

“Moral Dilemmas and Comparative Conceptions of Morality”, *Southern Journal of Philosophy* XXX (1992): 117-124.

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In recent years the problem of moral dilemmas has received the attention of a number of philosophers. Some authors¹ argue that moral dilemmas are not conceptually possible because they are ruled out by certain valid principles of deontic logic. Other authors² insist that moral dilemmas are conceptually possible, and argue that therefore the principles of deontic logic that rule them out must be rejected.

Earl Conee is a well known contemporary defender of the impossibility of moral dilemmas. In his 1982 paper "Against Moral Dilemmas" he argued that moral dilemmas are impossible because the existence of such a dilemma would entail that some obligatory action is forbidden, which is absurd. More recently, in "Why Moral Dilemmas are Impossible"³ he has defended the impossibility of moral dilemmas by claiming that the moral status of an action depends in part on the moral status of its alternatives. I will here argue that this claim -- as he understands it -- is sufficiently controversial to undermine the force of his argument.

Conee's argument for the impossibility of moral dilemmas is this:

P1: If a moral obligation dilemma obtains, then each of two incompatible actions is morally obligatory.⁴

P2: If an action is morally obligatory, then its performance is necessary to satisfy the dictates of morality.⁵

P3: If the performance of an action is necessary to satisfy the dictates of morality, then it is performed in all the morally most perfect lives that the agent is then able to lead.⁶

C: Moral obligation dilemmas are impossible.

The argument is valid. For if the premisses are true, and there is a moral obligation dilemma, then there are two incompatible actions each of which is performed in all the morally most perfect lives that the agent is then able to lead. This is absurd, since at most one of two incompatible actions can be performed in all of the lives in any non-empty class. So if the premisses are true, moral dilemmas are impossible.

Before assessing the plausibility of the premisses, let me first make some general remarks.⁷

A deontic dilemma is a choice situation in which no matter what one does one violates the dictates of the relevant standard (morality, the law, etiquette, club rules, etc.) For at least some normative systems there seem to be at least two kinds of deontic dilemmas. Prohibition dilemmas are choice situations in which all feasible actions are wrong. Obligation dilemmas are choice situations in which each of two feasible but incompatible actions is

obligatory. To see that these can be distinct kinds of dilemmas requires that we take a closer look at the notion of obligation.

There can, of course, be conflicting prima facie obligations. The issue here is whether there can be conflicting all things considered obligations, and so we shall focus on the notion of all things considered obligation. We will need to distinguish between a strong and a weak notion of all things considered obligation. An action is weakly-obligatory just in case no alternative is permissible (i.e., wrong to omit). An action is strongly-obligatory just in case it is permissible and no alternative is. Both notions entail the impermissibility of not performing the action, but strong-obligation entails permissibility, whereas weak-obligation does not. Strong obligation entails weak obligation, but not vice versa, since if nothing is permissible, then everything is obligatory in the weak sense, but nothing is obligatory in the strong sense.

On the assumption -- which is usually implicitly made -- that at least one action is permissible, the notions are equivalent. For if something is permissible, and a given action is weakly-obligatory (everything alternative to it is impermissible), then the given action must be permissible, and hence strongly-obligatory. As I have argued elsewhere⁸, however, the logic of deontic concepts does not guarantee that in every choice situation there is at least one permissible action. There is nothing incoherent about a given club

having rules that absolutely prohibit breaking a promise. So if a member of the club makes conflicting promises, she may find herself in a situation in which nothing is permissible from the viewpoint of the club rules.⁹

The strong notion of obligation is, I would argue, the more important one. For only it has significant action-guiding implications. That an action is weakly-obligatory does not entail that the action in question has a deontic status any different from its alternatives: they all may be prohibited, and therefore weakly-obligatory (since it's wrong to perform any alternative). That an action is strongly-obligatory, however, does entail that the action in question has a deontic status different from its alternatives. For a strongly-obligatory action is one that is permissible to perform and impermissible not to perform. So, if an action is strongly-obligatory, then none of its alternatives are permissible, let alone strongly-obligatory. For this reason it seems more appropriate to reserve the term 'obligatory' for actions that strongly obligatory. Actions that are weakly-obligatory might best be called 'quasi-obligatory'.

Since nothing in the generic notion of permissibility ensures that in a given choice situation at least one action is permissible, the weak and the strong notions of obligation are distinct. It may be that the nature of morality -- as opposed to that of other normative systems (such as etiquette, club rules, etc.) -- ensures that there is always at least one permissible action,

but this needs to be established, not assumed.

Strong-obligation dilemmas are clearly impossible. For at most one action can be necessary and sufficient to satisfy the relevant dictates. Weak-obligation dilemmas are not, however, ruled out by the logic of obligation. They arise exactly when all of the many feasible actions are prohibited (since for each action it is wrong to perform any alternative). On the assumption that in every choice situation there is more than one feasible action, weak-obligation dilemmas arise exactly when prohibition dilemmas arise.

To sum up: The logic of deontic concepts rules out the possibility of strong-obligation dilemmas for all normative systems, and for morality in particular. It does not, however, rule out the possibility of prohibition dilemmas and of weak-obligation dilemmas. Conee agrees with this, but argues that the nature of morality rules out these possibilities. He agrees, that is, that for some normative systems -- such as club rules -- there can be prohibition and weak-obligation dilemmas, but he insists that there can be no moral prohibition dilemmas or weak-obligation dilemmas. Let us now consider the premisses of his argument.

P1 asserts that a moral obligation dilemma obtains only if each of incompatible actions is morally obligatory. Actually, Conee does not specify that he is discussing only obligation dilemmas. He uses the generic

notion of moral dilemma. Since for some normative systems (e.g., club rules) there are different kinds of deontic dilemmas (prohibition dilemmas and obligation dilemmas), I want to first consider Conee's argument restricted to obligation dilemmas. For that reason I have formulated P1 in terms of obligation dilemmas. We will return below to the implications of his argument for prohibition dilemmas.

P1 (so understood) and P2 are unproblematic. So the soundness of the argument turns on P3, which asserts that, if an action is necessary to satisfy the dictates of morality, then it is performed in all morally most perfect lives that the agent is then able to lead.

One problem with P3 is that it makes the deontic status of actions depend on the moral status of lives. This seems to require the deontic status of an action to depend on what actions are later performed by the agent. Some conceptions of morality deny this. They might claim, for example, that lying is wrong no matter how it fits with later (or earlier) actions of the agent. There is, however, a reading of P3 that renders harmless the apparent dependency of the deontic status of actions on that of lives. This reading allows the deontic status of actions to depend only nominally -- and not effectively -- on the deontic status of lives. It does this by allowing the ranking of lives to be made on the basis of the actions performed. Thus, if lives are ranked in a certain technically complicated way on the basis of the

individual actions performed¹⁰, the status of actions will not effectively depend on the status of lives. Let us, then, give P3 this weaker reading.

The main problem with P3 is that it invokes a maximizing conception of what is necessary to satisfy the dictates of morality. It says that only the actions performed in all the best achievable lives are necessary to satisfy the dictates of morality. This is admittedly a common conception of morality, but it is not an uncontroversial one. A less demanding conception of morality would require only that actions performed in all the acceptable lives are necessary to satisfy the dictates of morality. On this view an action performed in all the best achievable lives is not necessary to satisfy the dictates of morality, if some alternative to it is performed in some acceptable but non-optimal achievable life.

So P3 as stated is highly controversial, and will be rejected by anyone who rejects a maximizing conception of morality. Conee is aware of this fact, and notes that the premiss can be weakened and still block the possibility of obligation dilemmas.¹¹ For P3 could be weakened to:

P3*: If an action is necessary to satisfy the dictates of morality, then it is performed in all lives that the agent could then lead that are good enough.

Conee is right that P3* is weaker and is compatible with a non-

maximizing conception of morality. And there is a reading of P3* which still blocks the possibility of moral obligation dilemmas. But that reading is still too controversial to be of much use in arguing against the possibility of obligation dilemmas. And although there is also an uncontroversial reading of P3*, that reading does not block the possibility of obligation dilemmas. Let's consider these two readings.

There are two ways of understanding the "good enough" qualification in P3*: comparatively or generally. On the comparative reading "good enough" is understood in a way that guarantees that there is always at least one action that is good enough (e.g., as in "at least as good as at least half of its alternatives"). On the general reading there is no such guarantee (e.g., as in "breaking no moral constraints" [such as one against breaking a promise]).

The comparative reading does block the possibility of moral obligation dilemmas, since there can't be incompatible actions performed in all lives of some non-empty set. But those who hold that moral obligation dilemmas are possible will reject P3* on the comparative reading. For they hold that in some circumstances (e.g., when one has made conflicting promises) no action is good enough -- not even an action that is the best one can do.¹²

This does not establish that on the comparative reading P3* is false.

I haven't addressed that issue. It does show, however, that P3* so understood is not going to do much work in convincing advocates of the possibility of moral dilemmas that they are mistaken. For the comparative reading of P3* is plausible only if one holds a comparative conception of moral permissibility, and defenders of the possibility of moral dilemmas typically do not.

The general reading of P3*, on the other hand, is relatively uncontroversial. For it leaves completely open whether good enough is understood comparatively or not. It does not, however, block the possibility of moral dilemmas. For it allows that in some choice situations no action may be good enough (e.g., if to be good enough no promises can be broken). So the set of lives that are good enough may be empty. And if so, then it's trivially true that two or more incompatible actions may be performed in all achievable lives that are good enough (since there may be no such lives). More specifically, if no action is morally good enough, then there is a weak-obligation dilemma: each action in such a choice situation is weakly-obligatory (not permissible not to perform), since if it is not performed some alternative is, and all the alternatives are impermissible. So, on the general reading of P3* it does not follow from the three premisses that there can be no obligation dilemmas.

On either reading, then, P3* will not be effective in convincing

defenders of the possibility of moral weak-obligation dilemmas that they are mistaken.

At the beginning of the paper I distinguished obligation dilemmas from prohibition dilemmas. So, far we have considered only obligation dilemmas. Before concluding let me briefly note how Conee's argument fares when constructed to deal with prohibition dilemmas. The argument is this:

Q1: If a moral prohibition dilemma obtains, then no feasible action is morally permissible.

Q2: If no feasible action is morally permissible, then there is no feasible action the performance of which is sufficient to satisfy the dictates of morality.

Q3*: If there is no feasible action the performance of which is sufficient to satisfy the dictates of morality, then there is no life that the agent could then lead that is morally good enough.

C: Moral prohibition dilemmas are impossible.

The above premisses are all plausible, but the argument is invalid. For the premisses do not entail that there is always at least some action that is permissible (since they do not ensure that some action is good enough). To make the argument valid a fourth premiss is needed, namely something like:

Q4: For every agent there is always some life that he/she could lead that is morally good enough.

But defenders of the possibility of moral dilemmas will reject Q4, since they typically hold non-comparative standards of what is good enough. (They may hold, for example, that no action that breaks a promise is good enough.) So here too the issues boil down to that of a comparative versus a non-comparative conception of morality.

The core issue in the moral dilemma debate is whether the dictates of morality ensure that in all choice situations at least one action is permissible. If they do, moral dilemmas are impossible. But if they don't, then weak-obligation dilemmas and prohibition dilemmas are possible. The question of whether the dictates of morality ensure that in any choice situation at least one action is permissible, is not, however, an issue that can be settled in a morally neutral manner. It concerns the specific content of the correct moral norms. Earl Conee's argument usefully lays out the logic of those who deny that moral dilemmas are possible. But it won't convince the believers.¹³

Notes

1. For example: Terrance McConnell, "Moral Dilemmas and Requiring the Impossible", Philosophical Studies, 29 (1976):409-413; Terrance McConnell, "Moral Dilemmas and Consistency in Ethics", Canadian Journal of Philosophy, 8 (1978):269-287; Earl Conee, "Against Moral Dilemmas", Philosophical Review, 91 (1982):87-97.

2. For example: E.J. Lemmon, "Moral Dilemmas", Philosophical Review, 71 (1962): 139-158; Bernard Williams, "Ethical Consistency", Proceedings of the Aristotelian Society, Supplementary Volume 39 (1965), pp.103-24 (reprinted in Bernard Williams, Problems of the Self); Roger Trigg, "Moral Conflict", Mind, 80 (1971):42-55; Bas van Fraassen, "Values and the Heart's Command", Journal of Philosophy, 70 (1973):5-19; and Ruth Barcan Marcus, "Moral Dilemmas and Consistency", Journal of Philosophy, 77 (1980):121-136.

3. Earl Conee, "Why Moral Dilemmas are Impossible", American Philosophical Quarterly 26 (1989):133-141. All references are to this article.

4. "There is a moral dilemma just if someone morally ought to take each of two incompatible alternatives. To insure a sufficiently strong reading of the "ought" we can add that anyone in a moral dilemma would be subject to incompatible moral obligations that are absolute, unconditional, and not merely prima facie." p. 134.

5. "In general, an act is absolutely obligatory according to some standard of conduct exactly if it is necessary for the act to be performed in order to meet the standard." p. 137.

6. "A person's absolute moral obligations extend only to those things that the person must do in order to act morally. These are the things that the person does in [all] the most nearly ideal life [lives] that the person is able to lead." p. 137. I have added the words in brackets to cover the case where there is more than one most nearly ideal life that the person is able to lead.

7. Throughout I restrict my attention to moral dilemmas at the level of action tokens. Elsewhere I have argued that the issue of moral dilemmas at the level of action types is a bit different, but that need not concern us here. See: Peter Vallentyne, "Two Types of Moral Dilemmas", Erkenntnis 30 (1989):301-308, and "Prohibition Dilemmas and Deontic Logic", Logique et Analyse 18 (1987):113-22.

8. Peter Vallentyne, "Two Types of Moral Dilemmas" and "Prohibition Dilemmas and Deontic Logic".

9. Of course, one of the principles of standard deontic logic -- namely $\text{Per}(p) \vee \text{Per}(\sim p)$ ensures that at least one action is permissible. But this is a principle that, I argue in the paper cited above, should be rejected. For it can be coherently denied, as in the case of club rules absolutely prohibiting promise-breaking suggests.

10. Roughly: suppose that there are constraints on actions that do not depend on later actions performed. One life could be ranked as better than a second just in case there is a point in time such that (1) all actions performed in the first life up to that point in time satisfy the constraints, but (2) some action performed in the second life prior to that time violates the constraints.

11. p. 138-39.

12. On p. 138 Coney suggests that the attraction of a non-comparative conception of good enough (e.g., those who hold that breaking a promise is always wrong) rests on the mistake of equating moral obligation with the morally ideal (perfect). A morally ideal life would not, he agrees, involve breaking a promise, but that does not mean, he insists, that one always has an obligation not to break a promise. But, I reply, non-comparativists are not committed to equating the ideal with the obligatory. They can acknowledge, for example, that an ideal life would involve giving a significant amount of one's resources to those less off without holding that doing so is obligatory. Non-comparativists, that is, can fully acknowledge that good enough is not always ideal. They

insist, however, that whether something is good enough is at least sometimes not a comparative matter. Consequently, at least sometimes nothing may be good enough.

13. For helpful comments I thank Earl Conee, Tony Ellis, Bob Frazier, Brad Hooker, and Penelope Mackie.