

Philippa Stewart

2nd prize in Marianne Talbot Student Essay Competition, Hilary 2024

Do you think that there are genuine moral dilemmas? Why?

If, by a genuine moral dilemma, we mean a situation of moral proportions where a decision is unavoidable (because inaction is itself a decision), but all possible and available moral choices prove, on inspection, to be unsatisfactory, then yes, provided the conflict is serious rather than trivial, genuine moral dilemmas do exist. What constitutes a dilemmatic situation varies across moral codes and individuals – one person’s moral dilemma may leave another morally untroubled. Importantly, making a choice when faced with a moral conflict does not, of itself, negate the possibility of dilemma. Making the ‘least worst’ choice may still prove morally unacceptable. Acknowledging the reality of genuine moral dilemmas need not render moral theories moribund. Indeed, it may prove pivotal to their continued relevance.

What might “a situation of moral proportions” or an “unsatisfactory” moral choice look like? Commonplace dilemmas – choosing, say, between two shirts when I can only afford to buy one – require me merely to assess my everyday needs and desires (Guttenplan, et al., 2021, p.77). I can use practical reasoning – which shirt seems most versatile, perhaps – to guide my decision, which may still be difficult and require personal sacrifice. A *moral* conflict, however, involves my duties and obligations to *others* (Guttenplan, et al., 2021, p.78).

Lemmon argues that a certain form of moral conflict – a moral dilemma to be precise – exists when, according to my moral code, I determine that I “ought” but also “ought not” perform a given act (1962, p. 150), a statement he holds contains no logical contradiction (1962, p. 150). I must, of course, be free and able to do so, which requires – though not all moral theorists agree – that “ought” implies “can” (Marcus, 1980, p. 134). Assuming my logical boxes are thus ticked, is there now a ‘real-world’ cloud over the efficacy of my moral code?

I say *my* moral code because ours is a pluralistic society informed by millennia of moral inquiry and codification. My moral decision-making is inevitably influenced by one or both major action-guiding moral codes: the deontological – typically intentions-focussed and absolutist in method; and the consequentialist – which is purposed to maximise good outcomes. I may also be a proponent of Virtue Ethics, though contemplating how a virtuous person would behave is more useful as a moral improvement strategy than an action-guiding one when determining moral choices. In any case, my code will reflect my specific circumstances, and will inform what is potentially morally dilemmatic *for me*. Given the possible permutations, moral dilemmas seem quite likely. Indeed, Williams suggests that the only circumstances in which moral dilemmas could be *impossible* would involve either the exhaustive completeness of an individual’s moral rules or the existence of an interventionist god (1981, p. 75). We can reasonably rule out the exhaustive list scenario, but as regards interventionist gods – existing or otherwise, provided the individual both *believes* in such a god *and* subscribes diligently to an absolutist deontological code consistent with that belief, moral dilemmas may *never* be possible. Faced with Foot’s Trolley Car problem (1978, p. 23) such an individual would, applying the “doing versus allowing” distinction that forbids actively taking life but permits inactions that result in death (1978, p. 24), abstain from pulling the lever to divert the vehicle, firm in the god-given belief that they were absolved of any moral wrongdoing in relation to the resulting deaths of the five workmen.

Moral dilemma opponents, it seems, assume a not dissimilar faith-like trust and diligence exists for *all* individuals and their moral codes. Foot, for example, argues that as intentional acts of wrongdoing will always be forbidden for the absolutist, and as a choice can “never be between two intentional actions” – because logically, refraining from one intentional act does not cause the agent to intentionally perform the other – the absolutist can never be forced to make a choice that results in moral wrongdoing (2002, p.188). Barring a belief that the ‘forbidding’ has divine endorsement, can this claim hold? There is surely adequate room for the non-religious absolutist to conclude that allowing five innocent people to be ploughed down by a trolley car is morally wrong, *even though* actively killing one innocent man would also be morally unacceptable.

Moral doubt looks even more likely for the non-religious consequentialist. While consequentialism’s focus on the ‘best’ outcome would recommend pulling the lever in the Trolley Car scenario, thereby actively killing one workman rather than allowing the deaths of five, this form of moral reasoning aims explicitly at maximising the ‘good’ – or, in this case, minimising the ‘bad’. In other words, consequentialist methods, are, arguably, not primarily interested in transforming ‘least worst’ actions *ipso facto* into ‘right’ ones.

At the heart of the debate about moral dilemmas lies a fundamental disagreement about the significance of *actually making* a decision. Dilemma defenders differentiate between the agent’s ability to make a prima facie decision and their possible *inability* to resolve the moral quandary that remains (Nussbaum, 2000, p. 1010). For dilemma opponents the moral conflict pertains *only* to the prima facie “all-things-considered” ought/ought not, while the moral quandary pertains to a general moral principle and is therefore situationally extraneous. Electing not to pull the trolley lever in the prima facie situation is distinguished from any general, underlying moral responsibility for failing to save people. Foot argues that when an agent establishes “best reasons” for concluding that one all-things-considered moral ‘ought’ overrides a conflicting ‘ought’ or ‘ought not’, the decision *itself* resolves any possible moral dilemma (2002, p.178). Where “best reasons” can’t be established, in, for example, so-called ‘symmetrical’ conflicts – of the “Sophie’s Choice” (Styron, 1979) variety – the moral dilemma is dismissed on the grounds that we are given “moral leeway to do either of two actions” (2002, p.187).

Such arguments characterise moral conflict as a kind of ‘closed system’ comprised of an agent, a contained moral situation, and a moral code. Admittedly, this approach works well in (relatively) trivial scenarios. In Plato’s arms cache example (Lemmon, 1965, p. 162) it’s clear that the preservation of life comfortably takes priority over breaking a promise to a would-be murderer and that the conflict has thereby been satisfactorily resolved. This comfort may not extend to *serious* and therefore *genuine* moral conflicts though – ‘tragic choices’ in Williams’ parlance (1973, p. 173) – which typically arise when an agent must weigh public duty against private conviction. Crippling remorse (classified as moral “remainder”) may arise from an awareness of moral wrongdoing in such cases, despite the application of appropriate moral reasoning to the decision (Marcus, 1980, p. 131). Dilemma opponents contend that the agent only *feels* remorse or guilt, they cannot, reasonably, *be* guilty. Why? Because the correct application of the appropriate moral code, through the power of reason alone, makes their choice “justifiable” and therefore absolves them. (Foot, 2002, p. 183). But as Marcus counters, if the agent *believes* they have committed a moral wrong they are, in their own eyes at least, guilty (1980, p. 133). As desirable as consistency in moral philosophy may be, the real-world evidence of, for example, persistently high veteran suicides rates following ‘honourable’ active duty in war zones (Kerr et al., 2021, p.7) suggests that agent guilt cannot simply be reasoned away.

As Nussbaum identifies, there is a danger too that, if we insist on reasoning our way out of moral dilemmas, we make morality “the handmaiden of fortune” (2000, p. 1010). Is it morally desirable to insist that a deeply held conviction evaporates when it chances to bump into another? In war and politics such justifications have become commonplace, but as Walzer argues, the appropriate response to these ‘dirty hands’ dilemmas is neither simplistic condemnation of the agent nor denial of the wrongdoing, but serious reflection on how it came to be unavoidable (1973, p. 161).

Writing of war, Nagel observes that ‘tragic choice’ dilemmas often combine absolutist and utilitarian (consequentialist) reasoning – the expedient but indiscriminate bombing of a whole village to halt the campaign of an encamped terrorist cell, for example (1972, p. 124). Such combinations are not peculiar to war zones. The consequentialist’s persisting sense of moral wrongdoing in the Trolley Car problem might arise from a conflicting absolutist conviction that taking a life is morally unacceptable. What this suggests is that the absolutist/consequentialist divide may, in practice, be somewhat artificial. Even Kant’s absolutist cornerstone, the Categorical Imperative, which proposes that establishing a moral maxim necessitates being able to *conceive* of that maxim functioning as a universal law, requires some consequentialist extrapolation. Likewise, most consequentialists *do* – in practice – consider absolute objections to intentional killing or injuring when making moral decisions.

Rather than panic that we have revealed inconsistencies in our moral codes, should we not be reassured by the deeper validity this interdependence confers on them? Despite their contradictions, moral codes provide essential guidance when negotiating the difficult business of living together. What makes moral codes vulnerable to criticism is not their inability to resolve genuine moral dilemmas, but the apparent priority placed, by those who champion moral reasoning, on disproving dilemmas at the expense of considering how we might avoid them in the future.

BIBLIOGRAPHY

Foot, P. (1978) *Virtues and vices and other essays in moral philosophy*. Oxford: Basil Blackwell.

Foot, P. (2002) ‘Moral Dilemmas Revisited’, in *Moral dilemmas and other topics in moral philosophy*. Oxford: Clarendon, pp. 175-188. Available at <https://doi.org/10.1093/019925284X.003.0012> (accessed 17 March 2024).

Guttenplan, S., Hornsby, J., Janaway, C. and Schwenkler, J. (2021) *Reading philosophy: Selected texts with a method for beginners*. Hoboken: Wiley-Blackwell.

Kerr, K., Romaniuk, M., McLeay, S., Walker, S., Henderson, J. and Khoo, A. (2021)

‘Guilt and it’s relationship to mental illness and suicide attempts in an

Australian veteran population with Posttraumatic Stress Disorder’, *Journal of Military and Veterans’ Health*, 29(3), pp. 7-15. Available at: <https://jmvh.org/article/guilt-and-its-relationship-to-mental-illness-and-suicide-attempts-in-an-australian-veteran-population-with-posttraumatic-stress-disorder/> (accessed 16 March 2024).

Lemmon, E. (1962) ‘Moral dilemmas’, *The Philosophical Review*, 71(2), pp. 139-158. Available at: <https://www.jstor.org/stable/2182983> (accessed 15 March 2024).

Marcus, R. (1980) 'Moral dilemmas and consistency', *The Journal of Philosophy*, 77(3), pp. 121-136. Available at: <https://www.jstor.org/stable/2025665> (accessed 14 March 2024).

Nagel, T. (1972) 'War and massacre' *Philosophy and Public Affairs*, 1(2) pp. 123-144. Available at: <https://www.jstor.org/stable/2264967> (accessed 14 March 2024).

Nussbaum, M. (2000) 'The costs of tragedy: some moral limits of cost-benefit analysis', *The Journal of Legal Studies*, 29(S2), pp. 1005-1036. Available at: <https://www.jstor.org/stable/10.1086/468103> (accessed 16 March 2024).

Styron, J. (1979) *Sophie's Choice*. London: Cape.

Walzer, M. (1973) 'Political action: the problem of dirty hands' *Philosophy and Public Affairs*, 2(2), pp.160-180. Available at: <https://www.jstor.org/stable/2265139> (accessed 15 March 2024).

Williams, B. (1973) *Problems of the self*. Cambridge: Cambridge University Press.

Williams, B. (1981) *Moral luck: philosophical papers 1978-1980*. Cambridge: Cambridge University Press.