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Moral Dilemmas and Moral Theories

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Moral Dilemmas and Moral Theories

By

Jihwan Yu

A dissertation submitted to the Graduate Faculty in Philosophy
in partial fulfillment of the requirements for the degree of
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Abstract

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By

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Advisor: Dr. Steven Cahn

Abstract: In this essay, I argue for the existence of moral dilemmas and draw out the implications of their existence on major moral theories. A moral dilemma arises when: a moral agent holds moral principles entailing inconsistent actions, the moral principles do not override each other, and the moral agent cannot perform all the actions entailed by moral principles at the same time. In the debates about moral dilemmas, several arguments have been advanced in favor of their existence. Among them are the argument from moral residue, the argument from a plurality of values, and the argument from symmetry. I defend these arguments by considering objections to them and offering replies to those objections. Several arguments, on the other hand, have also been made against the existence of moral dilemmas. Among them are the argument from the distinction between *prima facie* and actual duties, the argument from exceptions, and the argument from intentions, the argument from the non-action-guiding evaluations, and the argument from the distinction between negative and positive moral principles. I

raise objections to these arguments in order to refute them. Having argued for the existence of moral dilemmas, I draw out the implications of their existence on major moral theories. The existence of moral dilemmas is inconsistent with Kant's ethical theory. According to Kant, it is incoherent to suppose that two actions could both be necessary when doing one prevents doing the other. If a moral agent has a duty to perform a certain action, then the moral agent cannot also have a duty to perform another action incompatible with it. The existence of moral dilemmas, however, is consistent with Mill's utilitarianism and virtue ethics. Mill's utilitarianism allows for a situation where the alternative courses of action produce the same amount of utilities. In such a situation, Mill's utilitarianism does not guide a moral agent as to which action to take. The same situation can happen with virtue ethics. Virtue ethics tells a moral agent to do what a virtuous person would characteristically do in the circumstances. Yet even a fully virtuous person may face a situation where he or she cannot tell which course of action is the right one. The existence of moral dilemmas, however, favors virtue ethics over other moral theories, for it provides a better account of moral residue - the feelings of remorse or guilt a moral agent experiences after violating one of the conflicting moral principles. Virtue ethics accounts for moral residue in terms of the emotional response

that the virtuous person exhibits. A person that shows no emotional response or feels merely regret about violating a moral principle exhibits a morally callous character. On the other hand, a person with a virtuous character would not only take conflicting moral principles seriously but he or she would also experience strong negative emotions about violating one of them. The kind of emotional response that the moral agent shows reveals the type of character that he or she possesses.

Dedicated to my parents

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Moral Dilemmas and Moral Theories

Chapter 1. Definition of a Moral Dilemma

In this essay, I argue for the existence of moral dilemmas and draw out the implications of this argument on major moral theories. What, then, is a moral dilemma? And, when does it arise? Sartre (1948)'s personal story provides a good illustration:

I will refer to the case of a pupil of mine who sought me out in the following circumstances. His father was quarrelling with his mother and was also inclined to be a "collaborator"; his elder brother had been killed in the German offensive of 1940 and this young man, with a sentiment somewhat primitive but generous, burned to avenge him. His mother was living alone with him, deeply afflicted by the semi-treason of his father and by the death of her oldest son, and her one consolation was in this young man. But he, at this moment, had the choice between going to England to join the Free French Forces or of staying near his mother and helping her to live. He fully realized that this woman lived only for him and that his

disappearance – or perhaps death – would plunge her into despair. He also realized that, concretely and in fact, every action he performed on his mother's behalf would be sure of effect in the sense of aiding her to live, whereas anything he did in order to go and fight would be an ambitious action which might vanish like water into sand and serve no purpose. For instance, to set out for England he would have to wait indefinitely in a Spanish camp on the way through Spain; or, on arriving in England or in Algiers he might be put into an office to fill up forms. Consequently, he found himself confronted by two very different modes of action; the one concrete, immediate, but directed towards only one individual; the other an action addressed to an end infinitely greater, a national collectivity, but for that reason ambiguous and it might be frustrated on the way. At the same time, he was hesitating between two kinds of morality; on the one side, the morality of sympathy, or personal devotion and, on the other side, a morality of wider scope but of more debatable validity. He had to choose between these two. (pp. 35-36)

In this story, the student is obligated to stay with his mother, since she depends on him for her own happiness. On the other hand, he feels obligated to join the Free French in England – this is his duty as a citizen to his country. He thus has conflicting obligations and is emotionally torn between them. One obligation has a limited scope but certain efficacy: personal devotion to his mother. The other has much wider scope but uncertain efficacy: contribution to defeating an unjust aggressor.

Does the student face a moral dilemma? The standard definition of a moral dilemma is a situation where a moral agent is morally obligated to take each of two actions. The agent can perform each action, but cannot perform both at the same time. This definition, however, is imprecise and requires refinement. First of all, the meaning of the term "ought" is unclear and ambiguous.¹ Consider the various uses of "ought":

- (1) You ought to keep your promises.
- (2) You ought not to lie.
- (3) You ought to save money now for the future.
- (4) You ought to get 5 if you add 2 and 3
- (5) The airplane ought to arrive soon.

¹ For a discussion of different meanings of the term "ought," see Sinnott-Armstrong (1988), pp. 6-8.

These examples show the various ways that the term "ought" is used. Despite this variety, all these uses share something in common: they all indicate some type of reason. One that utters sentences (1) and (2) claims that you have a moral reason to keep your promise and not to lie. A person who utters sentence (3) indicates that you have a prudential reason to save money. On the other hand, one that utters sentence (4) indicates that you have an epistemic reason to believe that adding 2 and 3 produces 3. Similarly, one that utters sentence (5) claims that you have an epistemic reason to believe that the airplane will arrive soon. The term "ought" thus has different meanings depending on the particular context. In the context of moral dilemmas, the relevant meaning is a moral reason. Thus, when one says that an agent is in a moral dilemma where he or she ought to take one of two actions, what one means is that the agent has a moral reason to take each action.

But what is a moral reason? The philosophers engaged in the moral dilemma debates differ on what defines a moral reason. One of these philosophers, Walter Sinnott-Armstrong (1988), uses the term "moral requirement" to qualify a moral reason. According to him, a moral reason to take an action comprises a moral requirement if and only if it would be morally wrong not to take that action, and if no moral justification existed for not

taking it. In other words, a moral requirement to take an action exists if and only if it would be morally wrong not to take that same action in a similar situation. Specifically, the similar situation is identical to the actual situation in all relevant respects except that while there is a moral justification for not taking it in the actual situation, there is no moral justification for not taking it in the similar situation. For example, a moral reason to keep a promise is a moral requirement because failure to keep a promise is a morally wrong unless it can be morally justified.

Conversely, a moral reason for not taking an action comprises a moral requirement if and only if taking the action would be morally wrong in a situation that is identical to the actual one, except for the lack of moral justification for taking that action. For example, a moral reason not to kill comprises a moral requirement because killing is morally wrong unless it is morally justified.

On the other hand, Christopher Gowans (1996) uses the term "moral responsibility" to describe a moral reason. One typically finds moral responsibilities in one's concrete and intimate relationships - especially those of kinship, friendship, and love. These responsibilities are rooted in two kinds of considerations: the first is the perception that the persons in each of these relationships is intrinsically and irreplaceably

valuable, and the second is the recognition of the connections obtained between oneself and these intimates.²

Gowans states that to say that persons are intrinsically valuable means that they are valuable beyond any instrumental value as a means to some valued end. The idea that persons are valuable in and of themselves is a common one in moral philosophy. It relates, for instance, to Kant's notion of respecting persons as ends in themselves. On the other hand, a less familiar notion is that persons, taken individually, are irreplaceably valuable. The common assumption that equality is the supreme moral value has obscured the importance of the irreplaceable value of persons, since equality seems to imply fungibility. As a result, there has not been much discussion of this idea among contemporary moral philosophers. On this view, each person is not only intrinsically valuable but has a value that cannot be fully replaced by the value of another person.

Attributing intrinsic and irreparable value to a person creates the potentiality for one's responsibility toward them: it establishes a person as being for whom one can have moral

² H. E. Mason (1996) uses a similar expression. He says that moral dilemmas often occur at the intersection of overlapping spheres of responsibility: family responsibilities, professional responsibilities, civic and public responsibilities, and so on. He says these responsibilities tend to illustrate both the complexity and diversity of moral considerations affecting moral choices. The independence and relative autonomy of the various responsibilities provide reason for regarding moral conflict as a fact of life.

responsibilities. These responsibilities are contingent on connections established between persons—family relation, friendship, love, nationality, ethnicity, agreement, and the like. Relationships among persons are formed on the basis of these various connections, and are typically characterized by a mutual understanding of moral responsibility.

While moral responsibilities are typically located in one's intimate relationships with other people, they also apply to other contexts. Responsibilities may be based on relationships of less endurance and depth. At the outer limit, responsibilities may exist among strangers, so long as there is some kind of connection among them, even if that of a momentary encounter. Furthermore, there may be responsibilities to social entities that consist of individual persons brought together through common interest, purpose, belief, and the like. One's relationships with social entities play an important part in human life. Though different in many respects from relationships with individual persons, these relationships can inspire their own forms of intimacy and passion.

In this essay, I will not use "moral requirement" or "moral responsibility" to describe a moral reason. Instead, I will use the term "moral principle." The use of this term, which has a general and more neutral meaning, will make it easier to draw out the implications of moral dilemmas for different moral

theories. Thus, in a moral dilemma, an agent experiences demands from two moral principles: one moral principle entails one action and the other moral principle entails an inconsistent action. The moral principles prompt the agent to perform both actions and yet he or she cannot perform both. Therefore, no matter which of two inconsistent actions the agent takes, he or she is condemned to moral failure because he or she must violate one of the moral principles.

Typically, it is a physical constraint that prevents the agent from performing both actions. Suppose that a moral agent experiences the following dilemma: he or she ought to help out a person in danger and also to keep his or her promise to meet someone. The moral agent wants to perform both obligations. He or she cannot do so, however, because it is physically impossible for him or her to do so at the same time. In a moral dilemma, a moral agent is assumed to be informed and competent. It is assumed that a moral agent is fully informed about the morally salient features of the situation in which he or she is to act. A moral agent is also presumed to be aware of the relevant moral obligations imposed on him or her.

In Sartre's story, one might describe the moral principles influencing the student as the "moral principle of filial piety" and the "moral principle of patriotism." The student believes in these principles, yet he is bound to violate one of them. The

student cannot perform both actions because a physical feature of the world prevents him from doing so: it is physically impossible for the student to stay with his mother and join the Free French in England at the same time. Perhaps in some other possible world with different physical arrangements, the student can perform both actions; but in the actual world, he cannot.

The standard definition of a moral dilemma, however, is deficient in another way: a moral dilemma arises only when neither moral principle overrides the other. In Book I of Plato's *Republic*, Cephalus defines justice as speaking the truth and paying one's debts. Socrates challenges this definition by suggesting that it would be wrong to repay certain debts. For example, it would be wrong to return a borrowed weapon to a friend who is not in his right mind. Socrates' point is not that repaying debts is immoral but that it is not morally right to repay one's debts in every situation. In this case, the two moral principles prescribing inconsistent actions are the moral principle of repaying one's debts and the moral principle of protecting others from harm. The two moral principles, however, are not equal in strength; the principle of protecting others from harm seems, most people would agree, stronger than the principle of repaying debts. This case, therefore, would not count as a moral dilemma.

There are cases, however, where two moral principles do not

override each other. Sinnott-Armstrong (1996) provides an example: a group of people wants to hold a protest in a small town, and the town clerk must decide whether to issue a permit. It would be morally wrong for the clerk to refuse to issue the permit without a good reason to refuse. It would be also morally wrong, however, for the clerk to allow the protest to create a clear and present danger in the town. Which moral principle overrides in this case? According to Sinnott-Armstrong, the answer depends on the degree of danger posed. The moral principle to allow the permit overrides when the danger to the town is small. But, if the danger is clear, present, and large enough, the moral principle not to allow it overrides. While different people may disagree about how much danger is needed to override, everyone would admit that there are times when it would be too dangerous to issue the permit. Since each moral principle overrides at one end of the danger continuum, there must be at least one point in the middle where neither moral principle overrides. While it is not clear where the point lies, a moral dilemma seems to arise there.³

³ Simon Blackburn (1996) says that some moral dilemmas (or quandaries, as he calls them) have "inertia." One can still be in a dilemma even if some fact came along to favor one side. As an example, if one is torn between marrying A and B, it does not help one make a choice if one's parents say they will throw in a holiday in Martinique if one chooses to marry A. The amount of inertia in a dilemma will affect the difficulty of solving it: although there may be practical strategies for finding some asymmetry to help A against B, it may be difficult to find a sufficiently significant asymmetry.

Most defenders of moral dilemmas agree that a moral dilemma is a situation where neither moral principle overrides the other. Thomas Nagel (1987) defines moral dilemmas as situations in which "there is decisive support for two or more incompatible courses of action or inaction . . . since either choice will mean acting against some reasons without being able to claim that they are *outweighed*" (p. 175). Similarly, Bas van Fraassen (1987) defines a moral dilemma as "a conflict between what ought to be for one reason and what ought to be for another reason, which cannot be resolved in terms of one reason overriding another" (p. 141). Also, Bernard Williams (1987) deems a moral conflict tragic when "an agent can justifiably think that whatever he does will be wrong: that there are conflicting moral requirements, and that neither of them succeeds in overriding or outweighing the other" (p. 134).

The discussion thus far enables me to provide a formal definition of a moral dilemma. A moral dilemma is a situation where

- (1) An agent holds moral principles entailing inconsistent actions,
- (2) The moral principles do not override each other in any morally relevant way,

- (3) The agent cannot perform all the actions entailed by moral principles at the same time,
- (4) The agent can perform each action.

Chapter 2. Types of Moral Dilemmas

One can draw distinctions among various types of moral dilemmas. One distinction is between single-principle moral dilemmas and multi-principles moral dilemmas. It has been said that a moral dilemma arises when two moral principles do not override each other, the story of Sartre's student being the prime example. One can easily imagine, however, moral dilemmas arising under multiple moral principles. For example, a moral agent can face incompatible actions prescribed by the moral principle of promise-keeping, the moral principle of helping out others in need, and the moral principle of loyalty to one's friends. And yet, these moral principles can be comparable in strength so that none is overridden by another.

Yet moral dilemmas can also arise under a single moral principle. One can find the most widely discussed example in William Styron (1980)'s *Sophie's Choice*. Sophie and her two children are imprisoned at a Nazi concentration camp. A guard tells Sophie that one of her children will be allowed to live and the other killed and that she must decide which child will die. The guard makes the situation more difficult by telling

Sophie that if she chooses neither, both will be killed. For each child, Sophie apparently has an equally strong reason to save him or her. In this case, the single moral principle of saving a child's life gives rise to inconsistent actions.

Another distinction is between single-agent moral dilemmas and interpersonal moral dilemmas.⁴ Single-agent moral dilemmas arise when a moral agent faces incompatible actions demanded by moral principles that he or she upholds. Interpersonal moral dilemmas, on the other hand, arise when multiple moral agents face mutually incompatible actions prescribed by moral principles. For example, a situation may exist where one moral agent ought to do a certain act and the other moral agent ought to do a different and incompatible act. Though each moral agent can perform his or her duty, it is impossible for them to do so at the same time.

Marcus (1987) describes the distinction between single-agent moral dilemmas and interpersonal moral dilemmas in the following way:

In the one-person case there are principles in accordance with which one ought to do x and one ought to do y, where doing y requires that one refrain from

⁴ For a detailed discussion of interpersonal moral dilemmas, see McConnell (1988).

doing x; i.e., one ought to do not-x. For the present rough-grained discussion, the one-person case may be seen as an instance of the n-person case under the assumption of shared principles. (p. 189)

Antigone, a Greek tragedy, provides an example of interpersonal moral dilemmas. Antigone is a daughter of the incestuous marriage between King Oedipus of Thebes and his mother, Jocasta. After Oedipus' death, it was decided that the two brothers, Eteocles and Polynices, are to reign over Thebes by taking turns. Eteocles, however, does not want to give away his power, provoking Polynices to leave Thebes to set up an army. In the fight for the throne of Thebes, the two brothers kill each other. Afterwards, Creon, the new ruler of Thebes, declares that as punishment, Polynices' body must be left on the plain outside the city to rot and be eaten by animals. Antigone feels that this law is unjust and immoral, and is determined to bury her brother in accordance with her familial obligation. After Antigone buries her brother, Creon's guards discover her actions and capture her. When Antigone is brought before Creon, she says that she was aware of Creon's law but chose to break it. In this story, two moral agents face incompatible obligations. Antigone's familial obligation to bury her brother conflicts with Creon's obligation to uphold the law.

In this essay, I focus on single-agent moral dilemmas. An interpersonal moral dilemma involves a compound act involving multiple moral agents, making moral evaluation of the action more complex. Unlike with an individual act chosen by a single agent, it is more difficult to determine whether a compound act involving multiple agents is morally right or wrong. Holly Smith (1986) supports this point. In discussing what entities possess the property of rightness, she says that natural events, such as rainstorms or late frosts, cannot be said to be right or wrong. They may be said to be good or bad. The reason is that these entities are not voluntary – they are not the objects of effective choice. Although goodness can apply to entities that are not controlled by choices, rightness is reserved for acts controlled by voluntary agents. Smith says that built into the concept of rightness is that rightness applies only to entities about which decisions can be made.

Smith says, however, that not all acts can be said to be right; rightness can be possessed only by entities controlled by a single agent. For example, although my act of returning your lost wallet is right and your act of thanking me is right, the compound act of my-returning-your-wallet-and-your-thanking-me cannot be right. The reason is that one cannot identify a single voluntary agent who could decide to do this act. Following Smith's reasoning, I ignore interpersonal moral dilemmas in this

essay.

Finally, another distinction is made between self-imposed moral dilemmas and dilemmas imposed by the world. Conflicts of the former kind arise because of a moral agent's own wrongdoing or fault. For example, if an agent makes two promises that he or she knew conflict, then through his or her own actions the moral agent creates a situation in which he or she is unable to perform both requirements. The moral agent is responsible for creating the moral dilemma that he or she now faces. Dilemmas imposed by the world, on the other hand, arise without a moral agent's fault. Rather, the moral agent is forced into a situation of moral conflict. The cases of Sartre's student and *Sophie's Choice* serve as examples.

St. Thomas Aquinas adopts this distinction. He provides an example in which a priest wrongfully brings a cure of souls. The priest is morally obligated not to exercise this authority but is also obligated not to desert his flock. Yet, he cannot fulfill both obligations. A moral dilemma thus arises from his prior wrongdoing. Aquinas admits that situations like this are possible, but claims that they do not show any fault with a moral system. He says that if the moral agent faces a moral dilemma as a result of violating a moral obligation, the moral dilemma is the product of the moral agent's fault, and thus the moral theory need not provide guidance for what to do in the

situation.

In this essay, I ignore the distinction between self-imposed moral dilemmas and dilemmas imposed by the world. A moral theory should tell a moral agent what he or she ought to do; this is one of the main functions of a moral theory (this idea is to be discussed in the next chapter). The moral agent in a self-imposed moral dilemma still has to make a decision between incompatible actions, and it does not make his or her decision any easier for someone to point out that the moral agent is at fault. As Thomas Hill (1996) puts it, "morality acknowledges that human beings are imperfect and often guilty, but it calls upon each at every new moment of moral deliberation to decide conscientiously and to act rightly from that point on" (p. 176). An average moral agent has an imperfect character and frequently commits wrongs. Given the prevalence of the moral agent's wrongdoing, if a moral theory does not provide guidance when the moral agent is at fault, the moral theory does not seem to be effectively performing one of its main functions.⁵

⁵ Patricia Greenspan (1983) makes another distinction between exclusive requirements and exhaustive prohibitions. An example of the former is a doctor having to choose one of two patients to treat, in time to avoid losing both. The doctor's choice is directed towards something he is obligated to do. On the other hand, the latter case occurs when a moral agent is at fault for what he or she does since all the options are ruled out rather than favored by the moral code. In this essay, I do not distinguish between these two cases.

Chapter 3. Philosophical Significance of Moral Dilemmas

What philosophical significance do moral dilemmas pose? Why should ethicists care about moral dilemmas? If an ethical theory allowed moral dilemmas, what problems would emerge? According to Terrance McConnell (2014), if a moral theory allows moral dilemmas, the trouble is that it fails to be uniquely action-guiding. A moral theory can fail to be uniquely action-guiding in two ways: by not recommending any action in a situation or by recommending incompatible actions. According to McConnell, one of the functions of a moral theory is providing guidance to a moral agent regarding how to act in a given situation. The existence of moral dilemmas thus indicates a moral theory's failure to perform one of its main functions.

Mark Timmons (2002) says that a moral theory has two main functions. A moral theory has the practical function of providing a decision procedure for making correct moral judgments. A moral theory also has the theoretical function of providing moral criteria that explain the underlying nature of morality. As to the second function, Timmons says that a moral theory should feature principles that explain our moral specific considered moral beliefs, thus helping us understand why actions, persons, and other objects of moral evaluation are right or wrong, good or bad, possessing or lacking moral worth. Thus, Timmons would probably agree with McConnell that if a

moral theory is not action-guiding, it fails to perform one of its main functions.

Sinnott-Armstrong (1996), however, appears to hold a different view. He asserts that a moral theory that allows moral dilemmas can be complete in a different way: it can capture moral truth. Such a moral theory can still speak to when one has moral obligations, when those obligations conflict, and when those conflicts are resolvable. Of course, no moral theory could in practice capture every moral truth. A moral theory's failure to resolve some conflicts, however, does not negate its ability to render any true moral judgment. In fact, a moral theory would reveal a flaw if it did resolve every conflict: when moral principles are symmetrical or incomparable, neither is overriding. So a moral theory that favors one of the moral principles would fail to capture the truth about the relative strength of the conflicting moral principles.

Sinnott-Armstrong suggests that even though a moral theory fails to be action-guiding, a moral theory can be complete as long as it captures moral truths. His view, however, is vulnerable to the complaint that a moral theory that fails to tell a moral agent how to act is impractical. One could ask what practical use a moral theory has in our lives if it is not action-guiding. One of the appeals of ethics is that it answers the questions such as what kind of life one ought to live. The

kind of life one leads is largely determined by the actions that he or she takes. If a moral theory fails to tell a moral agent how to act, it is left with a theoretical role of assessing whether particular moral beliefs are correct; this is the second function of a moral theory, according to Timmons.

I believe, however, that a moral theory's ability to perform its action-guiding function comes in degrees. Moral life is complex and unpredictable, and it, a moral agent constantly faces different moral principles. As a result, as I will later argue, moral dilemmas exist where moral principles do not override each other. In these cases, a moral theory is unable to tell a moral agent what to do. A moral theory, however, should not be considered defective for this reason alone. By not being action-guiding, a moral theory may be reflecting the complexity and unpredictability of moral life. On the other hand, if a moral theory allows moral dilemmas on too many occasions, it is vulnerable to the objection that it is not practical. In order to perform its practical function, a moral theory should be action-guiding at least more often than not.

Erin Taylor (2013) supports this view. According to her, a moral theory should give correct guidance to action. This is one of its principal functions. Although a moral theory may not be able to eliminate moral dilemmas, it should not allow them too often. Taylor says that one should reject a moral theory that

fails to guide action too often in favor of one that does not: the fewer moral dilemmas a moral theory allows, the better it is, all things equal.

According to Taylor, a moral theory that allows moral dilemmas should not be rejected automatically. A moral theory must be sensitive to both human nature and the general conditions of human life. A correct moral theory should generate duties that take into consideration morally relevant features of human life. Where these features are sufficiently important, moral duties should track them. For these duties, the existence of moral dilemmas in certain unusual circumstances is not a sufficient reason to reject the moral theory.

Chapter 4. Ruth Marcus' View of Inconsistency

According to the definition of a moral dilemma discussed earlier, a moral dilemma arises when an agent holds moral principles entailing inconsistent actions. Inconsistent actions are those that the agent cannot take at the same time. Ruth Marcus (1987), however, offers a different notion of inconsistency. She says that for a set of meaningful sentences or propositions, consistency is a property that the set has if it is possible for all of the members of the set to be true. In other words, a set is consistent if contradiction would not be a logical consequence of supposing that each member of the set is

true. Thus, 'grass is white' and 'snow is green' compose a consistent set even though they are false in this world. A possible world exists in which these sentences are true. Similarly, one can define a set of moral principles as consistent if some possible world exists in which a moral agent can obey all of them. According to Marcus' reasoning, a moral dilemma exists only if there is no possible world in which a moral agent can obey all the relevant moral principles. A situation where a moral agent holds moral principles that he or she cannot perform at the same time in this world may not count as a moral dilemma.

As an illustration, Marcus considers a two-person card game. In this game, the deck is shuffled and divided equally between two players. Players turn up the top cards on each play until all the cards are played. There are two rules in this game. The first rule is that black cards trump red cards. The second rule is that high cards trump lower-valued cards. When no rule applies, e.g., in the case of two red deuces, there is indifference and the players proceed. When the cards are played out, the winner is the one with the largest number of wins.

Suppose that the players turn up a red ace and a black deuce. Who trumps? This is not a case of rule indifference, as with a pair of red deuces. Rather, two rules apply, but both cannot be satisfied. It might be tempting to call the rules of

the game inconsistent. But, on the proposed definition, the rules are consistent because possible circumstances exist where the dilemma would not arise. It is possible that the cards are so distributed that, when a black card is paired with a red card, the black card happens to be of equal or higher value. It is true that with sufficient shuffling, the probability of a dilemma-free game is very small. But one can imagine a similar game where the probability of proceeding to a conclusion without a dilemma is greater. In fact, a game might be so complex that the probability of its being dilemmatic under any circumstances is very small. On the proposed definition, the rules are consistent if there is only a possible case where no conflict arises.

Furthermore, Marcus says that since it is desirable to meet as many obligations as possible, one ought to try to minimize the possibility of conflicts between them in this world. The existence of moral conflicts in this world acts as a motivating factor for one to try to bring about the futures in which this possibility is minimized. Marcus calls this rule a second-order regulative principle, which states that as rational agents with some control of our lives and institutions, we ought to conduct our lives and arrange institutions so as to minimize predicaments of moral conflict.

Patricia Marino (2001) supports and develops Marcus'

regulative principle. Consider the case of *Sophie's Choice*, which has been discussed previously. According to the regulative principle, one might say that Sophie should have tried to avoid the dilemma and should try to avoid similar dilemmas in the future. But it seems strange to think that she could have avoided the dilemma. After all, she is powerless at the moment of the dilemma, and seems unable as an individual to prevent a similar dilemma from arising in the future.

Marino says, however, that this implication results from a narrow reading of Marcus' account. The regulative principle does not apply to Sophie as an individual. The regulative principle says that we should try to arrange our lives and institutions to minimize the likelihood of dilemmas arising. According to Marino, it is crucial that Marcus' regulative principle apply to us as members of communities. Thus, in the case of *Sophie's Choice*, we can consider our obligations as post-Holocaust citizens. Even if we disagree on precise action, it is reasonable to say that we have a moral obligation to try to prevent similar events from happening in our community. We hope to learn from her story how to behave in the future and try to arrange those communities with care.

Marcus' view of moral dilemmas, however, does not satisfactorily resolve the issue. Consider Sartre's student case discussed earlier. The student holds two moral principles

entailing inconsistent actions. The moral principle of filial piety tells him to stay with his mother and the moral principle of patriotism tells him to join the Free French in England. It is true that in this world, the student cannot satisfy both principles. It is also true that in some possible world – for example, where Nazis do not invade Europe – the moral principles do not entail inconsistent actions. Knowing this fact, however, does not help the student make a choice. It does not give any comfort for him to know that in some possible world, he does not have to face the dilemma. In this respect, Marcus' regulative principle is not helpful, either. It tells us what to do after or in anticipation of moral dilemmas. But it does not tell a moral agent facing a moral dilemma what to do. For example, it does not give Sophie any guidance as to which child to choose. It does not help Sophie to know that the future community will try to prevent similar dilemmas from happening in the future.

As another example, consider the situation of a criminal defense attorney. The attorney has an obligation to hold in confidence the disclosures that a client makes as well as to conduct himself or herself with candor before the court. Law requires that the attorney inform the court when his or her client commits perjury.⁶ Therefore, a conflict can exist between

⁶ This example is drawn from Chapter 3 of Freeman (1975).

the attorney's obligations to the court and to the client. It is true that in some possible world – for example, one in which clients never commit perjury – the attorney can always satisfy both obligations. This fact, however, does not help the attorney to make a choice between the two obligations.

What pragmatic difference is there between the inconsistent set of rules and a set of rules where there is a likelihood of irresolvable dilemma? A set of rules is supposed to guide action. If it allows for conflicts without resolution, telling a moral agent that he or she ought to do x as well as y even though x and y are incompatible, that amounts to saying that he or she ought to do x as well as to refrain from doing x. The set of rules has failed as a guide. Even if it is not inconsistent, it is deficient and requires modification. As such, a critic might say that Marcus has made a trivial logical point.

Marcus (1996) anticipates this objection and replies to it in the following way. Her reply is that the logical point that she has made is not trivial; there are dissimilarities between games and the conduct of lives. It is part of the canon of the games of chance that the cards must be shuffled. The distribution of the cards must be left to chance. To stack the deck, like loading the dice, is to cheat. But the moral principles that one holds, whatever their justification, are not justified merely in terms of some canon for games. Granted, they

must be guides to action and hence not totally defeasible. But consistency is only a necessary and not a sufficient condition for a set of moral rules. Moral principles have some ground; one adopts moral principles when he or she has reasons to believe that they guide him or her. One's interest is not merely in having a playable game, but in doing the right thing. One may want to ensure that he or she can act in accordance with each of the rules. To that end, one's alternative is to try to stack the deck so that dilemmas do not arise or that the likelihood that they do is reduced.

Marcus says that given the complexity of lives and the imperfection of knowledge, the occasions of dilemma cannot always be foreseen or predicted. In playing games where one is faced with a conflict of rules, he or she can abandon the game or invent new rules. In conducting life, however, one does not abandon life and there may be no justification for making new rules to fit. One proceeds with choices as best as he or she can.

I believe, however, that Marcus' reply is unsatisfactory. There are important similarities between the rules of games and moral rules. Marcus says that moral rules have justifications; one adopts them when one has reasons to believe that they guide him or her to do the right thing. The rules of games have justifications as well. One adopts them to have "fun" amongst the players. For this reason, they are not completely arbitrary.

One does not adopt the rules that are too hard to follow or unnecessary for enhancing the fun of the game.

Marcus says that when one discovers a conflict of rules when playing a game, he or she can abandon the game or invent new rules. A similar thing happens with moral rules. When moral rules generate moral dilemmas, one takes a different attitude toward the moral rules. One may question their validity. One may ask whether the moral rules are *prima facie* rules that admit exceptions. One may ask whether one needs secondary rules that can resolve dilemmas. One thus makes similar adjustments to the fact of moral dilemmas. These are important and relevant similarities between the rules of games and of morality. Recognizing them weakens the persuasiveness of Marcus' reply.

According to the definition of moral dilemma in this essay, a moral dilemma arises when an agent holds moral principles entailing inconsistent actions. Based on Marcus' view, one might suggest that even when the moral principles entail inconsistent actions, a moral agent does not face a moral dilemma. One might say that as long as there is a possible world in which the moral agent can fulfill all the moral principles, what he or she faces is not a moral dilemma. My reply to Marcus' view hopefully shows that this move to deny the existence of dilemmas is not a promising one.

Chapter 5. The Arguments for the Existence of Moral Dilemmas

In the debates about moral dilemmas, several arguments have been advanced in favor of the existence of moral dilemmas. Among them are the argument from moral residue, the argument from a plurality of values, and the argument from symmetry.⁷ In what follows, I will explain each argument, consider objections, and offer replies to them.

5.1. The Argument from Moral Residue

The first argument for the existence of moral dilemmas is the argument from moral residue. Moral residues refer to such things as remorse, guilt, apologies, and compensation. These emotions and acts occur after violating one of the conflicting moral principles. I discuss this argument first and in great detail because I rely on it to draw out the implications of moral dilemmas on major moral theories. The argument is that there are some situations where moral residue is justified, and that moral residue is justified only when a moral principle is violated. So, the argument goes, moral residue indicates that

⁷ Gowans (1987) says that F. H. Bradley (1927) represents one of the philosophers that argue for the existence of moral dilemmas. Bradley's account of moral dilemmas begins with the claim that the Kantian concept of duty for duty's sake is purely formal and without content. As soon as one moves from this formal level to particular duties, it becomes clear that the collision of duties is quite common. In fact, Bradley says that every act can be taken to involve such collision. Although one ordinarily thinks that moral laws are inviolable, reflection shows that there are no laws that are not to be broken in some circumstance.

moral principles can entail inconsistent actions (i.e., moral dilemmas exist).

Christopher Gowans (1996) provides useful background information on the argument from moral residue. He distinguishes rationalism and experientialism as two types of moral reflection. The rationalist is likely to identify with philosophers such as Plato and Kant while the experientialist is likely to identify with the likes of Aristotle, Montaigne, and Hume. Gowans says that the argument from moral residue is an expression of experientialism rather than rationalism.

The rationalist considers moral practice as a form of human rationality defined by a prominent tradition in western philosophy. In this tradition, reason requires a system and order. This tradition requires commensurability and hierarchy, insists on the importance of generality and abstraction, and demands precise formulation of concepts and principles. Although the rationalist seeks to understand moral practice, its paradigm of rationality is often found elsewhere. In the Platonic tradition, mathematics has served as the ideal case of rationality, whereas in the Enlightenment tradition, the natural sciences are looked to as the model. The rationalist, seeing these types of disciplines as defining human rationality, tries to understand moral practice in light of this conception. This conception judges the moral life as an exemplification of

practical reason, embodying the aforementioned characteristics. When actual moral practice does not meet these standards, the rationalist argues that it should be corrected by referring to those standards.

As a result of this orientation, the rationalist tends to believe that all moral considerations are ultimately based on a single and abstract principle, and that any specific action-guiding moral judgment may be deduced from this principle. On the other hand, the rationalist is deeply skeptical about the philosophical value of concrete moral experience. It does not deny that one's encounter with particular moral situations – whether in personal life, history, or biography – is important. But with philosophical reflection, the rationalist is inclined to think that these encounters are likely to impede one's understanding; the encounters are encumbered by idiosyncratic detail concerning background, context, and personality. Thus, one is likely to react to them with extraneous and unpredictable emotional responses.

In contrast, the experientialist attempts to understand moral practice from the standpoint of the moral experience of persons. The experientialist gives priority to observation and reflection on what it is like for a person in a particular social context to live life. For the experientialist, what it feels like to live a life from the inside – to live a human life

as a moral agent – is the principal source of comprehending moral practice. The experientialist believes that the perception of the particularities in actual moral situations is essential to moral deliberation. The experientialist also considers one's emotional responses to specific persons as an important source of moral knowledge. As a result, the experientialist considers history, biography, literature, and the like as a significant resource for philosophical analysis.

The experientialist places primary importance on what it finds in moral experience. The experientialist thus typically supposes that moral deliberation involves reflection on a plurality of diverse and concrete moral considerations, and looks as much to the distinctive features of a situation as to its generic properties. As a result, the experientialist does not agree with the rationalist's conception of moral deliberation as deduction from an abstract first principle.

Gowans says that the argument from moral residue is an expression of experientialism. He maintains that the argument describes a concrete situation in which moral considerations conflict, and suggests that in such a situation, the person involved would feel an emotion such as remorse or guilt no matter what was done. The argument from moral residue then proposes that this emotional reaction would make sense only if the person was in a moral dilemma, and it concludes that there

indeed are moral dilemmas. Since its underlying assumption is that one can learn from reflection on one's moral experience, Gowans argues, the argument derives from experientialism.

Thomas Hill (1996), however, disagrees with Gowans. In particular, Hill says, although Kant may be considered a rationalist, his ethics can account for moral residue. Hill distinguishes between a hard-line Kantian position and a moderate one. The hard-line Kantian insists that only immoral choices (or "willings") are considered objectively bad; everything else is considered bad only relative to individual tastes and preferences. According to this view, the pains, injury, and death of others must be regarded as bad things only in the sense that they are things one would normally be wrong to choose to bring about. When misfortunes occur naturally, result from accidents, or are caused in the performance of duty, the hard-line Kantian tries to maintain the attitude, "What is that to me?" for he or she sees the misfortunes as not in themselves bad and sees no reason to indulge in his or her own empathetic suffering when it can do nothing for the victims.

According to the hard-line view, a morally good person need only be concerned with his or her own acts and motives. His or her duties direct him or her to promote certain effects and to try not to cause other effects. For example, he or she must try to aid the needy and avoid killing innocent people. Perhaps, he

or she should have sympathy to offset the selfish inclinations that tempt him or her from the path of duty. But apart from such concerns, the hard-line Kantian says that a morally good person may have an attitude of indifference to the pains, injuries and deaths of human beings when these result from natural causes, the unpreventable behavior of others, or his or her own dutiful acts.

The hard-line position contrasts with the moderate position. The moderate position is based on Kant's idea that humanity in each person is an end in itself. Like other formulations of the categorical imperative, Kant's humanity formula addresses how one should act. In explaining the grounds for this action-guiding principle, however, Kant expresses the broader requirement to conceive of humanity in each person as an end in itself. The required condition is an evaluative attitude; it means regarding each human being as something whose existence is of absolute value. To acknowledge this evaluative stance as morally appropriate is not something one chooses, but is supposed to be inherent in all moral agents. What one is required to do and can do, but might fail to do, is to adopt this attitude as his or her own overriding commitment. To do so is to let the idea of human dignity guide not only one's actions but also one's judgments about what is good and bad among the things not under his or her control.

Suppose some people have just suffered horrible deaths from a natural or accidental disaster. Upon learning it, a person with the right moral attitude will do what he or she can to aid the victims and to minimize the risk of recurrences. But he or she will also regard it a very bad thing that the people suffered and died needlessly. This is a judgment that is more than a moral wish or personal preference. The right attitude leads one immediately to deplore the tragic fate of the victims and not merely to focus on one's own future-oriented tasks. Even if the tragedy was utterly beyond human control, the moral attitude is reflected in the "will" that it not be so.

The moderate Kantian can agree with the common opinion that one should have concern for those who suffer as a result of how he or she acts in a moral dilemma. In deploring these misfortunes and tragedies that are not his or her fault, one expresses the basic moral attitude that counts each human being as having a special value. One may at the same time express personal grief and sympathy for the victims, but this goes beyond the attitude that can be morally expected of everyone.

Given this philosophical background on moral residue, Bernard Williams (1987) makes a detailed argument from moral residue. He attempts to show that moral dilemmas are more like "conflicts of desires" than "conflicts of beliefs." Suppose that a man believes that a certain person who took office in October

1964 was a prime minister and also that the person was a member of the conservative party. The man later learns that no such minister was a conservative. If he believes this new information, he becomes conscious of the conflict between his original beliefs, and that he had held inconsistent beliefs. According to Williams, if two consistent beliefs become inconsistent when a new belief is added to them, a conflict of beliefs arises. A conflict of beliefs arises because of a contingent matter of fact – the contingent fact that there was no minister who took office in October 1964 was a conservative.

Consider, however, a different scenario. Suppose that a man is both thirsty and lazy. He is seated comfortably in a chair but his drinks are situated in the kitchen away from him. He desires both to be seated and to quench his thirst. So, there is a conflict between his desires. The conflict arises because of a contingent matter of fact; the conflict would disappear if someone brought a drink to him or he discovered a drink within arm's reach. The conflict of desires and the conflict of beliefs thus share a similarity in that they arise from a contingent matter of fact, making it impossible for both beliefs to be true or both desires to be satisfied.

According to Williams, however, there is an important difference between conflict of beliefs and conflict of desires. Suppose that the conflict has ended: a moral agent has decided

that only one of the conflicting beliefs is true or has satisfied only one of the desires. The rejected belief cannot survive this point because to decide that a belief is false is to abandon it. A moral agent no longer holds that belief. The case is different with a desire, however. The rejected desire can reappear in one form or another. It may reappear, for instance, as a desire for a substitute. If no substitute is available, the rejected desire may reappear in the form of regret for what was missed.

One might say that the rejected belief also involves regret. If one abandons a belief, one may experience regret because it was one's own belief. For example, a scientist may feel regret for abandoning his theory. One may also experience regret because it would have been better if the world was in fact as he or she had believed it was. For example, a father may feel regret when he abandons the belief that his son survived a sunken ship. Thus, one might say, it is possible to experience regret in the loss of a belief.

The fact that one once held a belief, however, does not quite explain the regret that attaches to the abandoned belief. A better explanation is that that one had a desire for the belief to be true. The fact that a scientist regrets his theory turning out to be false suggests that he or she wanted the theory to be true. And the desire associated with the theory

shows itself in the form of regret. Similarly, the father feels regret because he had a desire to believe that his son survived the accident.

Williams argues that moral dilemmas are more like conflicts of desires than conflicts of beliefs. In a moral dilemma, when a moral agent chooses to act on one moral principle rather than the other, he or she does so without necessarily abandoning the other moral principle. The other moral principle still influences him or her. This fact is supported by the regret that the moral agent experiences for what was not done. The moral agent feels that he or she has not done something that ought to have been done.

The moral agent's feeling of regret does not depend on whether he or she has acted for the best. Under the circumstances, he or she may have made the best possible choice. Even if convinced of this fact, he or she may still experience regret for what was not done. The moral agent acknowledges the presence of both moral principles: he or she acknowledges one moral principle by acting on it and the other by feeling regret for not acting on it. The experience of regret thus suggests that the moral agent was in a moral dilemma.

Although Williams uses the term "regret" to describe the emotional state of a moral agent that has violated a moral principle, this term is usually used by the opponents of moral

dilemmas. The advocates of moral dilemmas, in contrast, usually use terms such as "remorse" or "guilt." Marcus (1980) believes that "remorse" or "guilt" is the appropriate term to use to describe a moral agent's emotional state.⁸ Although she proposes a different notion of inconsistency, she says that in real life, a moral agent can encounter moral principles entailing conflicting actions: through no fault of his or her own, he or she cannot fulfill both moral principles. As a result, he or she may be apologetic for the unfulfilled obligation and may self-impose reproofs and penalties. Marcus says "regret" is too weak to describe the accompanying moral sentiment. Something closer to "remorse" or "guilt" is more appropriate.⁹

I agree with Williams that moral dilemmas are similar to conflicts of desires rather than conflicts of beliefs, in this

⁸ Mark Strasser (1987) holds that regret is the right term to use for a moral agent's emotional experience. But he distinguishes between deserving to feel regret and appropriately feeling regret. Some theorists argue that when a moral agent has acted rightly by fulfilling his or her overriding obligation, he or she should not feel badly for having done so. Other theorists argue that because the moral agent has disappointed other people's expectations, he or she should feel badly. If one distinguishes guilt and regret, one can say that the moral agent ought not feel guilty for performing a morally correct action, but ought to feel regret for disappointing the expectations. Strasser says that the moral agent ought to feel regret, not because he or she deserves to feel it but because a moral agent with a good character would feel it.

⁹ Patricia Greenspan (1983) holds a qualified view. She says that a moral agent should feel guilt in an exhaustive prohibition case such as *Sophie's Choice*. In this case, Sophie knows that she is responsible for doing something wrong even though she could not have avoided doing wrong. The same would be true if she had chosen differently and allowed both children to be killed. It would be strangely insensitive for a mother not to experience guilt at either choice.

respect: both rejected desire and violated moral principle can evoke negative emotions in a moral agent. Just as the rejected desire can reappear in the form of regret for what was missed, the moral principle that a moral agent does not act on can reappear in the form of remorse or guilt. The fact that a moral agent experiences these negative emotions after violating a moral principle suggests that the moral principle still influences him or her.¹⁰

I believe, however, that the argument from moral residue as presented by Williams is not complete. According to the definition of a moral dilemma that I have adopted in this essay, the competing moral principles must be not overridden. The fact that a moral agent would feel remorse or guilt about violating each moral principle merely shows that he or she acknowledges the presence of both moral principles. To show that a moral dilemma exists, however, one must also show that neither moral principle overrides the other. To do so, one must show that the moral agent would feel the same degree of remorse or guilt no

¹⁰ Gowans (1987) says that another issue related to the arguments from moral residue is moral realism. Some might say that the existence of moral dilemmas is incompatible with moral realism. In one sense of the term, realism is the view that the truth-value of a statement is determined by the world, where the world is taken to be something independent of human reason, will, and desire. Realism in this sense can be said to mean that conflicting statements cannot both be true. Williams argues that since conflicting ought statements can both be affirmed, as evidenced by regret, moral realism in this sense cannot be correct. In this essay, I do not deal with the issue of moral realism. Rather, I focus on the issue of whether moral dilemmas exist and the implications of their existence on major moral theories.

matter which moral principle he or she violated. This would suggest that the moral principles influencing the moral agent are roughly equal in strength and hence not overriding.

One can reflect this idea in the moral dilemma that Sartre's student experiences. Using this case, one can describe the argument from moral residue as follows:

- (1) The moral principle of filial piety entails the student to stay with his mother.
- (2) The moral principle of patriotism entails the student to join the Free French.
- (3) If the student does not stay with his mother, he experiences remorse or guilt.
- (4) It is appropriate that the student experiences these emotions.
- (5) If the student does not join the Free French, he experiences the same degree of remorse or guilt.
- (6) It is also appropriate that the student experiences these emotions.
- (7) Experiencing remorse or guilt is appropriate only when a moral agent has violated a moral principle.
- (8) The student cannot stay with his mother and join the Free French in England at the same time.

- (9) The student must violate one of two non-overridden moral principles no matter which action he takes.
- (10) The student faces two non-overridden moral principles entailing inconsistent actions.
- (11) The student is in a moral dilemma.

Sentence (9) follows from (1) to (8). Sentence (10) follows from (9). And sentence (11) follows by definition of a moral dilemma.

Terrance McConnell (1996) raises several objections to the argument from moral residue, the first being that the argument is question-begging. He says that when a moral agent faces a situation like that of Sartre's student, he or she appropriately experiences negative emotions. But the negative emotions are not limited to remorse or guilt; they include regret. A moral agent can appropriately experience regret even when the agent does not believe that he or she has violated a moral principle: the moral agent can experience regret about a negative state of affairs.

For example, a parent may appropriately regret that she must punish her child even though she believes that her child deserves punishment. She appropriately experiences regret because she has brought about a bad state of affairs (i.e., the child's discomfort) even though she is morally required to do so. Regret can even be appropriate when a moral agent has no causal connection with the negative state of affairs. For example, a

moral agent can appropriately regret that a recent fire has caused damage to the neighbor's house, that severe birth defects have caused pain in infants, that a starving animal experiences suffering in the wilderness, and so on.¹¹

According to McConnell, remorse or guilt has two components. The first is the experiential component, which is the negative feeling that a moral agent experiences. The second is the cognitive component, which is the belief that the moral agent has done something wrong. McConnell says that one cannot distinguish between remorse (or guilt) and regret based solely on the experiential component; regret can range from mild to intense as can remorse. Instead, one can distinguish them based on the cognitive component: regret does not involve a violation of a moral principle while remorse or guilt does.

When one examines the case of an alleged moral dilemma, McConnell argues, it begs the question to claim that a moral agent's experience of remorse or guilt is appropriate, no matter what he or she does (i.e., sentences (4) and (6)). While it is appropriate for the moral agent to experience some negative

¹¹ Thomas Hill (1996) describes the regret a moral agent experiences after injuring someone. He says that the moral agent needs to acknowledge that his or her action, although justifiable in the circumstances, puts him or her in a special relation to the actual victim. This does not mean that the moral agent should feel more regret for harming that individual than he or she would have if he or she had injured a different person. The moral agent, however, should deplore the fact that he or she injured that very person, not just that he or she injured someone.

feeling, to describe that feeling as remorse or guilt rather than regret is to presuppose that the moral agent believes that he or she has done something wrong. In other words, to say that the moral agent appropriately feels remorse or guilt is to presuppose rather than argue that he or she is in a moral dilemma.

I believe that McConnell's objection that the argument from moral residue is question-begging is unconvincing. One can respond to his objection by providing an independent argument to support sentences (4) and (6). Suppose that Sartre's student has decided to join the Free French and leave his mother. Consider different responses by the student. Suppose that the student says the following: "I have decided to join the Free French for a patriotic reason. I think this is the best decision under the circumstances. If I leave my mother, she will have to live alone and plunge into despair. I do not feel bad about it though, for that is the inevitable consequence of my decision. I have made a choice to serve my country and I do not have to feel bad about my mother." Most people would say that this is not an appropriate response by someone with the minimum moral decency. Given his relationship with her and the difficulties that she will experience, most people would expect the student to be emotionally involved with the situation. They would expect him

to experience negative emotions about her mother and to feel uncomfortable with leaving her alone.

Suppose instead that the student says the following: "I regret what will happen to my mother when I leave her to join the Free French. She has been deeply saddened by my father's treason and my brother's death. My disappearance will intensify her sadness. Although I regret leaving her, I have to put this feeling in perspective. I regret many things about this world. I regret, for example, that many buildings have been destroyed during the war, that there are hungry people on the streets, and that some people have lost their family members. I feel bad about this state of affairs. On the other hand, bad things happen in life. The fact that I am leaving my mother is one of many things that I regret about life." Most people would say that this response is not quite appropriate. There is something morally callous about the student's treating her mother's situation as one example of how the world is in a bad state of affairs. Given his mother's situation, most people would expect the student's response to be more personal and emotional. They would expect him to feel sorrier and more sympathetic about her mother's situation.

Finally, suppose that the student says the following: "I feel remorse or guilt about leaving my mother. I have made a very difficult choice. Although I believe I have made a good

choice under the circumstances, I am leaving my mother with a heavy heart. Even if I join the Free French, I will be worried about my mother. I wish things were different and feel very bad about what I am about to do. I hope to return from my service soon and take care of my mother." Most people would say that this is the appropriate response by the student. They would expect the student to feel very bad about leaving his mother. Something like remorse or guilt seems to be an emotion that the student should feel in the situation.

The comparison of these cases suggests that remorse or guilt is the appropriate emotional response by the student. This conclusion obviously relies on the moral intuitions that most people have and these may not be as reliable as, say, scientific observations. Nonetheless, the comparison helps one to realize the inappropriateness of detached emotional responses by the student, providing independent support for sentences (4) and (6). This reply thus counters McConnell's objection that the argument from moral residue is question-begging.

McConnell's second objection is that it is questionable whether remorse or guilt is an appropriate emotional response only in cases where a moral agent has violated a moral principle (i.e., sentence (7)).¹² He provides an example to support his

¹² Philippa Foot (1987) argues that the negative emotions come from bad consequences rather than violating moral principles. Take, for example, the

claim. Consider the case of a middle-aged man, Bill, and a seven-year old boy, Johnny. On a snowy day, Johnny and several of his friends are riding their sleds down a narrow and seldom used street. The street intersects with a busier street. In his enthusiasm for sledding, Johnny neglects to be careful. During his final ride, he skids under an automobile that passes through the intersection and is killed. Bill is driving the car. He had been driving safely, had the right of way, and was not exceeding the speed limit. Moreover, it was impossible for Bill to see Johnny coming. Therefore, Bill is not responsible for Johnny's death in any way. Yet Bill feels very bad about what happened. The emotions that he experiences could be described as remorse or guilt.

McConnell says that in some sense, Bill's feelings of remorse or guilt are not warranted because he did nothing wrong. But most of us would understand Bill's emotional response. From

breaking of a promise. One has promised to meet someone but must instead take an accident victim to hospital. Obviously, one regrets it if there is no time to let the promisee to know. But this is regret for the bad consequences, not regret for the breaking of a promise. To show this, suppose that things turn out splendidly. The promisee is not annoyed but meets his or her future beloved, or someone offers him or her a good job. One would not then be inclined to say that an element of distress should exist because a promise has been broken, and that breaking the promise is regrettable. Patricia Marino (2001) has a reply to Foot's point, however. She provides a counter-example. Suppose a mother is careless and her child wanders off into a pool. Instead of drowning, the child learns to swim. The mother may feel joy at her child's accomplishment, but she has reason to regret her negligence. In other words, the fact that good fortune saves one from bad consequences does not mean that he or she need not feel bad about failing obligations.

Bill's point of view, the response is not inappropriate. To see this, imagine that Bill had a very different response. Suppose that Bill said, "I regret Johnny's death. It is a terrible thing. But it certainly was not my fault. I have nothing to feel guilty about and I don't owe his parents any apology." Even if Bill is correct intellectually, it is hard to imagine someone being able to achieve this level of objectivity about his or her behavior. When human beings have caused great harm, they wonder if they are at fault, even if to outsiders they bear no moral responsibility. This example suggests that there are situations where a moral agent's remorse or guilt is appropriate even though he or she has not violated any moral principle.

I believe that the McConnell's example fails to prove his point. Even if one grants that the driver has certainly not violated any moral principle and that the driver is aware of this fact, the driver example forces McConnell to take an inconsistent position. As discussed earlier, McConnell says that remorse or guilt has two components: the experiential component and the cognitive component. According to him, one cannot distinguish between remorse (or guilt) and regret based solely on the experiential component; regret can range from mild to intense, as can remorse. Instead, one can distinguish them based on the cognitive component: regret does not involve a violation of a moral principle while remorse or guilt does.

If McConnell's distinction between regret and remorse (or guilt) is correct, then he can only describe the driver's emotions as "intense regret." If the driver has not violated any moral principle, McConnell's distinction between regret and remorse or guilt does not allow him to describe the emotions as remorse or guilt. McConnell thus cannot use the driver example to support his view without being inconsistent.

McConnell (1987)'s final objection is that the advocates of moral dilemmas cannot adequately explain two phenomena that are frequently associated with moral dilemmas. One is that a moral agent who apparently faces a moral dilemma frequently seeks moral advice. He or she may ask seek advice from a more experienced and wise person about how to resolve the dilemma. For example, Sartre's student seeks advice from his teacher about what he ought to do in his situation. The second phenomenon is that after acting on one of the conflicting moral principles, a moral agent often experiences moral doubt. The moral agent wonders if he or she has acted on the right moral principle - or more typically, if he or she has acted on the wrong moral principle. Furthermore, these behaviors of a moral agent are considered appropriate. In other words, when a moral agent facing moral dilemmas seeks advice and experiences moral doubt, most people would regard such behaviors as proper and reasonable.

McConnell claims that while the opponents of moral dilemmas can easily explain this fact, the advocates of moral dilemmas cannot. Suppose that a moral agent who is facing conflicting obligations asks another person for moral advice. The moral agent's asking for advice indicates that he or she believes that there is one action that he or she ought to take. In other words, the moral agent believes that one of two moral principles overrides the other and hence that the situation he or she is in is not a moral dilemma.

One can make a similar claim about a moral agent's experiencing doubt. Having acted on one of the moral principles, the moral agent may worry after about what he or she has done. He or she often wonders whether he or she has acted in the right way. The doubt occurs because the moral agent assumes that there is only one right action to take in the situation and is not sure if he or she has taken it. The moral agent's experiencing doubt, therefore, suggests that the moral dilemma does not exist.

McConnell says that the advocates of moral dilemmas might offer a different explanation of a moral agent's behaviors. In order to explain the moral agent's seeking advice, they might make a distinction between a genuine moral dilemma (i.e., a situation where moral principles do not override each other) and an apparent moral dilemma (i.e., a situation where one moral principle overrides the other, though at first glance it does

not appear to). If the situation is an apparent moral dilemma, a moral agent may seek advice because others may be able to help him or her discover what he or she really ought to do. If the situation is a genuine dilemma, however, the moral agent may seek advice because he or she ought to take all the reasonable precautions before acting. He or she, for example, may want to make sure that the situation is a genuine dilemma instead of an apparent one. The advocates of moral dilemmas can offer a similar explanation of the moral agent's experiencing moral doubt. If the situation is an apparent moral dilemma, then there is one action that he or she should take. Moral doubt is appropriate because the moral agent might have taken the wrong action even though he or she tried not to. If the situation is a genuine moral dilemma, however, the moral agent cannot help but do at least one thing wrong. This creates doubt about the action that he or she did choose.

McConnell responds that the plausibility of this explanation depends on whether the advocates of moral dilemmas can reasonably distinguish between an apparent moral dilemma and a genuine one. He claims, however, that there is no epistemic criterion for the distinction between them. At least, as far as he knows, the advocates of moral dilemmas have offered no such criterion. If there is no epistemic criterion for distinguishing between them, the advocates of moral dilemmas are forced to

admit that a moral agent's seeking advice and experiencing doubt are always appropriate because it is impossible for him or her to tell whether he or she is in an apparent moral dilemma or a genuine one. To take this line, however, is to concede that the moral agent must treat every case as if it were only an apparent moral dilemma. This puts the advocates of moral dilemmas in a very weak position. If they admit this much, one may wonder whether there are any grounds for ever thinking that one is in a genuine moral dilemma. To grant that a moral agent must presuppose that each conflict that he or she faces as only an apparent moral dilemma is to give the opponents all that they need. After all, the opponents of moral dilemmas suggest that a moral agent should behave as if genuine moral dilemmas do not exist.

I believe that McConnell's view is not persuasive. In fact, an epistemic criterion exists to distinguish between genuine moral dilemmas and apparent ones. To determine whether a particular situation is a genuine moral dilemma, a moral agent can look to the moral residue that he or she experiences. If the moral agent feels the same degree of remorse or guilt regardless of which moral principle he or she violates, it provides credible evidence that the moral principles do not override each other and that the situation is a genuine moral dilemma.

When the difference in moral feelings is clear and overwhelming, a moral agent probably need not seek advice or have doubt. When the difference is not clear, however, the moral agent may seek advice in advance or have moral doubt afterwards. This behavior does not necessarily imply that the moral agent's feelings are unreliable guides. Rather, it may mean that his or her feelings can be subject to error at times. For example, the moral agent may have a closer relationship with a particular person whom his action will affect; he or she may unwittingly ignore the relevant facts surrounding the situation; or he or she may have been brought up to favor particular moral principles over others. These possibilities provide sufficient motivation for the moral agent to seek advice and experience moral doubt. Therefore, contrary to McConnell's reply, the moral residue can serve as a reasonable and yet imperfect criterion to distinguish between genuine moral dilemmas and apparent ones.

My view is vulnerable to the objection that a moral agent's emotions are not reliable guides for assessing the strengths of moral principles. Emotions can be untrustworthy in different ways. For example, a moral agent's past personal experience can affect how he or she feels about the conflicting moral principles in a given case. As a result, a moral agent may not be able to objectively assess the difference in emotional intensity.

This objection provides a reason for me to strengthen the general assumptions that I have made about a moral agent. I have assumed that a moral agent is informed and competent. A moral agent is fully informed about the morally salient features of the situation in which he or she is to act. A moral agent is also aware of the relevant moral obligations imposed on him or her. I need to add other assumptions about a moral agent. He or she can objectively assess the emotions involved in conflicting moral obligations. He or she can also reasonably distinguish these emotions' degree of intensity.

These additional assumptions, however, may not be sufficient to persuade a committed rationalist. A rationalist believes that all moral considerations are ultimately based on a single and abstract principle, and that any specific moral judgment may be deduced from this principle. For the rationalist, emotions may not be morally relevant data suitable for moral analysis. In fact, the rationalist would treat the philosophical value of a moral agent's emotions with skepticism. Therefore, the persuasiveness of the argument from moral residue may ultimately depend on whether one agrees with the rationalist or the experientialist. There may not be a satisfying way to resolve the issue completely. Hopefully, the next two arguments will strengthen the case for the existence of moral dilemmas.

5.2. The Argument from Incomparability of Values

Another argument for the existence of moral dilemmas is the argument from incomparability of values. It has been said that a moral dilemma arises when a moral agent faces non-overridden moral principles. Moral principles do not override each other when they are equal in strength. There is a different way, however, that moral principles may not override each other. The strength of one moral principle may not be greater than, less than, or equal to the strength of the other. In other words, moral principles may be incomparable with each other.

E. J. Lemmon (1987) argues for the incomparability of moral values. According to him, there are three sources of the moral "ought": duties, obligations, and moral principles. To be specific, one ought to do something if it is one's duty to do it; one ought to do it if one is under an obligation to do it; and one ought to do it if it is right in view of some moral principle.

One's duties are closely related to one's status or position. For example, one has duties in virtue of a job: one has duties as a policeman, a headmaster, a politician, and so on. Family relationships also may determine one's duties. One thus has duties as a father, a mother, a son, or a daughter. Lemmon says it is not clear whether there are duties of a host, a friend, or a citizen.

Obligations, on the other hand, are typically incurred by previous committing actions. For example, one has obligations as a result of promising or giving one's word. For example, if one swears to tell the truth, then one is under an obligation to do so. Lemmon says it is less clear whether one has obligation to return hospitality after having received it and whether one has an obligation to give money to a beggar after having been asked for it. These latter cases represent incurring obligations by others' conduct rather than one's own.

The moral principles are the last source of the moral ought. For example, one ought to tell the truth because one holds a moral principle of truth-telling. One may also know that one ought not commit adultery because he or she holds a moral principle that one should be faithful in marriage.

Lemmon says that these sources are independent of one another. One can be under an obligation to do something although one is not duty-bound to do it, and *vice versa*. For example, it may be that one ought to vote against a communist candidate in an election because it is one's duty as a citizen. One may not, however, be under an obligation to vote against the communist candidate. On the other hand, if one has given one's word, one may be under the obligation to vote against the communist. Furthermore, one may have both an obligation and a duty to do the same thing. For example, in the witness stand, it is one's

duty as a witness to tell the truth, and it is one's obligation to tell the truth by swearing an oath.

Lemmon maintains that the different sources of the moral ought give rise to moral dilemmas. He writes,

My motive for carefully distinguishing some of the courses for "ought's" earlier in the paper should now be apparent. For moral dilemmas of this sort we are considering will appear generally in the cases where these sources conflict. Our duty may conflict with our obligations, our duty may conflict with our moral principles, or our obligations may conflict with our moral principles. (p. 107)

Lemmon's claims thus support the argument for the incomparability of values.¹³

¹³ Judith DeCew (1990) claims that accepting moral dilemma need not lead to ethical relativism. She identifies two types of ethical relativism. The first says that there are at least some instances of conflicting ethical opinions that are equally valid in the sense that the application of rational method in ethics would support two conflicting ethical statements. The second says that there is no unique rational method in ethics. She argues that one can accept the existence of moral dilemmas and deny the second type of ethical relativism. In other words, one can believe that there are some irresolvable dilemmas where conflicting moral requirements are genuinely binding but cannot be satisfied at the same time. At the same time, one can believe that in a range of other cases, one can resolve the moral conflicts and reason to the truth about how to act.

Thomas Nagel (1987) advances another incomparability argument. He claims that there are different value claims: obligations, rights, utility, perfectionist ends, and private commitments. Obligations refer to specific obligations to other people or institutions. For example, they include obligations to one's patients, family, community, and country. One incurs such obligations either by a deliberate undertaking or by a special relation to the person or institution.¹⁴

Rights refer to constraints on action deriving from the general rights that everyone has either to do certain things or not to be treated in certain ways. Examples include the rights to liberty and the rights to freedom from assault or coercion. These rights do not depend on obligations that others have incurred not to interfere, assault, or coerce. Rather, they are completely general and restrict what others may do to their possessors.

Utility includes all aspects of benefit and harm to all people, not just to those with whom one has a special relation or to whom one has undertaken a special commitment. Utility takes into account the effects of one's actions on everyone

¹⁴ Mary Mothersill (1996) says the incomparability argument does better than the equal-weight argument (where two non-overriding moral principles operate). It better captures the sense of paralysis that a moral agent experiences as a moral dilemma. Also, it rebuts an objection that the opponents of moral dilemmas raise—that there are no clear sets of priorities among moral principles and no possibility of appeal to a single reductive method.

else's welfare. The examples of utility include the general benefits of medical research and education.

Perfectionistic ends refer to the intrinsic values of certain achievements or creations apart from their values to the individuals that experience or use them. The examples include the intrinsic values of scientific discovery, artistic creation, and space exploration. These pursuits serve the interests of the individuals directly involved in them. They are not justified, however, solely in terms of these interests. Rather, they are considered to have intrinsic values even if they have no practical effects and if very few people understand them.

Finally, private commitments refer to commitments to one's own projects or undertakings. For example, if one sets out to climb Everest, translate Aristotle's *Metaphysics*, master the *Well-Tempered Clavier*, or synthesize an amino acid, the pursuit of that project, once begun, acquires significant importance. Its importance involves not only justifying earlier investment of time and energy but also a desire to finish what one has begun.

Nagel says that there is a fundamental division between personal and impersonal viewpoints, making comparison between them impossible. For example, there is a formal contrast between rights, obligations, and private commitments, on the one hand, and utility and perfectionistic ends, on the other. The claims

represented by individual obligations begin with relations between individuals. Although the satisfactory maintenance of these relations is part of the utilitarian conception of a good state of affairs, this is not the basic motive behind obligations. It may be good that one keeps one's promises or looks after one's children, but one's reason for keeping one's own promises is very different from one's reason for wanting other people to keep theirs. One does not feel bound to keep one's promises or to look after one's children because it would be a good thing, impersonally considered. While one does other things for such reasons, a more personal outlook is involved: it is one's own relation to other people or the institution or community that moves him or her, not a detached concern for what the best outcome would be. Similar observations can be made of general rights and private commitments. By contrast, the claims of utility or perfectionistic ends are impersonal or outcome-centered: they concern what happens rather than what one does. In other words, what matters is one's contribution to what happens.

Nagel says that this great division between personal and impersonal reasons, between agent-centered and outcome-centered reasons, or between subjective and objective reasons, is so basic that it renders implausible any reductive unification. One understands impersonal reasons when one detaches from one's

personal situation and special relations to others. Utilitarian considerations arise in this way, when one's detachment takes the form of adopting a general point of view. This outlook is very different from that which arises from one's concern for special obligations to one's family, friends, or colleagues. The two motives come from two different points of view, fundamentally irreducible to a common basis. When these two different points of view entail inconsistent actions, a moral dilemma arises. Nagel writes,

My general point is that the formal differences among types of reason reflect differences of a fundamental nature in their sources, and that this rules out a certain kind of solution to conflicts among these types. . . Conflicts between personal and impersonal claims are ubiquitous. They cannot, in my view, be resolved by subsuming either of the points of view under the other, or both under a third. (pp. 179-180)

Thus, according to Nagel, the incomparability of value claims gives rise to moral dilemmas.

Earl Conee (1987) objects to the incomparability argument. He disagrees with Lemmon on the sources of the moral ought, saying that one does not incur moral duties or obligations

easily. He provides an example to support his point. Consider an executioner in some horrendous death camp. The executioner does have duties in virtue of being an executioner, but they are hardly moral duties; they are merely part of the job. Conee says that even if the executioner has previously committed himself to killing his victims, his commitment does not give rise to moral obligations. Conee thus casts doubt on Lemmon's idea that moral dilemmas are created by different sources of the moral ought.

My reply to Conee's objection is that his example does not refute Lemmon's view. One might grant that not every position confers one a moral duty, the executioner being one example. In most cases, however, one incurs a moral duty in virtue of a position that he or she holds. The examples include being a father, a fireman, a policeman, teacher, soldier, or a doctor. Conee's example appears to be an atypical example. Providing one eccentric example does not refute what appears to be a general point that a position that one occupies gives rise to moral ought.

Alan Donagan (1987), an advocate of Kantian ethics, makes a similar objection. According to Kant, there is a distinction between moral duties and grounds of moral duties (this idea will be discussed in detail in a later chapter). He says that the grounds of moral duties can entail incompatible actions, but moral duties cannot. Suppose that a fireman must rescue people

in a burning building. The fireman wants to rescue everyone but cannot physically do so. Whom should he save? Donagan says that this is a case where the grounds of duties conflict. If there were only one person in the burning building, that person's need for help would hold the field as the only ground binding to a duty. There are multiple people and thus multiple grounds of duties, however, and none holds the field as a ground binding to a duty. As a result, they remain the grounds of duties that are in conflict. Since they are the grounds of moral duties but not genuine moral duties, the conflicts they raise are practical conflicts but not moral conflicts.

According to Donagan, some philosophers are convinced that a plausible moral theory cannot allow the possibility of a moral dilemma because they assume that the question of "What shall I do?" is a moral question. If morality is the sum of the conditions on human action unconditionally required by practical reason - as the rationalists maintain - then for the most part, moral considerations will not suffice to answer the question. Among those human actions that are morally permissible, very few discharge perfect duties. The larger number of actions discharge the imperfect duties of self-culture and beneficence. Most actions, many of which are the most difficult to decide upon, have little or nothing to do with morality. In many situations, the considerations that enter into making a decision are

multiple and practical: considerations of desire, convenience, affection, indignation, courtesy, and so on.

I believe that it is debatable whether the fireman case represents a conflict of practical considerations rather than moral considerations. Even if one grants this point to Donagan, a conflict of moral considerations or a moral dilemma can arise within the rationalist framework. Suppose that one makes promises to two people and later finds out that he or she cannot keep both. Donagan would agree that promise-keeping has moral significance. According to Kant, promise-keeping is a perfect duty. Yet this perfect duty can entail incompatible actions. No matter which action one takes, he or she is bound to violate that perfect duty. Therefore, one cannot eliminate the possibility of moral dilemmas within the rationalist framework.

Conee's and Donagan's objections, however, share something in common. Both argue for a narrower scope of morality: moral duties or obligations arise neither too often nor too easily. Their point has plausibility because the scope of morality is somewhat vague. It is difficult to separate clearly moral considerations from non-moral considerations. From their point of view, for example, Nagel's perfectionistic ends and private commitments may not qualify as moral considerations. Also, it is true that not every position that one occupies gives rise to a moral duty. A narrower scope of morality implies that what

appear to be moral dilemmas are the conflicts between practical considerations rather than moral considerations.

My reply to this objection is that although the scope of morality is not clear-cut, most would agree that certain values and actions bear moral significance. Examples include one's obligation to pay debt, one's obligation to help someone in distress, and one's right to freedom. It is difficult to deny that these have no moral considerations but are merely practical considerations.¹⁵ Conflicts can arise between these moral considerations.

On the other hand, Sinnott-Armstrong (1985 and 1988) agrees with the incomparability argument but makes a more refined argument. He says that the conventional incomparability argument is defective. Consider Nagel's argument: if the variety of viewpoints alone implied incomparability, no values of fundamentally different kinds would ever be comparable. Yet some fundamentally different values are comparable. If one action produces a little more pleasure but violates many rights, then

¹⁵ Mary Mothersill (1996) says that there are many disputes about what qualifies a reason or principle as "moral." This point is important because the opponents of moral dilemmas often say that their thesis—that obligations never conflict—applies only to conflicts that are moral rather than practical. Mothersill says that rather than trying to find an acceptable criterion for a principle's being moral, one should leave the stone unturned. Both the advocates and opponents of moral dilemmas seem content with traditional examples of morality—one should tell the truth, keep one's promises, relieve other's suffering, and so forth. None of the disputants is a Nietzschean, nor does any of them show sympathy with an existential ethic.

the latter, a personal value, seems to override the former, an impersonal value. On the other hand, if an astronomer can gain much important knowledge about an unexpected comet only by breaking a trivial promise, then the former, an impersonal value, appears to override the latter, a personal value.

Sinnott-Armstrong says that these and other examples suggest that the only plausible view of incomparability admits that a moral principle is comparable with another moral principle in some situations, but in other situations, it is not. Sinnott-Armstrong calls this relation "limited incomparability" and says that limited incomparability is sufficient to give rise to moral dilemmas.

One theory that supports the idea of limited incomparability is called the non-defective ranker theory or the ideal observer theory. According to this theory, non-defective rankers can sort out conflicting moral principles. The theory requires listing any defects that might distort the rankers' choices or rankings. The list usually includes ignorance, partiality, irrationality, and so on. Non-defective rankers do not possess any defects on the list.

Non-defective rankers are then used to resolve moral principles that prescribe incompatible actions. In the case of overriding, one moral principle is said to override another if all non-defective rankers judge that the former is stronger.

Universal agreement is necessary for one moral principle to override another. Thus, if non-defective rankers do not all agree, neither moral principle overrides the other, resulting in a moral dilemma. In addition, moral principles are deemed unequal in strength if not all rankers agree that they are equal in strength. In that case, moral principles are deemed incomparable.

The important question is whether non-defective rankers ever disagree. In some cases, all non-defective rankers agree that one moral principle is stronger than the other. For example, only defective rankers would rank a moral principle not to cause a small amount of pain above a moral principle to keep a solemn promise or not to cause a major disability. In other cases, non-defective rankers disagree even though there nothing seems defective about them. For example, when keeping a promise or refusing to lie would cause a fair amount of pain, rankers disagree about which moral principle is stronger. Admittedly, it is possible that one of the rankers is either ignorant or partial in some way. There is often no evidence of any relevant defect, however, because while rankers do not know the people who will be affected, they know the probable effects of each alternative.

David Brink (1996) holds a similar view. He says that incomparability presumably exists only if there are different

scales or dimensions of assessment. He distinguishes between strong incomparability and weak incomparability. Strong incomparability exists between types of acts x and y just in the case that no token of type x is comparable with any of type y. On the other hand, there is weak incomparability between types of acts x and y just in the case that some tokens of type x are not comparable with some t of type y, while others are. Thus, weak incomparability allows for substantial, though partial, comparability. Brink says that even if one has different dimensions of assessment, strong incomparability seems implausibly extreme, while weak incomparability sounds more plausible.

5.3. Argument from Symmetry

Another argument for the existence of moral dilemmas is called the argument from symmetry. According to this argument, a moral dilemma arises when a single moral principle prompts a moral agent to act in incompatible ways. Many symmetrical cases can be discussed, but the best-known case is *Sophie's Choice*, a novel by William Styron (1980). After Sophie arrives with her two children at a Nazi concentration camp, a guard orders her to choose one child. He tells her that the child she chooses will be killed and the other child will live in the children's barracks.

Sophie does not want to choose at all, but the guard also tells her that if she refuses to choose, both children will be killed. She knows that he will carry out his threats. In this case, a single moral principle operates - that of not participating in one's child's death. This principle operates in a symmetric and opposite way. To choose the first child would be to cooperate in an evil scheme and, more particularly, in her own child's murder. Choosing the second child has the same result. So the moral principle prompts the mother not to choose the first child. It also prompts the mother not to choose the second child.

Her situation is a moral dilemma if the moral principle applying to each child does not override each other. In other words, she faces a moral dilemma if the moral principle vis-à-vis the first child and the moral principle vis-à-vis the second child do not override each other. There seems to be no morally relevant difference between the children, so she does not have an overriding reason to choose one child over the other. The book does in fact suggest that there is some difference: the younger child is more dependent and thus less likely to survive in the children's barracks. The example, however, can be modified so that there is no morally relevant difference between the children. Such symmetry is extreme, but it is possible. Therefore, Sophie faces a moral dilemma.

Another case of symmetry involves the moral principle of promise-keeping. Suppose that a person may make two promises with the intention of keeping each but discovers later that due to unforeseeable circumstances, he or she cannot keep both. In this case, assuming there is no morally relevant difference between the two promises, a single moral principle creates a moral dilemma.

The trolley case provides another example. A trolley driver might run over one person if he or she keeps pressing down on a lever and over another person if he or she lets up on the lever. The lever ensures that both alternatives are positive actions. No satisfactory resolution is possible because no morally relevant difference exists between the alternatives. The moral principle of not harming others thus creates a moral dilemma.

Brink (1996), however, denies that a situation of symmetry creates moral dilemmas. In such a situation, according to Brink, a moral agent has a disjunctive moral requirement. He distinguishes between *prima facie* obligations and all-things-considered obligations (a distinction to be discussed in detail later). Although *prima facie* obligations can entail inconsistent actions, all-things-considered obligations do not. He writes,

But she may perform either of the disjuncts in order to fulfill her all-things-considered obligation.

Whichever disjuncts she performs, she will leave a strong *prima facie* obligation unperformed, and this may be cause for a kind of regret or compunction for the moral force to which she does not respond. But as long as she performs one of the disjuncts, she will have done nothing impermissible. (p. 115)

According to this view, in the case of promise-keeping, a moral agent ought to keep one promise or the other. Sophie therefore ought to choose either one child or the other. An analogous case supports this point. Consider a person that wants to make a contribution to one of several charities. If a person could afford to make a meaningful contribution to only one charity, the existence of several other charities would not prompt one to say that no matter what the person chooses, he or she would not be acting morally.¹⁶ Rather, a proper response would be that the person ought to make a contribution to one of the charities. Similarly, it is perfectly reasonable and not arbitrary to say that when a symmetric situation prompts incompatible actions, a moral agent ought to take one of the actions.

I find Brink's view unsatisfactory. Saying that a moral agent has a disjunctive requirement in a symmetry case is no

¹⁶ This example is drawn from McConnell (2014).

different from saying that the moral agent faces a moral dilemma. It is misleading to claim that a disjunctive requirement is a solution to a moral dilemma. Compare the case of Sartre's student discussed previously and the case of making promises to two people. How is the former case (a non-symmetric case) different from the latter (a symmetric case)? There are important similarities between them. In both cases, a moral agent feels that he or she ought to take both actions yet cannot do so. In both cases, neither moral principle overrides the other (the promise-keeping principle does not override itself). Furthermore, in both cases, no matter which action the moral agent takes, he or she is bound to violate a moral principle that he or she holds. From the action-guidance perspective, it is not practically helpful to tell the student that he has a disjunctive requirement – that he should either stay with his mother or join the Free French. Similarly, it is not practically helpful to tell the promisor that he or she should keep one promise or the other.

Furthermore, Brink's charity example does not help to prove his point. Suppose that there are two charities to choose from. One charity helps wounded soldiers who have returned from war, and the other helps victims of a recent natural disaster. Both charities lack sufficient funds, and many people – both soldiers and victims – are dying every day from lack of proper treatment.

The situation for both is urgent and serious. In this case, a moral agent would experience an emotional difficulty and conflict similar to that which he or she would experience in the cases of Sartre's student and Sophie's choice. The strength of a moral principle can vary depending on the situation. The facts of the situation can be changed so that a moral agent can experience a critical moral dilemma under a single moral principle.

Donagan (1987) makes a different objection to the argument from symmetry. He discusses the case of making promises to two people. As an advocate of Kantian ethics, he argues that the moral principle of promise-keeping does not create a moral dilemma. He says that most promises are made and accepted on a twofold condition: (1) the promisor has acceptable reason to believe that he or she can and may do what he or she promises and (2) if it turns out that he or she either cannot or may not, the promisee will not be entitled to performance. If the promisor fails to satisfy his or her part of this twofold condition, he or she does wrong in making the promise, and the promisor's consequent moral difficulties are his or her fault and not that of circumstances or the moral system.

If the promisee demands that the promisor keep his or her promise, even though the latter cannot or may not keep it through no fault of his or her own, the promisor may reject that

demand as contrary to the condition on which his or her promise was accepted. A difficulty, however, remains. It sometimes happens that, although a promise is given and accepted on the condition just described, the promisee does not accept the promisor's reason for believing that he or she can and may keep his word. This disagreement may not appear when the promise is made, because a promisee normally does not inquire what the promisor's reason is for believing that he or she can and may keep his word. The difficulty is resolved by the following additional condition: it is wrong for a promisor to make a promise on any condition that he or she does not believe the promisee to understand the promisor to make it.

I believe that Donagan's objection to the argument from symmetry is not persuasive. It is not clear where these conditions of promise that he discusses come from. Does Donagan know them from observing how people actually make and perform promises? Do these conditions come from the rationalist moral theory? Are these conditions part of a particular cultural tradition? Donagan does not explain the source of the conditions. He does not provide any specific reasons to justify them.

Furthermore, even if one accepts these conditions, there is no guarantee that there is a mutual agreement between the promisor and promisee concerning the conditions. The promisor may not correctly appreciate how the promisee understands the

conditions of the promise. For example, an ambiguous or unanticipated situation may occur such that the promisor and the promisee do not share the same understanding of the conditions of the promise. The promisor and the promisee cannot comprehend and foresee every contingency surrounding the promise. When the promisor's and the promisee's understandings do not coincide, Donagan is unable to tell them which promise to keep and which promise to break. Thus, Donagan's conditions of promise are not sufficiently complete and as such, fail to eliminate the possibility of moral dilemmas.

Chapter 6. Arguments against the Existence of Moral

Dilemmas

Several arguments have been made against the existence of moral dilemmas. Among them are the argument from the distinction between *prima facie* and actual duties, the argument from exceptions, and the argument from intentions, the argument from the non-action-guiding evaluations, and the argument from the distinction between negative and positive moral principles.¹⁷ In

¹⁷ There is an additional class of arguments against the existence of moral dilemmas. This class derives from deontic logic. It has long been recognized that the claim that moral dilemmas exist is inconsistent with commonly accepted principles of deontic logic. Two principles in particular have received more attention. According to the agglomeration principle, if a person ought to do one thing and ought to do another thing, then the person ought to do both things. According to the 'ought' implies 'can' principle, if a person ought to do something, then the person can do that thing. Some have argued that moral dilemmas are inconsistent with the conjunction of these two

what follows, I will explain each argument and offer the respective objections.

6.1. Argument from the Distinction between *Prima Facie* and Actual Duties

One of the arguments against the existence of moral dilemmas comes from the distinction between *prima facie* and actual duties. The distinction between them originates from W. D. Ross (1987).¹⁸ He identifies different types of *prima facie* duties: duties of fidelity, reparation, gratitude, justice, beneficence, self-improvement, and duties of non-maleficence. The (1) duties of fidelity rest on previous acts. For example, one has a duty to keep a promise if one has made it to others. The (2) duties of reparation rest on previous wrongful acts. For example, if one has caused damage to another person's property, one has a duty to pay for it. Some duties rest on previous acts of other men. If others provide one with beneficial services, one has a duty to express gratitude. These duties are called the

principles. In this essay, I do not deal with this class of arguments. Instead, I focus on informal arguments against the existence of moral dilemmas.

¹⁸ Richard Price (1969) holds a similar view. Against the view that the whole virtue consists in benevolence, he claims that there are six different heads of virtue, each of which is self-evident. Although he thinks that it is the same eternal reason that commends in them all, he says that they sometimes lead one in contrary ways. When this happens, one may be rendered unable to determine what he or she ought to do.

(3) duties of gratitude. On the other hand, some duties relate to preventing the distribution of pleasure or happiness that is not in accordance with the merit of the persons involved. For example, if a person unjustly enriches himself, one has a duty to correct it. These are the (4) duties of justice.

Some duties rest on the fact that there are other human beings in the world whose conditions one can improve with respect to virtue, intelligence, or pleasure. These are the (5) duties of beneficence. On the other hand, the (6) duties of self-improvement concerns improving one's own condition with respect to virtue or intelligence. Finally, some duties relate to not injuring others. For example, one has a duty not to kill another or steal from another. These are the (7) duties of non-maleficence.

Ross says that these *prima facie* duties can conflict with one another. For example, one could have a *prima facie* duty of reparation, such as a duty to help people who helped you move your belongings, and a *prima facie* duty of fidelity, such as taking your children on a promised trip to the park and these duties could conflict. Nonetheless, there can never be a true moral dilemma, Ross would argue, because one of the *prima facie* duties in a given situation is always the weightiest, and that one overrules all the others. This is the actual duty, the action that the person ought to perform.

To explain the difference between the two types of duty, Ross draws an analogy between morality and natural laws. He compares a *prima facie* duty with a force on a body and an actual duty with an actual movement of the body. He writes,

Another instance of the same distinction may be found in the operation of natural laws. Qua subject to the force of gravitation towards some other body, each body tends to move in a particular direction with a particular velocity; but its actual movement depends on *all* factors to which it is subject. It is only by recognizing the distinction that we can preserve the absoluteness of laws of nature, and only by recognizing a corresponding distinction that we can preserve the absoluteness of the general principles of morality. (p. 94)

Ross points out, however, that although natural forces and *prima facie* duties are analogous, there is an important difference between them. He says no causal relation exists between *prima facie* duties and actual duties. He writes,

But an important difference between the two cases must be pointed out. When we say that in virtue of

gravitation a body tends to move in a certain way, we are referring to a causal influence actually exercised on it by another body or other bodies. When we say that in virtue of being deliberately untrue a certain remark tends to be wrong, we are referring to no causal relation, to no relation that involves succession in time, but to such a relation as connects the various attributes of a mathematical figure. And if the word 'tendency' is thought to suggest too much a causal relation, it is better to talk of certain types of act being *prima facie* right or wrong (or of different persons as having different and possibility conflicting claims upon us), than of their tending to be right or wrong. (p. 94)

How does one know that an act is a *prima facie* duty? According to Ross, the proposition that a *prima facie* duty expresses is self-evident not because it is evident from the beginning of our lives. Rather, it is self-evident because when one has developed sufficient mental maturity and given sufficient attention to the proposition, it is evident without any need of proof. It is self-evident, just as a mathematical axiom or the validity of a form of inference is evident. The moral order expressed in the proposition is just as much part of

the fundamental nature of the universe as is the spatial or numerical structure expressed in the axioms of geometry or arithmetic.

On the other hand, one's knowledge of an actual duty has none of the certainty attached to one's knowledge of a *prima facie* duty. According to Ross, a statement is certain only in one of two cases: when it is either self-evident or a valid conclusion from self-evident premises. And one's knowledge of an actual duty has neither of these characteristics. It is not self-evident. When an act has these characteristics – when it is *prima facie* right in some respects and *prima facie* wrong in others – one is not certain whether one ought or ought not to do it.

Furthermore, one's knowledge of an actual duty is not a logical conclusion drawn from self-evident premises. The only possible self-evident premises are the general principles stating an act's *prima facie* rightness or wrongness qua having the different characteristics. Even if one could apprehend the extent to which an act would tend to bring about advantages and disadvantages for the people involved, there is no principle by which one can draw the definite conclusion that the act is on the whole right or wrong.

Therefore, when it comes to knowledge of an actual duty in a particular situation, one has only a probable opinion. There

is no general rule on how to assess the comparative stringency of the *prima facie* duties. Instead, what one needs is good judgment about which one of the *prima facie* duties has the greatest stringency.

Ross says that the distinction between *prima facie* and actual duties has the virtue of explaining moral residue. Suppose that an actual duty and a *prima facie* duty entail inconsistent actions, and that a moral agent fulfills the actual duty. The moral agent then feels "compunction" for not fulfilling the *prima facie* duty. In addition, the moral agent feels obligated to make up for the damage resulting from not fulfilling the *prima facie* duty. Ross writes,

When we think ourselves justified in breaking, and indeed morally obligated to break, a promise in order to relieve some one's distress, we do not for a moment cease to recognize a *prima facie* duty to keep our promise, and this leads us to feel, not indeed shame or repentance, but certainly compunction, for behaving as we do; we recognize, further, that it is our duty to make up somehow to the promise for the breaking of the promise. (p. 93)

Brink (1996) holds a similar view as Ross. He distinguishes between *prima facie* and all-things-considered obligations or duties. A *prima facie* obligation to do x means that there is a moral reason to do x, or that x possesses a right-making characteristic. But *prima facie* obligations can be, and often are, defeated by other weightier obligations. A *prima facie* obligation to do x, that is superior to all others, constitutes an all-things-considered obligation to do x. An all-things-considered moral obligation to do x means that on the balance, x is what one ought to do.

According to Brink, one should treat *prima facie* obligations as moral factors or forces that interact with each other to determine all-things-considered obligations. To determine all-things-considered obligations, one must do moral factor addition.¹⁹ It is not essential that one always be able to assign precise numerical values to the various moral forces. What is important is that the moral status of an act results from adding the moral forces, positive and negative, contributed by the various morally relevant factors. The act with the highest moral total is the all-things-considered obligation. In this respect, *prima facie* obligations are moral forces not cancelled by the existence of other moral forces, even if the

¹⁹ Paul Pietroski (1993) provides a detailed discussion of the similarity between natural forces and *prima facie* duties.

latter override the former. Brink calls this the metaphysical view of *prima facie* obligations.

The metaphysical view stands in contrast to the statistical view of *prima facie* obligations, which Brink believes is flawed. Sometimes Ross says that *prima facie* obligations refer to features of an act that *tend* to make acts of that type obligatory. This tendency claim admits a statistical reading: although nothing about a token act may make it obligatory, the act belongs to a type or class of acts many of whose tokens are all-things-considered obligations. This view says nothing about the act's contribution to the all-things-considered obligation.

Brink provides an example to illustrate the distinction. One might analyze the claim that Jennifer is a valuable player as a claim that she tends to help her team win games. But this should not be analyzed as the statistical claim that when she plays, her team usually wins. That analysis does not convey the idea that she is a positive force even in the games it loses. One must understand that her role is being a positive factor on the field, whether the outcome is a win or a loss. This is how one must analyze the tendency for Jennifer to win games if the claim of her being a valuable player is to be analyzed.

My objection to the argument from the distinction between *prima facie* and actual duties is that it does not rule out the possibility of moral dilemmas. The argument would rule out a

moral dilemma if in every situation where two *prima facie* duties entail inconsistent actions, *only one* of them always qualifies as an actual duty. Ross discusses the epistemic difficulty that a moral agent may experience in figuring out an actual duty. The difficulty arises from the absence of a general rule on how to assess the comparative stringency of the *prima facie* duties. The epistemic difficulty, however, does not mean that an actual duty always exists when two *prima facie* duties entail inconsistent actions.

Consider Ross' analogy between morality and natural laws and Brink's metaphysical view of *prima facie* duties. Suppose that two equal and opposite forces impinge on a body at rest. The forces at work would cancel out and there would be no actual movement of the body. The body would remain at rest. Similarly, suppose that two equally stringent *prima facie* duties influence a moral agent in opposite directions: the degree to which each *prima facie* duty affects the moral agent is the same. In such a case, there would be no actual duty. This situation would be a moral dilemma.

Although Ross says that an analogy between natural forces and *prima facie* duties is not perfect, the similarities between them seem important and relevant. These similarities suggest that just as no actual movement occurs when two equal and opposite forces impinge on an object in nature, no actual duty

arises when two equally stringent and opposite *prima facie* duties influence a moral agent. Brink's metaphysical view of *prima facie* duties also supports the same point. The burden thus seems to rest on the opponents of moral dilemmas to prove that there is no situation where two equally stringent *prima facie* duties can pull the moral agent in opposite directions at the same time.

6.2. Argument from Exceptions

Another argument against the existence of moral dilemmas is the argument from exceptions. According to it, a moral principle has exceptions, and when a situation is an exception to the moral principle, the moral principle does not apply to the situation. One can thus deny the existence of moral dilemmas by saying that whenever moral principles prescribe incompatible actions, the situation is an exception to one of the moral principles.

Consider Plato's example in which the moral principle of repaying debts conflicts with the moral principle of protecting others from harm. In this case, one creates an exception to the former moral principle so that the modified principle would read: "One ought to repay one's debts unless to do so brings harm to people." The modified principle does not apply to the situation, bypassing conflict with the other moral principle. If, in every

situation where the moral principles prescribe incompatible actions – one of the moral principles were an exception in this manner, no situation would count as a moral dilemma.

The argument from exceptions is attributed to R. M. Hare (1952). He argues that whenever a moral agent encounters exceptional circumstances, he or she must modify moral principles.²⁰ He distinguishes between two types of moral principles. The first type is the moral principles such as one about taking time off work, where exceptions are allowed as long as they are not too numerous. The second is moral principles where exceptions are not limited by a numerical restriction but by the peculiarities of particular situations. His example is 'Never say what is false.' He says of such moral principles:

It is part of our moral development to turn them from provisional principles into precise principles with their exceptions definitely laid down . . . If we accept and continue to accept such a principle we cannot, as in the cases of the rule about taking time

²⁰ In his *Moral Thinking*, Hare (1981) has a more complicated position. He contrasts the intuitive perception of moral conflict with a higher type of critical thinking that removes the conflict. He associates the former with a thinker whom he calls the "the prole." He associates the latter with a more exemplary figure whom he calls "the archangel." He says that a major revision in ordinary ways of thinking is required to eliminate the moral conflict.

off work, break it and leave the principle intact. (p.
54)

Roger Trigg (1971) says that, from Hare's point of view, a moral principle must always have a *ceteris paribus* clause written into it. However precise the moral principle is, it is possible to invent a situation in which it looks as though a moral agent ought to disobey the principle: there are very few actions which could not be justified if the fate of the world depended on what the moral agent did. This means that in such extraordinary situations, the moral agent should not think of himself or herself as breaking the moral principle. Rather, he or she should modify the principle so that it does not apply to the situation.²¹

²¹ Donagan (1996) says Hare's view can be traced to Sidgwick. According to Sidgwick, utilitarianism is essentially a refinement and correction of the intuitional morality of common sense—the intuitively sanctioned moral rules that children are brought up to regard as binding. The justification of observing these rules is twofold: that without some system of teachable rules that are generally received as self-evidently binding, people generally would be less happy, and that those rules accepted in the late-nineteenth-century western world on the whole promoted the general happiness better than those of previous ages. What rules require is unclear in many cases, however, and in some cases they generate dilemmas. This compels moralists to regard these rules as inexact and not wholly true, and to look for an exact and wholly true principle to guide conduct in cases where they fail; they find this principle in the utilitarian principle. Sidgwick says that the rules of intuitional morality are therefore to be acted on except when what they require is either unclear or inconsistent; but then what is to be done must be directly calculated from the utilitarian principle itself.

Trigg says, however, that the argument from exceptions has a downside: it may render moral principles useless or vacuous. If a moral agent is allowed to create a list of exceptions or to attach a *ceteris paribus* clause to a moral principle, he or she faces an insidious danger. If the moral agent believes that a moral principle can always be modified in the light of particular cases, he or she may not regard the moral principle as providing strict guidelines of conduct. Instead, he or she may feel free to reject the moral principle whenever he or she believes that circumstances warrant it. He or she is then likely to make every situation an exception to the moral principle when doing so serves his or her interest. The slide of a moral principle into complete vacuity is easy once the moral agent has allowed the introduction of the *ceteris paribus* clause.

For example, most people would accept the moral principle that one must keep one's promise, other things being equal. In reality, however, other things are not equal. How should a moral agent decide when to follow the moral principle and when to make an exception to it? If he or she must examine the merits of each particular situation to decide whether or not the moral principle applies to the situation, the moral principle becomes useless as a guide for action.

Trigg compares the problem of creating an exception to a moral principle with the problem that rule-utilitarianism faces vis-a-vis act-utilitarianism. He writes,

This is the constant danger which faces rule-utilitarians. They must always be aware that their present rule might be refined in a way which would produce better consequences. They should always be ready to accept that their rule ought not to cover the particular circumstances they might be in. Their position then seems remarkably similar to that of an act-utilitarian who looks at each situation on its merits, although perhaps with the aid of 'rules of thumb'. Both seem to be treating the situation or the particular action as primary. The rule in fact becomes merely a summary of all the decisions made in the past in particular circumstances. It might help us to be consistent in the future if exactly similar situations arise, but as situations very often are not exactly similar even in morally relevant ways we still have to make up our minds without any rule to guide us. Whether the rule is a guide is precisely what is at issue in such a case. (p. 43)

My objection to the argument from exceptions is that a moral agent still faces the difficulty of deciding to which moral principle he or she should create an exception. Consider, again, Sartre's student case discussed earlier. In this case, a moral dilemma arises from the conflict between the moral principle of filial piety and the moral principle of patriotism. According to the argument from exceptions, the student can avoid the moral dilemma by creating an exception to one of the moral principles. The difficulty, however, is to decide which moral principle to act on. Neither moral principle seems to override the other; they seem to be equal in strength. The argument from exceptions is silent on which moral principle to create an exception to and hence is unable to eliminate the possibility of moral dilemmas.²²

I believe that another problem with the argument from exceptions is that it does not account for the moral residue that a moral agent experiences. Suppose that a moral agent somehow successfully figures out which moral principle to follow

²² Christine Vitrano asks whether an obvious exception exists for either moral principle. For example, with Sartre's student, one can say that filial piety trumps his other duty because patriotism only applies when the family has other living children. Since his brother is deceased, his obligation is to stay with his mother. It is debatable, however, whether an exception to moral principle is obvious or not. People may hold different views about whether the fact that one is the only living child should create an exception to the moral principle of patriotism. One could reasonably argue that although this issue is a relevant consideration, it is not important enough to create an exception to the moral principle of patriotism.

or reject. Imagine that Sartre's student, after much deliberation, resolves to create an exception to the moral principle of filial piety. He decides to honor his duty as a citizen and join the Free French in England. If the situation is an exception to the moral principle of filial piety, the moral principle does not apply to the situation.

The argument from exceptions, however, cannot explain why the student would experience moral residue. If the moral principle of filial piety does not apply to the situation, the student should not feel remorse or guilt about leaving her mother. In fact, it would be strange for the student to feel bad: he would experience remorse or guilt about violating the moral principle that has no relevance to his situation. It has been said, however, that the student quite appropriately would experience remorse or guilt. Most people would expect him to feel remorse or guilt about leaving his mother. The moral residue that the student experiences indicates that the moral principle of filial piety still applies to the situation.

Trigg supports this point. He discusses how the moral principle that a moral agent has not acted on still makes a moral demand on him or her. For example, even when the moral agent breaks a promise that he or she has made for an unavoidable and understandable reason, the idea of breaking the promise can disturb him or her:

. . . the fact that we have had to break a promise may be excusable but it is regrettable. If we do not keep a promise, the promise does not disappear as if it had never been made. There would be nothing to apologize for and nothing to put right if that was true. An excuse may explain why I should not be blamed for not doing X. It is not an explanation as to why it is not true that I ought to (or ought to have done) X. I may be excused for failing to respond to certain moral demands. An excuse does not remove these demands. (p. 47)

Trigg says that the moral agent's experiencing moral residue means that the moral principle that he or she does not act on applies to the situation. He says that when the moral agent does not act on one of the moral principles, he or she should be described as breaking the moral principle rather than modifying it.

Hillel Steiner (1973) takes issue with Trigg's argument. He does so by showing that the situation at issue calls for the application of an entirely new moral principle. Steiner says that in a moral dilemma, a moral agent affirms two moral principles. These are (1) 'One ought to do A when C' and (2)

'One ought to do A2 when C2'. Although one is able to perform either A or A2, he or she cannot do both. Although factual conditions corresponding to both C and C2 exist, the situation should be more accurately described as C + C2, which is different from either C or C2. Therefore, the moral principles prescribing what one ought to do when C or when C2 do not apply to this situation. Rather, what applies to the situation is a moral principle prescribing what one ought to do when C + C2. This is an entirely different moral principle, enjoying the same logical status as the other two principles.

Steiner says that it is unlikely that the moral principle prescribing what one ought to do when C + C2 entails an action different from either A or A2. Yet there is no reason for inferring that the moral principle covering C + C2 is simply an extension of one of the two other moral principles. Suppose that the third moral principle says, 'One ought to do A when C + C2'. The fact that A is also the action prescribed for 'when C' does not mean that the third moral principle is an extension of the first moral principle.

One can illustrate this point by considering yet another moral principle that says, 'One ought to do A when C3'. The fact that this fourth moral principle prescribes A does not mean that the fourth moral principle is an extension of the first moral principle. In other words, the mere fact that two moral

principles prescribe the same action does not mean that one is an extension of the other. It is a matter of ascertaining what moral principle actually applies to the given situation.

How does one discover which moral principle applies in a given situation? Steiner says that to do so, a moral agent must examine the situation to find out its morally relevant characteristics. He or she must figure out whether a factual characteristic of the situation is morally relevant by referring to the moral principles. The moral principles stipulate that when certain describable circumstances occur, these obligate a moral agent to act in certain ways. These circumstances, however, subsume a wide range of factual statements. For example, Sartre's student affirmed the moral principles enjoining him to act in certain ways 'when foreign aggressors overrun one's country' or 'when one's mother requires attentions'. There are a vast number of factual statements that would each constitute partial descriptions of the circumstances described by 'the overrunning of one's country by foreign aggressors' or 'the need from one's mother for attention'. In fact, any one factual statement may partially describe a wide range of different circumstances, covered by a correspondingly wide range of moral principles. Consequently, in order to know what moral principle applies in a particular situation, a moral agent must ascertain all the morally relevant facts about that

situation. The situation at issue includes all the facts subsumed under both C and C2. Hence, the moral principle which applies to the situation is that which applies 'when C + C2'.

My objection to Steiner's argument is that it does not solve the problem of moral dilemmas. Suppose that one grants that the situation where two moral principles prescribe incompatible actions requires the application of an entirely new moral principle. The difficulty remains, however, in identifying the new moral principle. A moral dilemma is a situation where it is difficult to decide which of two conflicting moral principles applies to the situation; there is no compelling reason to choose one moral principle over the other. Suppose that there are two candidates for the new moral principle: 'One ought to do A when C + C2' and 'One ought to do A2 when C + C2'. Suppose also that A and A2 are incompatible actions and that one has equally compelling reasons to perform each. In this situation, one faces the difficulty of deciding which new moral principle to apply. Even if one grants Steiner's point that the new principles are not extensions of the old moral principles - 'One ought to do A when C' and 'One ought to do A2 when C2', the difficulty of choosing which moral principle still remains.

Furthermore, I believe that Steiner's argument cannot account for the moral residue that a moral agent experiences. Suppose the moral agent adopts the new moral principle - 'One

ought to do A when C +C2' - to resolve the conflict between the two moral principles. Suppose also that he or she performs A according to the new moral principle. The moral agent is then supposed to be morally satisfied with his or her performance; he or she has acted according to the new moral principle correctly applied to the situation. The moral agent, however, would appropriately experience moral residue afterwards: he or she would feel remorse or guilt about not performing A2. Furthermore, most people would expect him or her to feel these negative emotions. This fact suggests that another moral principle prescribing A2 applies to the situation, making a moral demand on the moral agent. The moral residue thus suggests that contrary to Steiner's argument, a moral principle other than the new moral principle applies to the situation.

6.3. Argument from Intentions

Another argument against the existence of moral dilemmas is that from intentions. This argument is inspired by the traditional Catholic doctrine of double effect, according to which a moral agent does not violate a moral principle just because he or she causes harm. For example, a moral agent does not violate a moral principle if he or she tries to help someone but harms him or her by accident or mistake. A moral agent, however, does violate a moral principle if he or she causes harm

intentionally. And there is another way to violate a moral principle: even if a moral agent does not intend to cause any harm, he or she violates a moral principle by knowingly causing a harm that is disproportionate to or greater than any benefit that he or she causes. Thus, a moral agent violates a moral principle if (1) he or she causes harm intentionally, or (2) he or she knowingly causes harm that is greater than or disproportionate to any benefit that is gained. Clause (1) is called the principle of intentionality, and clause (2) is called the principle of proportionality.

This doctrine seems to rule out moral dilemmas because it leaves a moral agent with some way to avoid violating both clauses. In any apparent moral dilemma, at least one of the harms is not greater than the other. Thus, there is always at least one alternative that does not cause greater harm. If choosing this alternative does not violate the principle of intentionality, then it appears that he or she can escape a moral dilemma. Consider the case of a moral agent making two promises to people that are identically situated in any morally relevant sense. Yet the moral agent is unable keep both promises. Suppose that the moral agent breaks one of the promises, harming one of the promisees. This harm would not be greater than the harm that the moral agent would cause by breaking the other promise, thus satisfying the principle of proportionality. If

the moral agent does not cause the harm intentionally, then he or she does not violate any moral principle according to the doctrine of double effect.

My objection to the argument from the doctrine of double effect is that it is vulnerable to the argument from incomparability of values. Nagel, for example, says that there is a fundamental division between personal and impersonal viewpoints, making comparison between them impossible. In particular, there is a formal contrast between rights, obligations, and private commitments, on the one hand, and utility and perfectionistic ends, on the other. For example, one's reason for keeping one's own promises is very different from one's reason for wanting other people to keep theirs. One does not feel bound to keep one's promises or to look after one's children because it would be a good thing, impersonally considered. Rather, a more personal outlook is involved: it is one's own relation to other people, or to the institution, or to the community, that moves him or her. By contrast, the claims of utility or perfectionistic ends are impersonal or outcome-centered: they concern what happens rather than what one does.

Nagel says that the division between personal and impersonal viewpoints is so basic that it renders implausible any reductive unification. The division comes from two different points of view, fundamentally irreducible to a common basis.

When these two different points of view entail inconsistent actions, a moral dilemma arises.

When a moral dilemma arises from an incomparability of values, one is not able to apply the principle of proportionality. One cannot compare harm caused by violating a moral principle represented by a personal viewpoint with harm caused by violating a moral principle represented by an impersonal viewpoint. Yet the principle of proportionality assumes that these different harms are comparable to each other. If a source of moral dilemmas is the comparability of values, one cannot deny the existence of moral dilemmas based on the doctrine of double effect.

Sinnott-Armstrong (1988) raises another difficulty with the doctrine of double effect. He says that it is difficult to clarify the principle of intentionality. One account of the principle of intentionality might be that when a moral agent acts with a bad ultimate goal, purpose, or end, he or she violates the principle. For example, suppose that the moral agent has caused one person harm while pursuing the ultimate goal of avoiding another harm. Since this goal is not bad, one might then say that he or she satisfies the principle of intentionality. Sinnott-Armstrong says, however, that this account of the principle of intentionality is subject to counter-examples. Consider reckless driving. The driver's goal

is only to enjoy driving or to have fun. So the driver appears to satisfy the principle of intentionality. Yet, the driver does seem to violate some moral principle - the moral principle of not endangering innocent people's lives. This example suggests that the moral agent's ultimate goal may not be the proper account of the principle of intentionality.

Another account of the principle of intentionality might be that a moral agent violates the principle of intentionality when he or she knowingly causes harm because doing so is either an end or a means to his or her end. Consider a terror bomber who bombs civilians in order to destroy the morale of the enemy. The terror bomber uses civilians' deaths as a means to his end, so he violates the principle of intentionality: he knowingly causes harm to civilians. In contrast, consider a tactical bomber who bombs a munitions factory. He might know that his bombs will kill civilians that live close by, but he does not violate the principle of intentionality; their deaths are not a means of destroying the factory. Therefore, if there is always one alternative where knowingly causing harm is neither a means nor an end, this account of the principle of intentionality might rule out the existence of moral dilemmas.

Sinnott-Armstrong, however, points to the difficulty of relating the idea of a means with the principle of intentionality. Using a means as a notion of intentionality

suggests that, for instance, the abortion method of craniotomy violates the principle of intentionality. This method involves crushing the fetus' skull as a means to save the mother. The means, then, involves knowingly causing harm to fetus. On the other hand, say that because womb is cancerous, the abortion method of hysterectomy is employed, opening the mother's uterus through an abdominal incision and removing the fetus. The hysterectomy method does not violate the principle of intentionality because the means does not involve knowingly causing harm to the fetus. Yet, in some sense, the difference between methods is not morally significant. It appears that a moral principle is violated in both cases because the fetus is killed. The difficulty of clarifying the principle of intentionality suggests that the doctrine of double effect may not be a promising way to deny the existence of moral dilemmas.

6.4. Argument from Non-action-guiding Evaluations

Michael Stocker (1987) makes another argument against moral dilemmas. He says that moral dilemmas pose a difficulty for an ethical theory: if moral dilemmas exist, ethics would be impractical or incomplete. They would be impractical by telling a moral agent to follow all the conflicting moral principles; they would be incomplete by not telling a moral agent which moral principle to follow. Yet, there is disagreement over what

this difficulty implies. Some say that ethics must be impractical or incomplete, while others deny the very existence of moral dilemmas.

Stocker says that one important source of the disagreement lies in how one views an ethical theory. One often views an ethical theory as exclusively concerned with action-guiding evaluations; it has no way of understanding a conflict except in terms of conflicting action-guiding evaluations. One thus seems forced either to reject a conflict or to accept impracticality or incompleteness.

Stocker says that there exists an alternative view that does not limit the theory's concerns to action-guiding evaluations. It recognizes that not all action evaluations are action-guiding, as many conflicts are between action-guiding and non-action-guiding evaluations.

According to Stoker, there are situations where even if one cannot perform an action, it can still be true that one ought to do it. This becomes clear in a situation where one is culpable for his or her inability. For example, it would be unreasonable to suggest that if one has squandered one's money, then one no longer ought to repay one's debts. If, however, one cannot repay the money now, his or her present action cannot be guided by 'One ought to repay his or her debt now'. This "ought"

statement is true but non-action-guiding. Culpable inabilities, then, are a source of non-action-guiding evaluations.

According to Stocker, another source is found in an issue of whether 'ought' implies 'can'. This is the issue of whether 'ought' depends on 'will' or on 'should'. In other words, does what one ought to do depend on things that he or she will do or on things that he or she should do? This issue can be described as that of actualism vs. possibilism.

As illustration, suppose that as head of a department, I have a colleague that never manages to do his share of the tedious work - e.g., make arrangements for meetings. While he can do this, he never gets around to actually doing it. When he is given this task, the rooms are not booked, the refreshments are not ordered, and so on. Ought he try to make these arrangements? Ought I, as head, tell him to do his share? Or rather, ought he do something else, e.g., the next best thing that he can and will do? This might be a less burdensome departmental task, for instance, or completing a paper he is working on.

Possibilists hold that he ought to do his share and make the arrangements. They hold that "ought" is determined by what is possible for a moral agent to do, not what he or she will do. They also hold that "ought" addresses a person in one's freedom and not in one's facticity - especially not one's culpable

facticity. The colleague will be engaging in blatant bad faith if he reasons that since he will not make the arrangements, he ought not agree to make them or he ought to do something else instead.

Actualists hold, on the other hand, that one should not let what is ideal override what is real and practical. One must face the facts and be realistic and aim at what can be achieved in the circumstances: to base ought judgments on what one can do rather than what one will do is to waste resources and miss opportunities.

In order to support his claim that conflicts exist between action-guiding and non-action-guiding evaluations, Stocker provides several examples. One example goes like this. Finishing the painting was the best thing that a person could then do and it was what he had an obligation to do. After all, he had accepted the commission. But finishing the painting had no significance at all, for his country was currently at war and he wanted to do something practical and useful. Although insignificance can ground an action-guiding evaluation, it does not do so here. The painter recognizes that the painting must be done. Yet he expresses a conflict between duty and significance. This conflict is between an action-guiding evaluation and a non-action-guiding evaluation.

One might object, however, that this example is not appropriate, for significance does not seem to have much to do with morality. The example does not appear to represent a conflict between moral issues. Stocker thus provides another example – one that is closer, he says, to what is usually seen as raising moral issues. Suppose that a professor has studied and taught philosophy in universities for many years. For various reasons, his students are unable to write well and are largely unable to understand philosophical texts of any real complexity. He finally realizes that he must suspend teaching philosophy and instead give time over to the remedial tasks of helping them read and write.

He may not doubt that this is what he must do, and he might resolutely do it. Yet, he experiences regrets and sorrow for his students, anger at what has left them so unprepared, and laments about whether this is what he has spent his life preparing for. The regret, sorrow, anger, and laments give expression to evaluations of what he must do. They show his opposition to it and a conflict over it. Even though his feelings express a conflict, they need not involve vacillation or uncertainty. They can simply be non-action-guiding evaluations of the act.

Another example is of a moral compromise. Suppose that in order to vote for the better political party, one endorses a platform containing some bad, or even immoral, policies. One may

be clear about what he or she ought to do. The alternative option may be so much worse that one does not see it as a real moral option at all. One might do what he or she ought to do with perfect resoluteness. Nonetheless, one can resent having to choose the option that he or she has chosen. Such resentment shows that a conflict exists between an action-guiding evaluation and a non-action-guiding evaluation of the act.

My objection to Stocker's argument is that it does not eliminate the possibility of moral dilemmas. The fact that there are non-action-guiding "ought" statements or evaluations does not mean that moral dilemmas do not exist. What Stocker seems to show is that some conflicts are between action-guiding evaluations and non-action-guiding evaluations. To deny the existence of moral dilemmas, however, he needs to show is that action-guiding evaluations never conflict; but he fails to show this.

Furthermore, his examples of conflicts between action-guiding evaluations and non-action guiding evaluations do not qualify as moral dilemmas, as defined in this essay. Moral dilemmas arise when two moral principles conflict and do not override each other. In the case of moral compromise discussed above, the conflicting moral principles may be described as "the moral principle of supporting the political cause that one believes in" and "the moral principle of supporting the

political party that one believes in." The moral agent upholds the second moral principle with perfect resoluteness. The alternative option of supporting the first moral principle is much worse such that the moral agent does not see it as a real moral option at all. The second moral principle seems to override the first convincingly, disqualifying this example as a moral dilemma. Stocker's argument thus identifies conflicts between action-guiding evaluations and non-action-guiding evaluations, but does not undermine the fact that moral dilemmas exist.

6.5. Argument from the Distinction between Negative and Positive Moral Principles

Another argument against moral dilemmas is that from the distinction between negative and moral principles. According to this argument, all moral principles are negative. A moral principle is negative if it requires one not to take an action. If a moral theory includes only negative moral principles, though two moral principles apply to the same situation, a moral agent can fulfill both moral principles by doing nothing - thereby avoiding a moral dilemma. For example, if a moral agent is required not to lie and not to kill, he or she can fulfill both requirements by remaining silent.

This argument, however, is vulnerable to the objection that there seem to be positive moral principles. For example, one is morally required to help out another in need. The proponents of the argument thus have to figure out ways to deny the existence of positive moral principles. Alternatively, the proponent must claim that if positive moral principles exist, they either do not conflict with one another or the positive moral principles are always overridden by the negative moral principles.

Sinnott-Armstrong (1988) raises objections to the argument from the distinction between negative and positive moral principles. He says that the distinction between negative and positive principles is not clear, for one can re-describe negative principles as positive principles and *vice versa*. For example, the positive principle of keeping a promise can be re-described as the negative principle of not omitting what has been promised. Similarly, the positive principle of helping others in need can be re-described as the negative principle of not neglecting to help others in need.

In order to clarify the distinction, the proponents of the argument might use bodily movement to identify the distinction. The proponents might say that a moral principle is negative if it is fulfilled by anyone who does not move his or her body, and that a moral principle is positive if it cannot be performed without bodily movement. The proponents can then argue that

whenever negative moral principles conflict, one can avoid it by not moving his or her body.

Sinnott-Armstrong says, however, that this approach is not promising. First, sitting still is often doing something. Suppose an enemy knocks on a man's door and asks if his wife is home. The husband knows that his wife is home, and the enemy will kill her if he finds her. In this case, the moral principle of not lying conflicts with the moral principle of not endangering other's life. Unfortunately, he cannot fulfill both principles; if he remains silent, the enemy will infer that she is home. Not to move his mouth amounts to revealing her location, which violates one of the moral principles.

Another problem with the argument is that there are situations where a moral agent is unable to do nothing. For example, the negative moral principle requires Sophie not to choose either child to be killed. She can physically remain silent and do nothing. Yet, if she does not choose a child, both will be killed. Thus morally, she cannot refuse to choose either child. This case suggests that a moral dilemma can arise even though both moral principles are negative.

Finally, even if one grants that negative moral principles never conflict, the approach does not rule out conflicts between negative and positive moral principles. For example, the negative moral principle of not lying may conflict with the

positive moral principle of keeping a promise. The opponents might try to avoid such conflicts by claiming the non-existence of positive moral principles. This claim, however, is difficult to support. For example, most would say that parents are morally responsible for taking care of their children. The moral principle of promise-keeping is positive when one promises to do an act of some kind. It is difficult to deny that these moral principles are positive: they have moral relevance, and cannot be fulfilled without bodily movement.²³

Chapter 7. Moral Dilemmas and Kant's Ethics

Thus far, I have defended the view that moral dilemmas exist. In this chapter, I draw out the implications of the existence of moral dilemmas for Kant's ethical theory. The primary formulation of Kant's ethics is the categorical

²³ Jeffrey Blustein suggests another argument against moral dilemmas: moral dilemmas are cases of incomplete information, defective rational processing, and ignorance. Under ideal conditions, it would be clear which moral principle takes precedence. My reply is that one can make a distinction between the epistemic issue and the metaphysical issue. Due to his or her epistemic limitation, a moral agent may not be able to know for certain that a particular moral conflict that he or she faces is a moral dilemma. The epistemic limitation of a moral agent, however, does not mean that moral dilemmas do not exist. The argument from moral residue, the argument from the incomparable values, and the argument from symmetry indicate that moral dilemmas are metaphysically possible. If they are metaphysically possible, then it is very likely that they actually exist. Given the complexities of moral life and the interactions among different moral principles, it is very likely that there are actual cases where moral principles do not override each other.

imperative.²⁴ Kant makes a distinction between a categorical imperative and a hypothetical one. A hypothetical imperative is one that a moral agent must obey if he or she wants to achieve some end or goal. "Go to see the doctor" is a hypothetical imperative because one is only obliged to obey it if he or she wants to get well. A categorical imperative, on the other hand, binds a moral agent regardless of his or her end or goal. For example, one has a duty not to lie regardless of circumstances and even if it is in his or her interest to do so. A categorical imperative is morally binding because it is based on reason rather than contingent facts about a moral agent. Unlike with a hypothetical imperative, a moral agent cannot opt-out of the categorical imperative because he or she cannot opt-out of being a rational being. A moral agent owes a duty to rationality by virtue of being a rational agent.

Kant's first formulation of the categorical imperative states that one must act only in accordance with that maxim through which one can at the same time will that it become a universal law. This formulation in effect summarizes a decision procedure for moral reasoning. First, formulate a maxim that enshrines one's reason for acting as one proposes. Second, recast that maxim as a universal law of nature governing all

²⁴ Robert Johnson provides an overview of Kant's theory of ethics.

rational agents. Third, consider whether one's maxim is even conceivable in a world governed by this law of nature. Fourth, if it is, ask oneself whether one could rationally will to act on one's own maxim in such a world. If one could, then one's action is morally permissible.

If one's maxim fails the third step, one has a "perfect" duty, admitting no exception in favor of inclination to refrain from acting on it. If one's maxim fails the fourth step, one has an "imperfect duty" requiring one to pursue a policy that can admit of such exceptions. If one's maxim passes all four steps, acting on it is morally permissible.

One can understand the difference in duties as follows. A perfect duty comes in the form, "One must never (or always) act in particular way to the fullest extent possible." An imperfect duty, since it enjoins the pursuit of an end, comes in the form, "One must sometimes and to some extent act in a particular way." For example, the maxim of committing suicide to avoid future unhappiness does not pass the third step, the contradiction in conception test. Hence, one is forbidden to act on the maxim of committing suicide to avoid unhappiness to the full extent possible. By contrast, the maxim of refusing to assist others in pursuit of their projects passes the contradiction in conception test, but fails the contradiction in the will test. Hence, one has a duty to sometimes and to some extent aid and assist others.

Kant says that moral duties can be distinguished between moral duties toward ourselves and those toward others. Thus, together with the distinction between perfect and imperfect duties, one can divide Kant's moral duties into four categories: perfect duties toward ourselves, perfect duties toward others, imperfect duties toward ourselves, and imperfect duties toward others. For example, to refrain from suicide is a perfect duty toward oneself; to refrain from making a false promise is a perfect duty toward others; to develop one's talents is an imperfect duty toward oneself; and to contribute to the happiness of others is an imperfect duty toward others.

As an illustration of how a categorical imperative is applied, Kant considers a case where one makes a false promise with no intention of keeping it. If the maxim of this act was universalized, it would be that "all rational agents could make false promises to deceive others." In a world where the maxim was universalized, however, no one would trust any promises made, so the idea of a promise would become meaningless. The maxim would be self-contradictory because, when universalized, promises cease to be meaningful. The act of false promise is thus immoral: one cannot conceive of a world where this maxim is universalized.

An act can also be immoral if it creates a contradiction in the will when universalized. A contradiction in will does not

mean a logical contradiction. Rather, it leads to a state of affairs that no rational being would desire. For example, when universalized, the maxim of "I will not contribute to others' well-being" produces a contradiction in the will. A world where no one gives to charity would be undesirable for a rational moral agent who acts by the maxim.

Based on this background information on Kant's ethical theory, Kant (1987) denies that moral dilemmas exist. Gowans (1987) says that for Kant, moral rules are unconditional imperatives that declare certain actions either morally necessary or morally impossible. This means that from the point of view of practical reason, a moral agent either must or must not perform them. Actions that are neither morally necessary nor morally impossible are morally permissible. These three categories – the necessary, the impossible, and the permissible – are exclusive and exhaustive: every action falls into one and only one. Hence, it is incoherent to suppose that an action could be both necessary and impossible or that two actions could both be necessary when doing one prevents doing the other. If it is a duty that a moral agent perform a certain action, then it cannot also be a duty that the same agent perform another action incompatible with it.

The most frequently cited passage supporting Kant's denial of moral dilemmas is as follows:

A conflict of duties would be a relation of duties in which one of them would annul the other (wholly or in part). But a conflict of duties and obligations is inconceivable. For the concepts of duty and obligation as such express the objective practical necessity of certain actions, and two conflicting rules cannot both be necessary at the same time: if it is our duty to act according to one of these rules, then to act according to the opposite one is not our duty and is even contrary to duty. But there can, it is true, be two grounds of obligation both present in one agent and in the rule he lays down for himself. In this case one or the other of these grounds is not sufficient to oblige him and is therefore not a duty. When two such grounds conflict with each other, practical philosophy says, not that the stronger obligation takes precedence, but that the stronger ground of obligation prevails. (pp. 39-40)

In this passage, Kant says that a moral agent can be subject to competing "grounds of obligation." That is, he or she may recognize two moral considerations, each of which would be sufficient to impose upon him a duty. In cases where both

grounds of obligation are present, however, it is inconceivable that the moral agent could have a duty stemming from each ground of obligation. Given the objective practical necessity expressed by the concept of duty, it must be the case that his or her duty stems from the stronger ground of obligation. No case exists where he or she has a duty to perform and to abstain from performing one and the same action. In cases of competing grounds of obligation, one such ground is sufficient to constitute his or her duty.

Martha Nussbaum (1985) explains why the idea of grounds of duties is necessary for Kant's ethics. For Kant, the requirement that objective practical rules be consistent in every situation overrides one's intuitive feeling that a genuine conflict of duties exists. It may appear to one that duties conflict. But this conflict is impossible since the very concepts of duty and practical law rule out inconsistency. One must therefore find a way of describing the apparent conflict of duties. Since at most one of the conflicting claims can be a genuine duty, one should call the other a ground of duty. When the stronger ground prevails, one sees that this alone is one's duty. The conflicting ground does not simply lose out but also vacates the field. To say anything else would be, for Kant, to weaken the strong conceptual bonds between duty and practical necessity, and between both and logical consistency.

A related question naturally arises concerning Kant's view on moral dilemmas – when the grounds of duties conflict, how can a moral agent figure out which ground prevails? Onora O'Neill (1975) attempts to provide the answer. She says that one can apply Kant's contradiction in conception test to determine which ground of duty is stronger. When doing so, one often finds greater difficulty in universalizing one ground of duty than the other.

O'Neill considers the case of lying to save the life of a would-be murderer's intended victim. The would-be murderer asks the householder where his intended victim is and reveals his intentions. The housekeeper knows the victim's whereabouts and can choose between lying to mislead the murderer or directing him to his victim. The householder thus must choose between:

1. To tell the truth even if it means allowing (omitting to prevent) death.
2. To prevent a death even if it means telling a lie.

If one universalizes these maxims, the following statements hold:

3. Everyone will tell the truth even when it means allowing deaths.

4. Everyone will prevent deaths even when it means telling lies.

O'Neill says that it is possible without contradiction to intend both 1 and 3 hold as a law of nature. It is also possible to intend both 2 and 4 hold as a law of nature. But there is a difference between the two cases. In the case of 2 and 4, simultaneous intending produces no difficulties. No serious breakdown of trust or cooperation with others will arise if one knows that others will lie when it is required to save a life. But in the case of simultaneously intending 1 and 3, a breakdown of trust and cooperation will arise. If one knows that others will not tell a lie even to save a life, then one can hardly trust others to prevent death in any situation of potential danger. Intending 1 and 3 thus commits a moral agent to intending a situation which tends toward a Hobbesian state of nature, impeding and preventing one's plans of action. One's cooperation with others would have to be carefully limited in such a situation. This difference in results may be the basis for calling 2 and 4 the stronger ground of obligation.

O'Neill's argument, however, is not satisfactory. She provides no textual evidence suggesting that Kant believes what she says about how a moral agent should resolve conflicting grounds of duties. Kant talks about the contradiction in

conception and the contradiction in will in applying the categorical imperative to particular cases. He does not, however, explicitly suggest that a moral agent should reject the ground of duty because it tends toward the Hobbesian state of nature. Furthermore, O'Neill's test does not resolve all cases of conflicting grounds of duties. Consider the case of Sartre's student. One might say that the student has in mind the following pair of maxims:

5. I will honor my family obligations even if it means not advancing my country's interests.

6. I will advance my country's interests even if it means not honoring my family obligations.

It is possible without contradiction to intend both 5 and 6 hold as a law of nature. It is difficult to say, however, which situation characterized by each maxim leads to a collapse into a Hobbesian state of nature. Each one may have some impact on trust or cooperation among people, but it is not clear in which situation the more severe breakdown of trust or cooperation with others tends to arise. This difficulty suggests the problem with O'Neill's test.²⁵ It also hints at the possibility of moral

²⁵ Nell says that her test is not to be found in Kant's works, but it derives from them. Her test has the merits of filling a gap in Kant's theory of right

dilemmas. Kant says when two grounds to duties conflict, one of them must prevail to become a real duty. Two grounds of duties cannot remain in a state of conflict if they involve moral considerations. Given the objective practical necessity expressed by the concept of duty, it must be the case that there exists the stronger ground of duty, which a moral agent must follow. O'Neill's test shows that there are situations where a moral agent has difficulty deciding which competing grounds of duties prevail. In these situations, one cannot be sure what his or her real duties are; this suggests that moral dilemmas exist.

Given that moral dilemmas exist, what implication does their existence have on Kant's moral theory? The answer depends on whether a moral agent faces perfect duties or imperfect duties. Mary J. Gregor (1963) explains the distinction. She says that Kant's ethics is very closely modelled upon the legal structure of the state. Many of one's duties are juridical duties: their principles are established by law and they are only indirectly ethical. It is only after analyzing Kant's doctrine of imperfect duties that one can justly estimate the character of his ethics, as distinguished from his philosophy of

decisions and of yielding results which confirm one's intuitions. In other words, it generally accounts stronger those grounds of obligation which one thinks of being so, and weaker those grounds of obligation which one thinks of as relatively trivial. But she admits that it seems to fail to indicate any priority between grounds of obligation which one probably regards as pressing claims of similar urgency.

law. Imperfect duties are directly ethical, and Kant's ethics is primarily a study of these ethics.

Gregor says that the distinction between perfect and imperfect duty is one that Kant has worked out gradually. The complex doctrine in the *Metaphysics of Morals* stands in sharp contrast with the simple and clear-cut distinction that he draws in his early lectures on ethics.

Since law is the system of duties to which one can be externally compelled, and ethics is the system of duties to which only self-constraint is possible, the simplest distinction between perfect and imperfect duty would be to equate the first with juridical duty and the second with ethical duty. Kant proposes this distinction in his lectures on ethics. External obligation is necessitation through the will of another, and interior obligation is necessitation through one's own will. Therefore, interior obligations are imperfect because one cannot be compelled by others to fulfill them, and external obligations are perfect because one can be so compelled.

Yet this simple distinction may be unable to account for all the relevant facts. In *Groundwork of the Metaphysics of Morals*, Kant rejects this distinction through his recognition that there are perfect duties to oneself. Having made the reservation that the division of perfect and imperfect duties belongs properly to *Metaphysics of Morals*, he says that his

understanding of perfect duty is not commonly adopted in the schools. According to Kant, he understands perfect duty as one which allows no exceptions in the inclination, and so he recognizes among perfect duties not only outer ones but also inner ones. Since one cannot be compelled by others to fulfill these perfect duties to ourselves, Kant's recognition of such duties clearly implies that his own principle of division must differ from that put forward in *Doctrine of Virtues*.

In *Groundwork of Metaphysics of Morals*, Kant discards the commonly accepted division between perfect and imperfect duty; instead, he favors a distinction according to which perfect duty permits neither arbitrary exceptions nor exceptions in favor of the inclinations, and imperfect duty, presumably, does permit such exceptions.

In *Metaphysics of Morals*, however, Kant does not return to the traditional distinction in terms of the possibility or impossibility of external compulsion. Neither does he consistently work out the implications sketched in *Groundwork of Metaphysics of Morals*. In *Groundwork and the Metaphysics of Morals*, Kant says that imperfect duties consist in the adoption of certain ends, rather than in determining actions. Imperfect duties accordingly leave latitude between one's aims and one's actions in realization of those aims.

Gowans (1987) provides a simpler interpretation of the

distinction between perfect and imperfect duties. Perfect duties prescribe or prohibit all instances of specific kinds of action. For this reason, there is no latitude in deciding how to fulfill these duties. This is not the case with imperfect duties, however. These duties prescribe not every instance of a specific kind of action but rather an unspecific pursuit of ends. These duties thus allow some latitude in how to perform them. Kant says that the imperfect duties "cannot specify precisely what and how much one's actions should do toward the obligatory end" (p. 45).

Kant believes that it is perfect duties that cannot conflict because they make all instances of specific kinds of action necessary. Since imperfect duties do not make any particular action necessary, there is no reason to deny that these duties do conflict in the sense that on a particular occasion, pursuing one end (e.g., the happiness of others) may mean not pursuing another (e.g., the development of one's talent). When this happens, a moral agent may act as he or she pleases, as long as he or she does not abandon an imperfect duty altogether.

Following the distinction explained by Gowans, consider the conflict between a perfect duty and an imperfect duty. Suppose that the moral principle of promise-keeping prompts a moral agent to meet his or her friend, while the moral principle of

beneficence prescribes him or her to help out a stranger in need of help. According to Kant, the former is a perfect duty and the latter an imperfect duty. Since the perfect duty overrides the imperfect duty, the moral agent ought to keep his or her promise. So this case is resolvable under Kant's theory of ethics and would not be treated as a moral dilemma.

On the other hand, suppose that a moral agent makes promises to two people and later finds out that he or she cannot keep both. The principle of promise-keeping is a perfect duty for Kant. Yet in this case, the principle entails incompatible actions and a moral agent is bound to violate it. This is the very situation that Kant considers inconceivable: the moral rules declare actions that are both necessary and incompatible with each other. A conflict between perfect duties thus poses a real problem for Kant's ethics. The conflict cannot be resolved by Kant's theory and, contrary to Kant's claims, should be treated as a dilemma. Thus, the existence of moral dilemmas appears inconsistent with Kant's ethics.

Chapter 8. Moral Dilemmas and Utilitarianism

In this chapter, I discuss the implication of moral dilemmas for utilitarianism. In particular, I focus on Mill (1791/1861)'s theory of utilitarianism. In addition to serving

as a major advocate of utilitarianism, Mill also expresses his views of moral conflicts.

What kind of utilitarian is Mill? Is he an act-utilitarian or a rule utilitarian? How does he resolve moral conflicts between moral principles? Robert Hoag (1983) attempts to provide answers. Mill discusses the cases of moral conflicts in Chapters II and V of *Utilitarianism*. He characterizes these cases as involving "conflicting obligations" or "conflicting rights and duties," and sometimes as involving conflicting moral rules, laws, maxims, or secondary principles. He also uses these characterizations interchangeably. So, one can describe the cases of moral conflict in terms of conflicting moral rules.

According to Mill, the nature of human affairs is so complicated that any one moral rule cannot be always binding. Rather, a moral agent encounters situations where different moral rules appear to entail incompatible actions. He writes,

It is not the fault of any creed, but of the complicated nature of human affairs, that rules of conduct cannot be so framed as to require no exceptions, and that hardly any kind of action can safely be laid down as either always obligatory or always condemnable . . . There exists no moral system under which there do not arise unequivocal cases of

conflicting obligation. These are real difficulties, the knotty points both in the theory of ethics and in the conscientious guidance of personal conduct. (p. 25)

Mill holds that moral conflicts are resolved by direct appeal to considerations of utility. The need to deal with the cases of moral conflict arises for all moral theories, but according to him, utilitarianism resolves such cases better than any other moral theory. He writes,

If utility is the ultimate source of moral obligations, utility may be invoked to decide between them when their demands are incompatible. Though the application of the standard may be difficult, it is better than none at all; while in other systems, the moral laws all claiming independent authority, there is no common umpire entitled to interfere with them: their claim to precedence one over another rest on little better than sophistry, and unless determined, as they generally are, by the unacknowledged influence of considerations of utility, afford a free scope for the action of personal desires and partialities. (p. 26)

Mill indicates that a distinct advantage of utilitarianism consists in permitting direct appeal to the first moral principle in order to resolve moral conflicts. His first principle, the principle of utility, holds that utility is the ultimately desirable end. A moral conflict is thus resolved by assessing the utilities of different courses of action.

According to Hoag, one can distinguish three plausible procedures for resolving the moral conflicts for Mill. These procedures are distinct in that the specific action they would prescribe is not identical for all circumstances of moral conflict:

(I) Apply the principle of utility only to the conflicting moral rules and consider only the relative general observance-utilities of those rules. An agent ought to act in conformity with the rule, the general observance of which produces more utilities than the general observance of any other applicable rule.

(II) Apply the principle of utility directly to particular acts and consider the relative simple utilities of all alternative acts. The agent ought to perform the particular act which maximizes utilities.

(III) Apply the principle of utility directly to particular acts and consider the relative simple utilities of acts where each alternative considered is an act in conformity with at least one of the applicable rules. Given this restricted set of alternatives, the agent ought to perform the particular act which maximizes utilities.

Hoag argues that procedure (III) is the one that Mill adopts to resolve moral conflicts. In Chapter V of *Utilitarianism*, Mill indicates how his moral theory resolves a case of conflicting moral rules. The case illustrates a conflict between the rule of justice and another moral rule:

It appears from what has been said that justice is a name for certain moral requirements which, regarded collectively, stand higher in the scale of social utility, and are therefore of more paramount obligation, than any others, though particular cases may occur in which some other social duty is so important as to overrule any one of the general maxims of justice. Thus, to save a life, it may not only be allowable, but a duty, to steal or take by force the necessary food or medicine, or to kidnap and compel to

officiate the only qualified medical practitioner.

(pp. 63-64)

In this example, incompatible actions are entailed by two moral rules: a moral rule to render aid and a moral rule of justice regarding property rights to food and medicine. Mill says that a moral agent should resolve this conflict by following the moral rule to render aid.

Mill's resolution of the conflict suggests that one of the procedures should be eliminated as a correct interpretation of Mill's view. Procedure (I) states that the principle of utility is to be applied only to the conflicting moral rules and that the agent ought to act in conformity with the rule that has the highest utilities. Mill clearly holds that adherence to the rule of justice brings about the highest utilities:

Justice is a name for certain classes of moral rules which concern the essentials of well-being more nearly, and are therefore of more absolute obligation, than any other rules for the guidance of life; and the notion which we have found to be of the essence of the idea of justice - that of a right residing in an individual - implies and testifies to this more binding obligation. The moral rules which forbid

mankind to hurt one another (in which we must never forget to include a wrongful interference with each other's freedom) are more vital to human well-being than any maxims, however important, which only point out the best mode of managing some department of human affairs. (p. 59)

Thus, concerning Mill's example of a moral conflict, the utilities of following the rule of justice exceed those of following the rule to render aid. If he were committed to procedure (I), he would have to suggest that the agent ought to follow the rule of justice and not to render aid. Since he instead suggests that the moral agent ought to render aid, procedure (I) is not a proper interpretation of Mill's view.

Mill's resolution of the conflict indicates that the idiosyncrasies of the particular case are relevant in resolving the conflict. But he does not indicate whether procedure (II) or procedure (III) is the correct one. Procedure (II) states that the agent ought to perform the act that maximizes utilities in the particular circumstances. In Mill's example, the maximally utilitarian alternative would likely be to render aid. Similar reasoning suggests that procedure (III) would also prescribe rendering aid; among the acts that are in conformity with at least one of the applicable rules, the maximally utilitarian

alternative would be to render aid. Therefore, Mill's resolution of the case does not provide conclusive evidence in favor of procedure (II) or procedure (III).

Hoag maintains, however, that procedure (III) is the more plausible interpretation of Mill's view. In his brief discussions of unequivocal cases of conflicting moral rules, Mill says that in such cases "utility may be invoked to decide between them" (p. 26). That is, whatever Mill adopts as a procedure for resolving moral conflicts by appeal to utilities, the resolution apparently involves deciding between the applicable moral rules. Procedure (II) requires that the agent perform the particular act which maximizes utilities. In some circumstances, however, the act that maximizes utilities may not be in conformity with any of the applicable moral rules. Since Procedure (II) does not reference applicable moral rules, Hoag says, Procedure (III) is the preferred interpretation of Mill's view.

If Mill were committed to procedure (II), then in circumstances where the maximally utilitarian alternative is not in conformity with any applicable moral rule, Mill's theory would be committed to the implausible view of prescribing the moral agent to ignore all the applicable moral rules in favor of merely expedient or prudent behavior. On the other hand, if Mill were committed to procedure (III), then the alternatives to be

considered would always be limited by the applicable moral rules. Mill would then not prescribe ignoring all the applicable moral rules in circumstances of moral conflict.

Hoag's interpretation makes Mill neither a committed rule-utilitarian nor an act-utilitarian. David Lyons (1976) supports this interpretation. He says that unlike mainstream utilitarian theories, Mill's theory is preoccupied neither with acts nor rules. Rather, Mill is primarily concerned with the end of happiness, and with whatever means to best achieve that end. All such means may be properly judged by reference to that end. For Mill, the rules are not subordinated to judgments of particular acts, and vice versa.

Lyons notes, for example, that Mill shares the spirit of rule-utilitarianism in his refusal to require that each act maximize utilities. Although Mill's theory is predicated on the end of happiness, it does not collapse into act-utilitarianism. For Mill, the rules mean informal and generally accepted standards for minimally acceptable behavior. And their existence is a matter of general knowledge before the acts they concern are performed. The rules function prospectively as moral coercions and the negative consequences follow if people break them. These rules have costs associated with implementing them, and under Mill's theory, there are no moral obligations unless corresponding social rules are justified on utilitarian grounds.

In more circumstances than under act-utilitarianism, therefore, the social rules set limits to conduct without telling a moral agent what to do.

What implication does the existence of moral dilemmas have on Mill's utilitarianism? Mill does not explicitly deny the existence of moral dilemmas. His example of moral conflict involves one moral rule overriding the other: the moral rule to render aid overrides the moral rule of justice regarding property rights to food and medicine. Presumably, an act to follow the rule to render aid by saving a life produces more utilities than the act to adhere to the rule of justice by not stealing necessary foods or medicines.

Mill does not explicitly discuss the case where each alternative produces an equal amount of utilities. It is easily conceivable, however, that such a case exists. A symmetric case provides a good example. Keeping one promise produces the same amount of utilities as keeping the other where no relevant differences exist between the promises. Choosing to save one child produces the same amount of utilities as choosing to save the other where no relevant differences exist between them. In these cases, Mill's utilitarianism provides no guidance to action. From the utilitarian perspective, one alternative seems as good as the other.

Does this fact undermine Mill's utilitarianism as a theory of ethics? It shows that Mill's utilitarianism is not always uniquely-action guiding. Yet, as discussed earlier, this fact alone does not automatically render a moral theory defective. A moral theory's ability to perform its action-guiding function comes in degrees. How much the existence of moral dilemmas undermines Mill's utilitarianism depends on prevalence and frequency of moral dilemmas. The existence of moral dilemmas would be damaging to Mill's utilitarianism if a moral agent faces them constantly and hence is at a loss about what action to take. In this respect, Peter Railton (1996)'s comments are relevant. He writes,

. . . if fundamental clashes of value and obligation were pervasive in daily life, such that moral principles seldom provided any definite guidance – except perhaps to license unremitting guilt for what one cannot avoid – there would be little prospect for the moral life as a source of allegiance or as a way of understanding oneself and one's place in the world. Ordinary moral thought would seem to leave one abandoned, and one would have to plunge ahead on one's own. (p. 161)

One might argue for pervasiveness of moral dilemmas based on the multiple roles that a moral agent occupies in society. McConnell (2009) distinguishes between general obligations and role-related obligations. General obligations are the moral requirements that an individual has because he or she is a moral agent. Examples include obligations not to kill, not to steal, and not to assault others. Each moral agent is bound by these requirements. By contrast, role-related obligations are the moral requirements that a moral agent has by virtue of his or her role, occupation, or position in society. For example, a lifeguard is required to save swimmers in distress, a doctor is required to hold a patient's information in confidence, and a teacher is required to educate students.

General obligations and role-related obligations can entail incompatible actions. When a doctor has a patient that is dangerous to others, the doctor's general obligation to prevent harm to innocent persons may be inconsistent with his or her role-related obligation of confidentiality. Moreover, different role-related obligations can entail incompatible actions. For example, a doctor's role-related obligations to patients may be inconsistent with the doctor's role-related obligations as a medical researcher. Since a moral agent occupies multiple roles in society, he or she faces constant conflicting moral demands. This seems to suggest that utilitarianism would not be able to

adequately guide action. In too many cases, a moral agent would be pulled by different demands but utilitarianism cannot tell the moral agent what he or she ought to do.

The fact that a moral agent occupies multiple roles in society, however, does not necessarily mean that he or she constantly faces moral dilemmas. Suppose that a person must take care of a fatally wounded patient as a doctor, must attend a conference as a hospital employee, and must attend her son's birthday party as a parent. Suppose that she must take these actions at the same time but cannot do so. The situation, however, does not necessarily count as a moral dilemma as defined in this essay. A moral dilemma is a situation in which a moral agent is pulled in opposite directions by non-overridden moral principles – from the utilitarian perspective, it is a situation where a moral agent's alternative actions produce the same amount of utilities. In the example, the utilities that the doctor would produce by attending the urgent patient seem be greater than those that he or she would produce by performing other roles. If so, the example does not count as a moral dilemma despite the multiple roles that the doctor plays. The same reasoning applies to other cases of conflicting roles. Therefore, the fact that a moral agent occupies multiple roles does not show that moral dilemmas are sufficiently pervasive to

undermine Mill's utilitarianism as an effective action-guiding moral theory.

Hence, the implication of moral dilemmas for Mill's utilitarianism is that although it is not always uniquely action-guiding, it is not vitally undermined by the existence of moral dilemmas. There is no strong evidence to suggest that a moral agent faces moral dilemmas frequently or regularly despite the fact that he or she occupies multiple roles. Based on the utilities of alternative actions, a competent moral agent should be able figure out what he or she ought to do in most cases.

Chapter 9. Moral Dilemmas and Virtue Ethics

In this chapter, I discuss moral dilemmas as it relates to virtue ethics. Gary Watson (2003) says John Rawls (1971) views a moral theory as treating primarily three concepts: the concept of right, the concept of good, and the concept of moral worth. Of these concepts, Rawls takes the latter to be derivative:

The two main concepts of ethics are those of the right and the good; the concept of a morally worthy person is, I believe, derive from them. The structure of an ethical theory is, then, largely determined by how it defines and connects these two basic notions. (p. 24)

Rawls thus recognizes two types of moral theories: those that define the right in terms of the good and those that do not. Rawls' own theory illustrates the second type. An example of the first is classical utilitarianism, which defines right action as maximizing human happiness, which is taken to be the ultimate good.

On either type of theory, the concept of moral worth is subordinated to one of the other concepts. For example, on Rawls' theory, virtues are construed as strong and normally effective desires to act on the basic principles of right. Some versions of utilitarianism may accept this construal as well. Alternatively, they define virtues directly in terms of the good that certain traits or dispositions serve.

Rawls' classification corresponds to another division of moral theories - into teleological and deontological. These theories are ways of relating the two concepts that Rawls takes to be basic. In teleological views, the good is defined independently from the right, and then the right is defined as that which maximizes the good. Teleological theories are consequentialist. The contrasting conception is defined negatively as what is not teleological. As a result, all moral theories are construed as either consequentialist or deontological.

Watson disputes Rawls' classification, however; Rawls' classification does not accommodate virtue ethics such as those reflected in Aristotle's views. According to Watson, Rawls considers Aristotle a teleologist. This classification would imply that Aristotle's view is different from utilitarianism only in its conception of what is to be maximized. But this is very doubtful. For Aristotle, the virtuous person is not one who is out to maximize anything, nor is virtue itself defined as a state that tends to promote some independently definable good.

This means that Aristotle's view is deontological. Yet this interpretation is questionable as well, for a concept of good is primary in Aristotle's view. Thus if teleological theories are those in which the concept of the good is primary, then Aristotle's view is teleological. Watson says it is a mistake, however, to think that the only way of asserting the primacy of the good is consequentialism. One should recognize that a moral theory can be both teleological and non-consequentialist. Virtue ethics is a theory of this kind.

Watson says that one can avoid this confusion by replacing Rawls' distinction with the threefold distinction: an ethics of requirement, an ethics of consequences, and an ethics of virtue or character. This classification enables one to observe that while both ethics of consequences and ethics of virtue are teleological insofar as they are guided fundamentally by a

notion of the good, Aristotle is nonetheless closer to Kant than to Bentham on the question of consequentialism. It also enables one to consider what it means to take the concept of virtue as fundamental.

Virtue ethics is distinct from other moral theories in that its standard of moral appraisal is the right character rather than the right action. Watson writes,

An ethics of virtue is not a particular claim about the priority of virtue over right conduct but the moral general claim that action appraisal is derivative from the appraisal of character. To put it another way, the claim is that the basic moral facts are facts about the quality of character. Moral facts about action are ancillary to these. (p. 232)

Thus, Watson believes that under virtue ethics, an action is determined right if it reflects the right character.

Robert Louden (1984) also believes that what distinguishes virtue ethics from other moral theories is that its primary object of moral evaluation is not the act or its consequences, but rather the agent. He calls utilitarianism and deontology "act-centered ethics" and virtue ethics "agent-centered ethics."

This basic difference leads to other differences between act-centered ethics and agent-centered ethics. First, the two theories employ different models of practical reasoning. Act theorists are inclined to formulate decision procedures for making practical choices because they focus on discrete acts and moral quandaries. The agent, in their conceptual scheme, needs a guide for finding a way out of the quandary. Agent-centered ethics, on the other hand, focuses on long-term characteristic patterns of action; it does not focus on particular acts and choices. As a result, they do not describe practical reason as a rule-governed enterprise that can be applied to each case.

Secondly, Loudon says that act-centered ethics and agent-centered ethics differ on moral motivation. For the deontological act theorist, the preferred motive for action is the idea of duty. For the utilitarian act theorist, it is the disposition to seek the happiness of people involved. But for the virtue theorist, the motivation is the virtues. For example, a moral agent who correctly acts from the disposition of charity does so not because it maximizes utility or because it is one's duty. Rather, he or she does so out of a commitment to the value of charity.

Michael Slote (2006) shares the view that what is distinctive about virtue ethics is its emphasis on right character. He distinguishes, however, between an agent-based

approach and an agent-focused approach. An agent-focused approach places a greater emphasis on right character than on right action, yet allows the status of action to be the object of moral appraisal. Slote believes that Aristotle's ethical view represents an agent-focused view. For Aristotle, an action is noble or fine if a noble or virtuous individual performs it, and the virtuous individual is the measure of virtue in action. But Aristotle also allows that a properly guided or momentarily inspired person can perform a virtuous action even if he or she is not virtuous. Furthermore, Aristotle characterizes a virtuous person as someone who sees or perceives what is good or fine in any given situation. These remarks suggest that the ethical status of action does not derive entirely from a virtuous person. Rather, its status is treated as somewhat independent of the person.

On the other hand, an agent-based approach views the ethical status of action as entirely derivative from the motives, dispositions, or inner life of the person who performs the action. Slote identifies two types of agent-basing virtues; inner strength and universal benevolence. The idea of inner strength originates from Plato, who relates morality of individual actions to the health and virtue of the soul and uses the images of a strong soul and a beautiful soul to convey the inner touchstone of all good human action. Slote believes that

this idea about inner strength can serve as the source for agent-based virtue ethics.

According to Slote, another type of agent-based virtue is universal benevolence. Consider a person who gives money for the building of a hospital, but whose motivation is the desire to see his or her name on a building or the desire to get a reputation for generosity as a means to launch a political career. Utilitarians would typically evaluate his or her motives only in terms of their consequences. Morality as universal benevolence, however, evaluates his or her motives in terms of how well they approximate to universal benevolence. As a result, it treats such motivation as less than morally good.

Given this background on virtue ethics, a question naturally arises: how does virtue ethics specify right action? In other words, what does virtue ethics say about how a moral agent ought to act in a given situation? Or does it say nothing about how a moral agent ought to act?

Aristotle (2000) provides rough guidance to action. According to him, virtue is a condition intermediate between two other states, one involving excess and the other deficiency.²⁶ Virtue can thus be destroyed by deficiency or excess. In this respect, virtue is similar to technical skill. Every skilled

²⁶ For an overview of Aristotle's ethical theory, see Kraut (2014).

worker knows how to avoid excess and deficiency and achieves a condition between the two extremes. Similarly, a courageous person judges that some dangers are worth facing and others are not, and experiences fear in an appropriate degree. On the other hand, a cowardly person flees every danger and experiences excessive fear, while a rash person engages every danger worth facing and experiences little or no fear. In this way, the virtue of courage lies between cowardice and rashness.

Aristotle says, however, that not every action or emotion admits the mean. Some automatically include baseness. Among these are spite, shamelessness, envy, adultery, theft, and murder. These actions and emotions are called by these names because they, not their excesses or deficiencies, are base. Therefore, in doing these things, one can never be correct but must be invariably in error.

Aristotle says that whereas the virtue of thinking needs teaching, experience and time, virtue of character comes about as a consequence of following the right habits. The potential to be virtuous is in humans by nature, but whether virtues come to be present or not is not determined by nature. Consider how one learns any craft. One becomes a builder by repeatedly building, and one becomes a harpist by repeatedly playing the harp. Similarly, one becomes just by doing just actions, temperate by doing temperate actions, or brave by doing brave actions.

Aristotle gives three rules of conduct to achieve virtue or the mean. The first rule of conduct is to choose the lesser of two evils by keeping away from that extreme which is more contrary to the mean. He writes,

So the person who is aiming at the mean must steer away from the extreme that is in greater opposition to it, as Calypso advised: 'Beyond this spray and swell keep your ship outside.' For one of the extremes is a greater missing of the mark, the other less so; and since hitting the mean is extremely hard, we must take the next best course, as they say, and choose the lesser of two evils.(1109a34-1109b1)

The second is to be aware of one's own weaknesses, and to drag oneself in the contrary direction; for one arrives at the mean by pressing well away from his or her failing. He writes,

But we must also consider the things toward which we as individuals are particularly prone. For we each have different natural tendencies, and we can find out what they are by the pain and pleasures that occur in us. And we should drag ourselves in the opposite direction, because we shall arrive at the mean by

holding far off from where we would miss the mark,
just as people do when straightening warped pieces of
wood. (1109b3-8)

Finally, Aristotle advises, one must guard especially against
pleasure and pleasant things because if one relieves oneself of
the attraction, one shall be less likely to go wrong. He writes,

In everything, we should be on our guard especially
against the pleasant - pleasures, that is, - because
we are not impartial judges of it. So we should adopt
the same attitude to it as the elders did towards
Helen, and utter their words in everything we do; for
by dismissing pleasure in this way, we shall miss the
mark to a lesser degree. (1109b9-13)

Aristotle says, however, that despite these rules of conduct, it
is very difficult to hit the mean between two vices. Acting well,
he notes, is a rare achievement. He writes,

This is why it is hard to be good, because in each
case it is hard to find the middle point; for instance,
not everyone can find the center of a circle, but only
the person with knowledge. So too anyone can get angry,

or give and spend money – these are easy; but doing them in relation to the right person, in the right amount, at the right time, and with the right aim in view, and in the right way – this is not something anyone can do, nor is it easy. This is why excellence in these things is rare, praiseworthy, and noble.

(1109a25-33)

Aristotle also acknowledges that there is no accurate and precise guidance for a right action and that a moral agent must rely on his or her perception to determine what to do:

But the person who is blamed is not the one who deviates a little, either in excess or deficiency, from the right degree, but the one who deviates rather more, because he does not escape our notice. But how far and to what extent someone must deviate before becoming blameworthy it is not easy to determine by reason, because nothing perceived by our senses is easily determined; such things are particulars, and judgement about them lies in perception. (1109b19-26)

Aristotle says that achieving the mean is a difficult task and a moral agent can easily stray away from the mean. He also

says that a moral agent's judgment of the mean depends on his or her perception in a particular case. The difficulties associated with achieving the mean suggest that Aristotle's views are consistent with the existence of moral dilemmas. If a moral agent finds it difficult to act according to a particular virtue, then he or she is likely to face difficulties when two virtues conflict with each other. With virtue ethics, the conflict or dilemma should be described somewhat differently. Consider the case of Sartre's student discussed previously. One might say that his virtues include the virtue of patriotism and the virtue of filial piety. The virtue of patriotism motivates him to join the Free French. The virtue of filial piety motivates him to take care of his mother. Because he cannot act according to both virtues, he is bound to violate one of them. So, two virtues entail incompatible actions.

One might argue that practical wisdom is what enables a moral agent to deal with moral dilemmas. According to Aristotle, practical wisdom is an excellent dispositional state of the intellectual part of the soul. It is a state that enables its possessor to attain truth, and contrasts with overall virtue of character, which is a dispositional state of the appetitive part of the soul. A practically wise person characteristically attains practical truth; that is, he or she gets things right in

action in the moral sphere, which Aristotle describes as the sphere of what is good or bad for human beings.

Aristotle makes a distinction between natural virtue and real virtue, saying that one cannot have real virtue without practical wisdom. According to Aristotle, each person possesses the character he or she has by nature, since from birth one is just, prone to temperance, courageous, and so on. Yet, one expects that what is really good is something different from character by nature and that he or she will acquire these qualities in another way. For example, both children and animals have natural states, but without intellect, they are harmful. A strongly built person, if deprived of sight, is apt to stumble when he moves around. This is the case with real virtue as well. As one acquires intellect, his or her actions are quite different, and his or her state, while similar to what it was, will be of real virtue.

Rosalind Hursthouse (2006) argues that practical wisdom comes into play when a moral agent attempts to resolve moral conflicts. The moral agent sometimes faces a situation in which good reasons conflict, recommending different and incompatible actions. To those who lack practical wisdom, it is not obvious that one of the actions is the right thing to do. Typically, those with only natural virtues will make a mistake, whereas a

practically wise person knows which is the right thing to do and acts accordingly.

Suppose that the requirements of kindness and honesty conflict, giving a moral agent reason to lie as well as to tell the hurtful truth. Sometimes, the dilemma may be resolvable when he or she realizes that the kindest thing to do would be to tell the hurtful truth, and at other times, when he or she realizes that it would not be dishonest to remain discreetly or politely silent.

Hursthouse says that those with only natural virtues tend to think about what the virtues require and the vices rule out in terms of conventional generalizations or paradigms. It is only with the experience of exceptions – when an admired figure does what appears to be a cowardly action and is widely praised, and when the action of a respected person surprises one until the person explains why he or she did it – that a moral agent recognizes a practically wise person's more sophisticated understanding.

Hursthouse provides other examples to contrast natural virtue and practical wisdom. Suppose that a small child on water wings drifts out of his depth into the river current, which bears him towards the weir. The onlooker with natural virtue immediately flings him-/herself into the water and starts swimming after him. The onlooker with practical wisdom

immediately starts running along the bank to get well ahead of the child before flinging him-/herself into the water.

Suppose also that two soldiers are woken up by the unmistakable sounds of the enemy invading the camp. The one with natural virtue grabs his sword and rushes straight out the tent towards the fray, while the one with practical wisdom pauses just long enough to strap on his helmet and find his shield as well.

Despite the difference in behavior between the one with natural virtue and the one with real virtue or practical wisdom, Aristotle's comments make one skeptical that even a practically wise person can successfully resolve every moral dilemma. According to Aristotle, a person becomes practically wise with experience. He writes,

Besides, how one should manage one's own affairs is not clear, and ought to be considered. What I have said is supported by the fact that, though the young become proficient in geometry and mathematics, and wise in matters like that, they do not seem to become practically wise. The reason is that practical wisdom is concerned also with particular fact, and particular facts come to be known from experience; and a young

person is not experienced, since experience takes a long time to produce. (1142a15-22)

Aristotle's comments suggest that a person does not acquire practical wisdom at definite point, but becomes practically wise as he or she gains experience. His comments give the impression that a person may not be able to become perfectly practically wise. Rather, he or she develops practical wisdom with experience and the development may be an on-going process. Hursthouse's comments support this point: "Whether he always gets things right is thereby an unattainable but necessary standard-setting ideal, or whether Aristotle thinks he is a rare but not unknown phenomenon who gets them right 'for the most part' need not concern us here" (p. 286). These considerations suggest that even a practically wise person may not be able to resolve every moral conflict successfully, leaving open the possibility moral dilemmas.

On the other hand, Hursthouse (1999) provides a more detailed argument for how virtue ethics specifies right action. She responds to critiques that are often made against virtue ethics. They are as follows:

If virtue ethics is 'agent-centered rather than act-centered', concerned with 'What sort of person should I

be?' rather than 'What sorts of action should I do?' (with 'Being rather than Doing'), if it concentrates on the *good* or *virtuous* agent rather than on *right* action and on what anyone, virtuous or not, has an *obligation* to do; how can it be a genuine rival to utilitarianism and deontology? Surely ethical theories are supposed to tell us about right action, i.e., about what sorts of act we should do. Utilitarianism and deontology certainly do that; if virtue ethics does not, it cannot be a genuine rival to them. (p.26)

Hursthouse responds to these critiques by explaining how virtue ethics provides action-guidance. She compares virtue ethics' action-guidance with the action-guidance given by act-utilitarianism and deontology. Act-utilitarianism lays out its account of right action as follows:

U1. An action is right iff it promotes the best consequences.

This statement provides a specification of right action by connecting the concepts of right action with best consequences. Yet the statement gives no guidance about how to act unless one

knows what the best consequences are. So the best consequences must be specified, and this might read:

U2. The best consequences are those in which happiness is maximized.

This statement links the concepts of best consequences and happiness. Thus, according to this version of act-utilitarianism, the right action is the one maximizing happiness.

One can illustrate how deontology specifies right action in a similar way. One begins with a statement linking the concept of right action and the concept of a correct moral rule or principle:

D1. An action is right iff it is in accordance with a correct moral rule or principle.

This statement, however, gives no guidance about how to act unless one knows what a correct rule or principle is. So the correct rule or principle must be specified in another statement:

D2. A correct moral rule (or principle) is one that . . .

This statement may be completed in different ways, for example:

- (i) is on the following list (and then a list does follow)
- (ii) is laid on us by God
- (iii) is universalizable
- (iv) would be the object of choice of all rational beings

In a similar way, Hursthouse provides a statement laying out virtue ethic's account of right action:

V1. An action is right iff it is what a virtuous agent would characteristically (i.e., acting in character) do in the circumstances.

This statement connects the concept of right action with a virtuous agent. This statement, however, may provoke an objection that it does not say who the virtuous agents are.

Hursthouse says that if the statement provokes an objection because it provides no practical guidance, a similar objection should be directed at the first statements of act-utilitarianism and deontology. Act-utilitarianism must specify what are to count as the best consequences, and deontology must specify what is to count as a correct moral rule. Similarly, virtue ethics must specify who is to count as a virtuous agent. So far the

three theories are all in the same position. The statement specifying a virtuous agent is as follows:

V1a. A virtuous agent is one who acts virtuously, that is, one who has and exercises the virtues.

V2. A virtue is a character trait that . . .

How does one complete V2? It depends on one's view of virtue ethics. If one believes that Hume's second *Enquiry* espouses virtue ethics, a virtue is a character trait that is useful or agreeable to its possessor or to others. If one adopts Aristotelian ethics, a virtue is a character trait a human being needs to flourish or live well.

Hursthouse says that the structure of specification of right action according to virtue ethics thus closely resembles those of act-utilitarianism and many simple forms of deontology. Comparing the three, one might say that virtue ethics is agent-centered rather than consequences- or rules-centered. It is agent-centered in that it introduces the concept of the virtuous agent in the first statement of its account of right action, where act-utilitarianism and deontology introduce the concepts of consequences and moral rules, respectively. Virtue ethics does, however, provide an answer to what a moral agent ought to do.

One might object that Hursthouse has not provided a satisfying account of right action according to virtue ethics. Deontology yields a set of clear prescriptions which are readily applicable. For example, deontological prescriptions such as "Do not lie," "Do not steal," "Do not inflict evil or harm to others," and "Do keep promises" are relatively easy to understand and apply. Yet this is not the case with virtue ethics. Virtue ethics' prescription is somewhat vague: "Do what the virtuous agent – who is honest, charitable, and just, etc. – would do in these circumstances." This prescription is not useful unless one is a virtuous agent. If one is less than fully virtuous, one does not have a clear idea of what a virtuous agent would do and, therefore, cannot readily apply the prescription.

Hursthouse's reply is that one can seek advice from virtuous people. If one believes that one is far from perfect, and one is unsure about what a virtuous agent would do in the circumstances, then the obvious next step to do is to try to find and ask a virtuous agent. Hursthouse says that seeking advice is not a trivial point, for it highlights an important aspect of our moral life, which is that one seeks moral guidance from people who one thinks are morally better than others. When one is concerned about doing what is right but is unsure what the right action is, one seeks people whom one respects and

admires – people that are kinder, more modest, more just, wiser – and asks them what they would do in the circumstances.

Moreover, seeking advice from virtuous people is not the only step one can take to figure out what to do. A virtuous agent has been described as the one who is honest, charitable, just, etc. So the virtuous agent characteristically acts honestly, charitably, justly, etc., and not dishonestly, uncharitably, unjustly, etc. Given an enumeration of the virtues, one can have a good idea of what a virtuous agent would do in the circumstances despite one's own imperfection. A virtuous person would not lie persistently to acquire an unmerited advantage; that would be to act both dishonestly and unjustly. A virtuous person would help a naked man by the roadside; he or she would act charitably. This way, one can receive guidance as to what to do.

It is doubtful, however, whether Hursthouse's account is satisfying. Frans Svensson (2010) discusses several objections to Hursthouse's account. The first is that there are circumstances that no virtuous agent would get into. Suppose that Jones has hurt Smith's feelings, and that Jones has done so in a way that no virtuous agent would have done. Intuitively, one might say that in these circumstances, it would be right for Jones to apologize to Smith. This response is not valid for

Hursthouse though, for no virtuous agent would have done what Jones did to Smith in the first place.

This objection, however, may not be considered a serious one; even a virtuous agent could sometimes act out of character. Hursthouse's account is described in terms of what a virtuous agent would *characteristically* do in the circumstances. She does not claim that anything that a virtuous agent would do is deemed right even if it goes against his or her overall virtuous character. Hence, in response to the first objection, it might be said that while a virtuous agent would not characteristically hurt another person's feelings, this might happen.

Yet even if a virtuous agent could occasionally act out of character, there are limits on what he or she could do. Hurting someone's feelings in the heat of an argument, say, may be among the things that a virtuous agent could do without having his or her virtue put in question. Consider, however, a more serious scenario. Imagine a man who induces two women, A and B, to bear his child by promising marriage. The man, however, can only marry one of them. These circumstances appear to be the ones that no virtuous agent could ever be in: they result from his behavior during an extended period of time, disqualifying him from being considered virtuous.

The second objection is that Hursthouse's account is not sensitive to a person's character flaws. Suppose that John is

going away for some weeks to visit his parents. Since he is expecting a very important letter, John asks his colleague Peter to forward his mail to his parents' address. Given the importance of the letter, if Peter promises to do what John is asking of him, John should be able to trust that Peter actually fulfills his promise. While a virtuous agent could be trusted to keep his or her promise to help John, however, Peter is well aware that he cannot be trusted to do this. Peter has a character flaw: he has a habit of forgetting what he promises to do. Because of this character flaw, Peter would not act rightly in promising to help John. On the contrary, he should turn down John's request in order for John to be able to make other arrangements. However, a virtuous agent would promise to help John in the same circumstances. Thus, Hurthouse's account does not take into consideration a person's character flaws.

The final objection is that it is not easy to identify a virtuous agent. Louden observes that one does not know with any degree of certainty who really is virtuous. How should one go about establishing an agent's true moral character? The standard strategy is what might be called the "externalist" one: one tries to infer character by observing conduct. Although acknowledging the existence of some connection between character and conduct, Louden believes that the connection between the two is not nearly as tight as externalists assume. The relationship

is not a necessary one, but is merely contingent. The measure of an agent's character is not exhausted by the values of the actions which he or she performs; the most important moral traits are what may be called spiritual rather than actional.

Svensson thus raises several objections to Hursthouse's view: there are circumstances that no virtuous agent would get into, a virtuous person may not be a good model to follow for a person with character flaws, and it is difficult to identify a virtuous person. According to Hursthouse, a moral agent ought to do what a virtuous person would characteristically do under the circumstances. These objections show the gaps in Hursthouse's view: a moral agent may not be able to figure out what to do even if he or she tries to do what a virtuous person would characteristically do. These objections also apply to situations where two virtues conflict with each other. The situations where a moral agent cannot figure out what to do are likely to include those where two virtues direct him or her to perform incompatible actions. Virtue ethics thus appears to leave room for the existence of moral dilemmas.

Hursthouse (2003) expresses her own views about moral dilemmas. She says that the proponents of virtue ethics can adopt one of two strategies to deal with moral dilemmas. One strategy is to say that many of the moral conflicts that a moral agent faces are merely apparent, resulting from a misapplication

of the virtues. This strategy provides an explanation of why sometimes the moral agent does not know the answer of what to do despite the fact that there is an answer. Trivially, the explanation is that the moral agent lacks moral knowledge of what to do in the situation. The lack arises from the absence of moral wisdom – from an inadequate grasp of what is involved in acting kindly, charitably, justly, and so on. In other words, the moral agent does not fully understand how the virtue terms are to be correctly applied. As Aristotle says, moral wisdom, unlike mathematical knowledge, cannot be acquired merely by attending lectures. Moral wisdom is usually not found in a person too young to have much life experience.

Hursthouse says that the other strategy, to which she is more sympathetic, is to admit that moral dilemmas exist. This strategy is to say that there are situations where even a fully virtuous person does not know how to take a specific action. In fact, two fully virtuous people could act differently despite being in the same circumstances: a virtuous person would do A, and another virtuous agent would do B, and both A and B are right.

Hursthouse says, however, that one should not take the acceptance of moral dilemmas as a counsel of despair or an excuse for moral irresponsibility. It does not license coin-tossing when a moral agent is faced with a putative dilemma, for

the moral choices one finds most difficult to make do not come to him or her conveniently labelled as "resolvable" or "irresolvable." It will always be necessary to think hard before accepting the idea that a particular moral question does not have one right answer.

The acceptance of moral dilemmas should not be seen as conceding to pluralism, either. When two virtuous people are faced with a dilemma, and one does A while the other does B, they do not have radically different views about what is required by a certain virtue. Rather, they have the same moral view about everything, up to and including the view that, in this particular case, neither is wrong. Each recognizes the propriety of the other's reason for doing what he or she did.

Chapter 10. Conclusion

I have argued that moral dilemmas exist and then have drawn the implications of their existence on the major moral theories. Of the three major moral theories, the existence of moral dilemmas appears to favor virtue ethics.

The existence of moral dilemmas is inconsistent with Kant's moral theory. Kant explicitly denies that moral dilemmas exist. He says that a conflict of duties and obligations is inconceivable. For Kant, moral rules are unconditional imperatives that declare certain actions either morally

necessary or morally impossible. This means that from the point of view of practical reason, a moral agent either must or must not perform them. Actions that are neither morally necessary nor morally impossible are morally permissible. These three categories – the necessary, the impossible, and the permissible – are exclusive and exhaustive: every action falls into one and only one. Hence, it is incoherent to suppose that an action could be both necessary and impossible or that two actions could both be necessary when doing one prevents doing the other. If a moral agent has a duty to perform a certain action, then the moral agent cannot also have a duty to perform another action incompatible with it.

The existence of moral dilemmas, however, is consistent with both Mill's utilitarianism and virtue ethics. They allow for a situation where moral principles conflict but do not override each other. Yet virtue ethics provides a better account of the phenomenon related to moral dilemmas. In particular, virtue ethics explains moral residue better than does utilitarianism.

An utilitarian might explain moral residue in the following way. He or she might say that moral principles or rules (i.e., the rules with which acts are in conformity), if consistently followed by a moral agent, are likely to bring about most utilities in the long run. Yet the moral agent sometimes might

not follow a moral principle in the hope that he or she might be able to maximize utilities in a particular case. If a moral agent attempts to do this, however, he or she is prone to make mistakes. The moral agent is cognitively limited and cannot foresee the exact consequences of each act. A better strategy is to follow the moral principles diligently and consistently.

From a utilitarian perspective, it is thus desirable for the moral agent to respect moral principles rather than to regard them as mere practical guidelines of conduct. In this respect, moral residue can serve a utilitarian purpose. The feeling of guilt or remorse prevents the moral agent from taking moral principles lightly, forcing him or her to violate them only under exceptional circumstances. Moral residue can help a moral agent maximize the utilities in the long run by enabling him or her to follow the moral principles consistently.

Michael Walzer (1972), however, disagrees with this argument. According to him, the feeling of guilt or remorse is unlikely to be felt by someone who is convinced only of its usefulness. Suppose that a person violates a moral principle for utilitarian reasons. Walzer questions whether the person can then feel guilt or remorse for the same reasons. Imagine a moral philosopher explaining the utilitarian argument to a moral agent who actually does feel guilt or remorse after violating a moral principle. The moral agent will not accept the utilitarian

explanation of his or her feeling guilt or remorse. That is, the moral agent would not say that he or she feels guilt or remorse so as to maximize utilities. Rather, the moral agent would say that he or she experiences moral residue from violating a moral principle. In fact, the moral agent who accepts the utilitarian account is not likely to feel guilt or remorse. Walzer says that the more fully the moral agent accepts the utilitarian account, the less likely he or she is to feel guilt or remorse. Walzer's argument shows that the utilitarian account of moral residue is unsatisfactory.

Virtue ethics, on the other hand, provides a better account of moral residue. In Sartre's student case discussed earlier, different emotional responses by the student have been considered after he decides to join the Free French instead of taking care of his mother. One of the responses goes like this: "I have decided to join the Free French for a patriotic reason. I think this is the best decision under the circumstances. If I leave my mother, she will have to live alone and plunge into despair. I do not feel bad about it though, for that is the inevitable consequence of my decision. I have made a choice to serve my country and I do not have to feel bad about my mother."

Another response by the student goes like this: "I regret what will happen to my mother when I leave her to join the Free French. She has been deeply saddened by my father's treason and

my brother's death. My disappearance will intensify her sadness. Although I regret leaving her, I have to put this feeling in perspective. I regret many things about this world. I regret, for example, that many buildings have been destroyed during the war, that there are hungry people on the streets, and that some people have lost their family members. I feel bad about this state of affairs. On the other hand, bad things happen in life. The fact that I am leaving my mother is one of many things that I regret about life."

Most people, it has been said, would consider these responses inappropriate. Given his relationship with his mother and the difficulties that she will face, most would expect the student to be more emotionally involved with the situation. He should experience, they would say, negative emotions about leaving his mother alone, and the negative emotions should be stronger than mere regrets about the undesirable state of affairs that he faces. The student should feel sorry and sympathetic about her mother's situation, and the negative emotions that the student experiences should be akin to guilt or remorse.

The fact that guilt or remorse is the appropriate emotional response by the student has to do with the moral character that most would expect him to have. A person who exhibits no emotional response or feels merely regret about the situation

appears morally callous or insensitive. There is something morally lacking about a person with this type of response.

A person with a virtuous character would be fully aware of the effect that his or her action will have on his or her mother. He or she would experience strong negative emotions about the situation. Furthermore, he or she would take the moral principle of filial piety seriously and feel guilt or remorse for violating it. The virtue ethics thus can account for moral residue in terms of the emotional response that the virtuous person exhibits. The kind of emotional response that the moral agent shows reveals the type of character that he or she possesses.

In fact, a moral agent's behavior before he or she arrives at a decision in a moral dilemma shows his or her character as well. Simon Blackburn (1996)'s discussion of the decision-making process in a quandary is relevant. According to him, one goes through the process of "dithering" and then "plumping" before making the choice. A quandary is any situation where there are multiple alternatives of which a person must adopt only one, but he or she is not quite sure which one is the right one. For example, he or she may be undecided about which can of beans of the same price to buy in the supermarket. Although packaged differently, they are of the same manufacture. There seems to no additional fact that would provide a reason to settle the matter

in favor of one or the other.

A quandary is stable when one does not know anything that would settle the choice in favor of one alternative, and when no practical investigation can reasonably be expected to alter this. Whether an investigation is practical will typically depend on its cost, as opposed to the likely benefit of discovering an objective ranking of the alternatives. There may be no further investigation, or its cost may be too great. In either case, the quandary is irremediable. One is in a stable quandary in the supermarket example because his or her available strategy is limited to just looking, and what one sees does not rank the alternatives.

One's judgment that a quandary is stable, however, is in general defeasible. Because of this defeasibility, a quandary typically does not feel stable. It typically feels as if there must be one simple investigation, or exercise of the right thought or imagination, that will provide the decisive reason for one side. This is what one fears, even though this fear may be irrational. One's "dithering" takes the form of running again and again at the issue as if some secret ranking will reveal itself.

Once one's quandary is stable, he or she must "plump" for one alternative. At some point, the reasoning leaves no ranking of alternatives. There is thus nothing left to do but plump.

There is a point at which the cost of refusing to act is overriding, which makes this option worse than plumping.

Plumping sounds light-hearted, but plumping can be done with a heavy heart. One can plump knowing that the alternative one did not plump for may prove to be the right one in time. Plumping can be unpleasant because one fears that with hindsight one will see that one would have made a better choice.

A moral agent goes through a somewhat similar process as he or she tries to revolve a moral dilemma. He or she dithers before coming to a decision. He or she weighs the strengths of conflicting moral principles, investigates whether her or she has taken into consideration all the relevant information, assesses the impact that his or her decision will have on the parties affected, and if possible, seeks advice from someone whom he or she thinks is wiser. The moral agent also feels emotionally torn between the alternatives and fears that the decision that he or she makes may turn out to be the wrong one in hindsight.

This is the behavior that most would expect to see from a moral agent with a virtuous character: a virtuous moral agent would sincerely dither before plumping. A moral agent with a less admirable character, on the other hand, would not behave the same way. He or she would not take too much time to investigate the facts surrounding the situation, would not take

the applicable moral principles seriously, would not care too much about the parties affected by his or her decision, and would make a decision light-heartedly.

A utilitarian moral agent would also dither before coming to a decision. Yet the ways in which the utilitarian moral agent and virtuous one dither would differ. The utilitarian moral agent would regard the dithering process as the "costs" that should be taken into consideration in relation to the expected benefits. If the utilitarian moral agent believed that the relative costs of dithering were too high, he or she would not hesitate to cease dithering and plump. It is conceivable that the utilitarian moral agent would not dither at all if he or she could rely on the similar past decisions to make the present one.

The virtuous moral agent, on the other hand, would behave differently. He or she would also consider the costs of dithering; ignoring such costs would not be practically wise. Yet the virtuous moral agent would dither mainly because he or she cared about the moral principles involved and the people that would be affected by his or her decision. Even if the stakes were not too high, the virtuous moral agent would take his or her time to carefully examine the relevant information. He or she would plump with anxiety for fear that he or she may not have made the right decision.

Compared with utilitarianism, virtue ethics thus has the

advantage of providing a better account of not only moral residue but also a moral agent's behavior before he or she arrives at a decision in a moral dilemma.

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