality, the greatest need, the best long term outcome.

I have used two fairly dramatic examples. But in everyday life there are many such cases. 'My very elderly father really cannot look after himself properly but he wants to live by himself and not to be a nuisance to anyone else. Should we try to persuade him, almost push him into living with us?' How should our laws be best shaped to help a society in which people hold quite different moral views? At what point may one discontinue this treatment for this patient? I believe it to be usually a mistake to suppose that there is only one morally defensible line to take in any such situations. The relevant considerations conflict with one another because the moral world is complex, not simple. It is sufficient to make any of the decisions which are reasonable in the circumstances.

### The meaning of moral words

There is another way of thinking about moral dilemmas: by reflecting on how we understand our moral words. Think about how your notion of the virtue of courage has changed since you were five. To be brave is not just not to cry when you scrape your knee; it involves standing up to bullies when you are nine, or living with the effects of a terrible accident, or, later in life, perhaps being a whistle-blower in

one's workplace or defending some unpopular cause. 'Courage' is a word we continually learn how to apply, nuancing it ever more delicately as our moral experience grows wider with the years. At any given moment, the meaning of our moral terms, like the meaning of our legal terms, is a kind of compendium of decisions we have previously made. So, perhaps, with our use of the word 'abandon'. A mother might leave a child on the doorstep of a hospital in the hope it would be looked after. Is that necessarily to 'abandon' the child? Is it fair to say that Sophie 'abandoned' her child?

Moral words are nuanced, and their application in some circumstances is very delicate. But this is not because our moral principles have got dozens of exceptions to them; it is because the very meanings of the words and principles themselves reflect the complexity of the moral world. A refugee worker does not cease to be caring or wilfully behave unfairly when having to take agonising decisions involving life and death, deciding in favour of some people rather than others. And it is not only explicitly moral terms whose meanings grow to reflect our experience. Is it true to say that in some cultures a man may have several *wives*? Or, given the possibilities of modern technology, is it always clear whether a patient is being kept *alive* or if they are *dead*? Newman once said that it is only pure logic or pure maths which is totally clear and precise. Words which are to deal with the real world have to reflect the complexities of that world.

### *The application of moral principles*

Aristotle made much the same point, as Newman would certainly have known. Aristotle held that only a morally naive person – someone with little experience of life – would expect to find the same precision in moral principles as one might hope to discover in the laws of physics or the other sciences. (And we

might wonder whether even our scientific principles are quite as 'tight' as might once have been thought.) So, as we have seen with terms like 'abandon' or 'living', we might be unclear whether such and such a course of action would count as 'unfair dismissal', or an 'invasion of privacy', or whether the behaviour of some bankers might count as 'fraud' or a 'breach of trust'. It is not that we are wondering whether principles like 'unfair dismissal is morally wrong' or 'fraud is illegal' have exceptions: it is that we are not always clear about how the key words in those principles are to be properly applied. Sometimes we – or the courts – will decide that the precedents are quite sufficient to decide on a particular case; at other times, the courts have to refine the law to deal with unforeseen circumstances. The application of moral principles, sometimes straightforward, at other times more difficult, is never an *automatic* procedure. It calls for judgement – even if the judgement is simply that the present case is perfectly straightforward.

Moral dilemmas are produced because the difficulty of applying our principles is very great and in some cases extreme. Sometimes a moral principle simply has to be over-ridden; at other times, we have to refine our understanding of the terms which we use in formulating these principles. Our world is complex and resists over-simplified descriptions. I happen to think that this is not just a feature of our moral world; it is true also, and in similar ways, of the ways in which we try to arrive at the laws of physics, or biology, or human psychology. But that is another story!

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