WHAT ARE MORAL DILEMMAS?

1) □A  (A is obligatory)
2) □B  (B is obligatory)
3) ¬◊(A ∧ B)  empirical fact

Thesis of the proponents of MD: (1), (2) and (3) are compatible
Thesis of the opponents of MD: (1), (2) and (3) are incompatible

I. Agglomeration Principle: (1) and (2) implies □(A ∧ B)
II. Ultra posse nemo obligatur: (3) implies ¬□(A ∧ B)

When taking (I) and (II) into account, we deduct from (1), (2), (3) a logical contradiction.

Variant: (3) and (II) implies ¬□(A ∧ B)
¬□(A ∧ B) implies (¬□A or ¬□B), contradictory to (1) or (2).
EXAMPLES FOR MORAL DILEMMAS

- Antigone’s dilemma: she has to choose between two options A and B – and cannot do both:
  A = having to transgress civil law and face death penalty in order to give her brother Polyneikes a proper religious burial
  B = obey civil laws and leave Polyneikes unburied in the open field
  (Sophokles: Antigone)

- Sartre’s example of the son torn between the political duty to join the resistance during the second world war and the duty to help his widowed mother in cahiers pour une morale

- The Israeli film Footnote

FEATURES OF MORAL DILEMMA

I. Practical Conflict
II. Absence of meta-criteria, that resolve the conflict
III. Existential character of the conflict
IV. Continuity of a feeling of guilt, at least of regret after decision
STRUCTURAL RATIONALITY

- The basic idea
- Deliberation
- Form of life
- Reasons
- Coherentism

see JNR: Strukturelle Rationalität (München: Reclam 2001)

SIX TYPES OF APORETIC SITUATIONS

1. Options of equal value
2. Epistemic underdetermination
   a. Equal risk
   b. Uncertainty
3. Conflicting reasons (normative overdetermination)
   a. Comparable
   b. Incomparable
4. Normative underdetermination

cf. JNR: Strukturelle Rationalität (München: Reclam 2001), Ch 7
MORAL DILEMMAS IN KANTIAN ETHICS

- Explicit rejection of moral dilemmas within Kant's Ethics
  *(The Metaphysics of Morals, The Metaphysical Elements of Justice (224))*

  **Argument regarding the necessity:**
  *The moral law determines duty as an objective necessity. Therefore, any collision of duties is excluded; two actions, that cannot be executed at a time, are not both to be claimed as duties. However, conflicting reasons of duties (*rationes obligandi*) do exist. In conflict, only one of these reasons can be objectively obliging.*

MORAL DILEMMAS WITHIN CONSEQUENTIALIST ETHICS

(1) Moral reasoning is transformed into consequentialist optimization.

(2) The value of states determines the values of acts

(3) No overdetermination, underdetermination exists only in cases of indifference

**Result:** Consequentialist ethics solves the problem of moral dilemmas. However, this comes about at a cost:

(1) Breakup from life-world practical reasoning

(2) Contra-intuitive moral duties

(3) Excessive demands of utilitarian-minded agents (the problem of super-erogation)
FRAGMENTATION OF VALUES

Three sources of real life morality (morals):

I. Rights → LIBERTARIANISM
II. Commitments → CONTRACTUALISM
III. Duties → COMMUNITARIANISM

The fragmentation of real-life morality does not permit the reduction to a single principle.

THE CRITIQUE OF CONSEQUENTIALISM

I. The impossibility of integrating individual rights into a consequentialist rationale
II. The impossibility of integrating individual obligations into a consequentialist rationale
III. The impossibility of communitarian duties into a consequentialist rationale

→ The integrity of the individual person as the ultimate limit of consequentialist optimization

ETHICS AND LIFE-FORM

The limits and grounds of all reason are to be found in a shared form of life
(cf. Wittgenstein: On Certainty; JNR: Philosophie und Lebensform (Suhrkamp 2009), Teil I)

- Deliberative practice
- Coherence without meta-theory
- Holisms

→ Critique of rationalism
→ Critique of communitarianism
→ Critique of anti-theory in ethics

EXAMPLE: THE OBLIGATION OF KEEPING A PROMISE

- The deliberative practice of promise-keeping
  (Austin J.L. How to Do Things with Words 1962)
- No availability of meta-criteria
- Holism: The practice as a whole must be coherent; every element relates to – potentially – some other element.
  → The critique of rationalism: the source of normativity cannot be reduced to one single principle, whatever it may be; rather the principles must prove themselves successful in accordance with an established deliberative praxis.
  → The critique of communitarianism: Promising creates a commitment independently of any affiliation to a community. The institution of promising seems to be universal.
  → The critique of anti-theory: Systemizing the deliberative practice is part of our life-form reasoning in order to secure practical coherence. Ethics is at the margins of it.
THE COHERENCE OF PRAXIS

A Plea for Bayesianism

The postulates of rational decision theory as postulates of minimal conditions of coherence of preferences
cf. von Neumann/Morgenstern, Theory of Games and Economic Behavior (1947)

1) Completeness
   x > y or x < y or x = y
   (either x is preferred, or y is preferred or the person is indifferent between x and y)

2) Transitivity
   If x > y and y > z, then x > z

3) Monotonicity
   If x > y then p(x) > p'(x) \rightarrow [p(x), (1-p)p(y)] > [p'(x), (1-p')p(y)]
   (Of two probability distributions between u and v, the one which assigns a higher probability to the better alternative is preferred)

4) Continuity
   If x < y < z, there exists a probability p such that y = p(x) + (1-p)p(z)
   (If an individual prefers x to y and y to z, there is a probability distribution between x and z such that the individual is indifferent between this mix and y)
THE COHERENTIST AND BAYESIAN OVERCOMING OF MORAL DILEMMAS

- A coherent practice can be represented by two (real-valued) and interconnected functions:
  - one function represents the expectations of a person
    (epistemic attitudes, descriptive beliefs, subjective probabilities, empirical assumptions...)
  - the other function represents the values of a person
    (prohairetic attitudes, desires, preferences, action-guiding reasons and normative judgments...)

- Propositional attitudes that guide a coherent practice resolve practical conflicts, including moral dilemmas. However, conflicting reasons of action can still persist.

RESTITUTION OF DEONTIC LOGIC

- Moral dilemmas express the fragmented and particular praxis of reasoning (reasons taking and giving).

- Practical reasons are normative, they do speak in favor of an action. Practical reasons can collide. A practical reason that favors an action does not imply that this action is tout court demanded.

- The rules of deontic logic can only be applied on the level of normative beliefs that guide actions and are valid there, despite of the existence of moral dilemmas.
RESTITUTION OF DEONTIC LOGIC

The pattern of a moral dilemma

1) □A ("A is necessary")
2) □B ("B is necessary")
3) ¬◊(A ∧ B) empirical fact

This pattern is valid on the level of practical reasons ("reasons of obligation" within the Kantian theory of virtues); MD-proponents are correct: (1), (2) und (3) are compatible

However, this pattern is not valid on the level of normative beliefs that guide actions; MD-opponents are correct: (1), (2) and (3) are incompatible

I. Agglomeration Principle: (1) and (2) implies □(A ∧ B)
II. Ultra posse nemo obligatur: (3) implies ¬□(A ∧ B)

When taking (I) and (II) into account, we deduce validly a logical contraction from (1), (2), (3)

THE PERSISTENCE OF MORAL DILEMMAS

I. Practical Conflict
II. Absence of meta-criteria, that resolve the conflict
III. Existential character of the conflict
IV. Continuity of a feeling of guilt, at least of regret after decision

→ Rationalizing the deliberative praxis always remains gradual; there is no radical solution, neither for the special case of moral dilemmas, nor for the general case of practical conflicts. The more existential the decision is, the more confined is its rationalization.
SUMMARY IN SEVEN THESES

1. Moral dilemmas constitute a special case of practical conflict, that persists in terms of feelings of guilt, at least of regret, after the decision.

2. Moral dilemmas seem to violate principles of (deontic) logic.

3. Given the fragmentation of values, the consequentialist resolution of moral dilemmas fails.

4. The underlying reason for the existence of moral dilemmas is the irreducibility of our life-world practice of (moral) justification. The sources of normativity are situated within this practice and cannot be derived from outside. Theories have to prove their justification according to this very practice (the Greek term πραξις fits better).

5. At the level of action-guiding normative beliefs moral dilemmas solve themselves, even if, as Immanuel Kant suggested, they might de facto persist as conflicts of reasons for compulsory duties.

6. Thus, the existence of moral dilemmas is compatible with the principles of deontic logic applied to action guiding normative beliefs (propositions).

7. This (6) is only one aspect of practical coherence: A coherent practice is guided by normative beliefs that infer according to the rules of deontic logic and is based on two types of propositional attitudes – epistemic and prohairetic –, which are related according to the Bayesian interpretation of the logic of decision.