

## **Resolving Moral Conflicts, I**

Let us begin with prayer.

*Lord, we joyfully and gratefully acknowledge our dependence on You for every breath that we draw and for all spiritual good that comes from You. We recognize our dependence as we study Your Word, and we pray for the grace and blessing of Your Holy Spirit as we approach the borderline cases of ethical conduct. We ask that You will give us wisdom and humility. Enable us to not depart from Your Word to the right or to the left, but to be aware of our dependence on You and the need for Your guidance that we may be truly Your representatives in this fallen world. Bless us to the end. We pray for Jesus' sake. Amen.*

The topic for today is the resolution of moral conflicts. The situation is that in an ethic that poses multiple principles of obligation, such as the Ten Commandments, there is the liability that in certain complex cases, particularly emergency situations, it may appear that the commandments come into conflict and that you cannot obey both. I think that the most pressing example of these is when we have a duty to protect innocent life and also a duty not to communicate falsehood. That is where we feel the tension the greatest. The borderline cases (these emergency situations) ought to be put in perspective. Folks of sound character—folks who are sensitive to scriptural truth and what proper conduct is—intuitively resolve them in an emergency situation. Some feel that we ought to just leave aside the theoretical aspects of emergencies and not try to articulate a theory. Because it is so difficult to get an adequate theory, maybe we should just concentrate on the cases where they clearly apply.

Gordon Clark took that position. He was an American evangelical philosopher in our Reformed circles. One critical article said that he never addressed this issue of the conflict situation. Clark admitted, “Well, maybe this is a lacuna, a gap in my thinking, but maybe it is not so serious since the commandments obviously apply most of the time.” I think that there is some sense in that. Since the 1960s there has been an overemphasis on borderline cases with the situation ethics debate. Then this became what ethics was all about, particularly in very introductory level courses. Borderline cases were the way of giving instruction in ethics and the impression was left that there are not just difficult answers to hard cases but that there are really no good answers at all. Unless you have been trained in the areas where the commandments clearly apply, you are really not prepared to deal with a conflict situation. Unless you are trained in the value of truthfulness, unless you are used to telling the truth, and unless veracity is one of your personal characteristics, you will not see the dilemma when protection of innocent life is at stake. If you lie every day for convenience, then it is certainly not going to be a problem to lie for some beneficial purpose. So, it is only people who have been trained in veracity and truthfulness who, when they are faced with this dilemma in an emergency situation, recognize it is a dilemma.

The Holocaust produced many examples of this particular dilemma. I have chosen as an example the villagers of Le Chambon in France. These folks who hid Jews during the Nazi occupation of France were part of the French Reformed Church. We call them Huguenots. The people in the outlying countryside were Darbyists. We know them as Plymouth Brethren. It is interesting to think about this wonderful cooperative effort between these two Christian groups, both of which were either persecuted or marginalized in terms of their history. The Huguenot Church, in its persecution, was scattered abroad. There remained a tiny minority in France. Part of the history prepared them for identifying with those who were suffering. The Plymouth Brethren, with their dispensational theology, had a very positive view of Jews. They welcomed the Jews. The opportunity to minister to God's chosen people was a

delight for them. So you have a rather unique situation in terms of that. But the book where this is narrated (now in paperback), *Lest Innocent Blood Be Shed*, is really worth reading for instruction in ethics. It shows ordinary Christian people whose characters are formed doing good—the morally excellent thing in a crisis situation. And they do not regard it as heroic. It is just what you do. It may be a duty to protect these people, but they do not consider it in terms of duty. They consider it in terms of a privilege. They consider it in terms of providing hospitality for folks who are going through tremendous suffering even under the threat of death.

I want to read a part from the original introduction to the book. The author talks about tears at one point, the tears that are expressed as he discovers moral excellence. He discovers goodness when he has been discovering cruelty, and he is burdened down with that. At one point, he is over flooded with tears of joy. He describes that incident in more detail in this book. He has been studying cruelty, especially institutional cruelty, for a number of years.

On this particular day I was reading in an anthology of documents from the Holocaust and I came across a short article about a little village in the mountains of southern France. As usual, I was reading the pages with an effort and objectivity. I was trying to sort out the forms and elements of cruelty and of resistance to it, in much the same way a veterinarian might sort out ill from healthy cattle. About halfway down the third page of the account of this village I was annoyed by a sensation on my cheeks. The story was so sinful and so factual that I had found it easy to concentrate upon it, not upon my own feelings. And so still following the story and thinking about how some of it fitted the old patterns of persecution, I reached up to my cheek to wipe away a bit of dust and I felt tears upon my fingertips—not one or two drops, my whole cheek was wet. “Oh,” my centennial mind told me, “you are losing your grasp on things again.” I shut the book and left the college office. When I came home, my operatic, Italian wife and my turbulent children, as they have never failed to do, distracted me noisily. I hardly felt the spear that had gone through me. But that night when I lay on my back in bed with my eyes closed, I saw more clearly than ever the images that had made me weep. I saw the two clumsy khaki-colored buses of the French police pull up into the village square. I saw the police captain facing the pastor of the village and warning him that if he did not give up the names of the Jews they had been sheltering in the village, he and his fellow pastor as well as the families who had been caring for the Jews would be arrested. I saw the pastor refuse to give up these people who had been strangers in his village, even at the risk of his own destruction. Then I saw the only Jew the police could find sitting in an otherwise empty bus. Then I saw a 13-year-old boy, the son of the pastor, pass a piece of his precious chocolate through the window to the prisoner while 20 gendarme who were guarding the lone prisoner watched. And then I saw the villagers passing their little gifts through the window until there were gifts all around him, most of them food in those hungry days during the German occupation of France. Lying there in bed, I began to weep again. I thought, “Why run away from what is excellent simply because it goes through you like a spear?” That night, I decided to try to understand all this. I decided to understand it so that I could hold it more firmly than can one hold a tear or an image. Since I was a student and teacher of ethics, I would use what I had learned about man’s standard of ethical excellence to help me understand the blessing, at least for me, of Le Chambon. Those involuntary tears had been an expression of moral praise, praise pressed out of my whole personality like the juice of a grape. But I was not going to make Le Chambon an example of goodness or moral nobility. I was not going to use this story to explain some abstract idea of ethics. I was going to use the words of philosophical ethics only as a means for achieving the goal of understanding. Or to be more accurate, I was going to use the words of ethics to help me understand my deeply felt ethical praise for the deeds of the people of Le Chambon.

As we look at the conflict situation through their eyes, I do not want us to miss that wider context of what is going on there and all over Europe. There were individuals who responded that way not thinking of themselves as heroic but as simply doing what God in His providence had placed before them. Yes, there is risk to it, but it is what you do. A related article said, "One of the reasons institutional cruelty exists and persists is that people believe that individuals can do nothing." I think that is a remarkable statement when you read it in context. There was an article in the February 11th New York Times magazine this year on Germans in Germany who sheltered Jews. They do not get the affirmation that has been given to those in other past places. This article said, "I asked Ursula Meissner, now 77, living in Geneva with her husband, why she had given a fugitive family shelter even though she did not know them. Almost shocked, she answered, 'What else could I do?' Had she realized the risk she was taking? 'I did not think of the risk. It is just something that you do.' There has been a flood of psychological studies trying to understand why people risk their lives to save total strangers, but these studies miss the essential point. Ursula Meissner's response was no different from that of hundreds of other rescuers acting in other countries and under other circumstances. They were not unaware of the dangers, but they thought first of the needs of those in danger."

In order to protect the Jews, they had to deceive the authorities. One of the first things that they did was to counterfeit ration books. You could not survive if you were going to protect Jews. Under those circumstances, it was not just what you would say when the police came to the door and asked, "Are you hiding any Jews" or "Are there any Jews here?" You had to develop a whole system of deceit beginning with the counterfeit ration cards. A pastor's wife, when she looked at those ration cards, was depressed because of a life of veracity, a life of openness, and a life of non-deceit. But she said, "What could we do? Jews were running all over. We had to help them. We had to help them quickly, and unfortunately we had to lie." That is the emergency situation: either conceal or expose them to harm.

Our question is were the falsehoods justifiable under the circumstances, and if so, on what grounds? It is with some trepidation that I approach this topic, but they are cases of conscience. There is some kind of resolution one way or another if we can reduce the level of conflicts, if we can reduce or limit the amounts of uncertainty for the sake of conscience and system, even though we may not be able to totally explain what we intuitively know is the right way. Our inability to articulate adequately a reason for these circumstances in an emergency situation does not mean that no absolutes exist. It only means that they are harder to define than we originally thought. So I think that hard cases need to be kept in perspective. Hard cases test the basic postulates of an ethical system, and different methods of resolution reveal different conceptions of morality. It is the way you go about resolving these that test your system. And it is important to understand a method of dealing with these things that does not undermine the application of the commandments in the ordinary circumstances of life. If the way you handle the hard cases introduces a principle that undermines the ordinary cases, then you defeat the whole purpose. So, we are going to look at methods to see what method we can propose to handle the hard cases and bring peace of conscience in the hard situations without opening the door to all kinds of immorality and undermining the clear application of the commandments otherwise.

When we talk about the resolution of moral conflicts we are excluding two types. We are not talking about the internal conflict we feel when duty is difficult, when doing right entails personal sacrifice or suffering wrong. If the dilemma is to sin or to suffer, then there is no dilemma in terms of what we ought to do. We ought to accept suffering rather than sin. But what we need in those cases is the courage to do the right thing, not a resolution of some theoretical contest. There is no theoretical issue there, though there is an existential one. Resolution in that case requires moral courage, not more theoretical knowledge. Also, choices that have to be made because of limitations of time and resources are not an

issue. We cannot do everything all the time and so we have to set priorities. Sometimes we have a conflict between duty to family, duty to church, and duty to business. We perceive that as a conflict, but that does not demand breaking one commandment in order to obey another. It means that we have to discern how to balance the fulfillment of all of these responsibilities. We are talking about a situation in which there is an issue that appears to set before us the breaking of one commandment in order to carry out another one. The idea is that the commandments come into conflict.

I think I have about five different methodologies of dealing with these. The first is consequentialism. The supreme principle of a consequentialist theory of ethics is that an act is right if it is intended to produce a greater balance of good over evil than any available alternative. In other words, acts are judged to be right solely in terms of the good consequences that are intended. This is a common view in humanistic ethics. For example, just to give you some illustrative material, Corliss Lamont in his book, *The Philosophy of Humanism*, which has been reprinted many times, says, "For humanism, no human acts are good or bad in and of themselves. Whether an act is good or bad is to be judged by its consequences." He could not be clearer. Paul Kurtz, in his book, *The Fullness of Life*, wrote, "Moral principles are not absolute. The decision must always be guided by considering the long-range consequences."

We need to be clear that for any ethical theory to be plausible, goodness or badness of expected consequences are at least one source of important moral reasons. The question is whether that is the only standard for what is right. We are not to say that a regard for foreseeable consequences is ruled out. That is one feature of moral action that must be taken into account. The question here is not whether expected consequences or intended good consequences are a part of ethics. It is whether that is the only principle. This is often called "utilitarianism" or "proportionalism" in Roman Catholic theology, and it is called "situation ethics" in Protestant circles. I have lumped these together as consequentialism because this is a standard classification. Whatever particular form, in terms of philosophical or religious ethics, it takes, the idea is that what is right is determined solely by its consequences for the individual in society or as Paul Kurtz puts it, "its long-range consequences."

The form in which this is most familiar to us is in the situation ethics of Joseph Fletcher. In Fletcher's view, there is only one biblical absolute—the law of love. So, to "act responsibly in love" is the single ethical command. Apart from this, there are no unbreakable rules. There is only one absolute: act responsibly in love. In a sense, we can agree that that to act responsibly in love is the summary absolute. The question is whether there are other absolutes in which love is expressed and whether "responsibly" means to embody the principles that are expressed in absolutes in addition to the summary of the law. Everything depends on whether love, to be responsible, must be embodied in actions that conform to the universal moral norms. I think that it is hard to live with this theory. When Fletcher first identified his "situation ethics," the absolute principle was *agape*, the Christian view of love. But when he was pressed on that and was asked what he meant by "love," it became clear that it was utilitarianism. Love, *agape*, was equated with utility. That clarified the position for a lot of people because it then put Fletcher's ethics in a wider context of utilitarianism for which there has been a growing literature of criticism since it was introduced. It is so hard to live without introducing an absolute at some point that even Fletcher at one point wrote, "No unwanted or unintended baby should ever be born." That is just about as absolute as you can get. So, in spite of the idea that there is only one absolute, it is hard to live that way without thinking there are other principles. Of course we reject that as a principle. We should say that no baby born or unborn should be unwanted. That would be the proper way of putting that into its context.

Let me give you five objections to consequentialism, also known as utilitarianism, also known as situational ethics. First, it wrongly sets persons against rules. A lot of the appeal of situational ethics is that rules seem so impersonal and love seems so personal. But it leaves aside the fact that rules such as the Ten Commandments, at least the second table, define the rights and responsibilities of persons. It is wrong to set persons against rules. The rules are there for the protection and guidance of persons. “You shall not kill” has significant personal application or relevance. It is there to protect persons and human life from wanting destruction. Situational ethics wrongly sets persons against rules.

Second, it depends upon an impossible calculation of consequences. “Your judgment,” as Paul Kurtz has said, “is long-range consequences.” In other words, if the principle is the greater balance of good over evil, you have to know a lot more than just what happens immediately. You have to know the effects of that on other actions, other events, and so on. Really properly stated, it would be a greater balance of good over evil in the universe as a whole. Who can know that? So it depends on an impossible calculation of consequences. Consequences, especially long-range consequences, are unpredictable with certainty and so there is an element of uncertainty in the principle itself.

Third, it reduces to subjectivism. It is not subject to criticism because it lacks an intrinsic standard of judgment. The individual judges if something will be for the greater balance of good over evil. If an individual makes that judgment, he or she is just as apt to act responsibly in love. And the individual determines what is responsible in terms of balance of good over evil. There is no way to criticize that. We cannot even criticize those who put Christ to death if they thought that was for a greater good. Caiaphas’ rationale was that “it is expedient that one man die that the whole people perish not.” Ironically, what he said was true, but not in the sense that he intended it. What he said is innocent. We cannot make a case against Him. For the sake of protection for the people, it is expedient that an innocent man be put to death so that a greater good, the protection of the others, would occur. Without an objective principle of justice, it is open to all kinds of obvious injustice. Gordon Clark says, and he is certainly right, “The greatest good for the greatest number is a principle for tyrants.” Totalitarian governments are always using that as their argumentation for the sake of a greater long-range good. People can be put to death, and that has worked itself out in Hitler, Stalin, and Mao, just to name three. Etiological consequentialist arguments have produced a terrible harvest of shame in terms of persons who were killed in this century. It is the bloodiest century. And I think we should remind ourselves that Nazism has slain its millions, but communism has slain its tens of millions.

There is a book that caused quite a stir in France. It has now been translated into English. It was published by Harvard University Press in 1999, and it documents the atrocities of communism. The title of the book is *The Black Book of Communism*. I do not particularly like that title but the documentation of the horrendous numbers of deaths through etiologically imposed famine in both Ukraine and China is horrific. Nazism has a special evil because of its genocidal implications and its anti-Semitism. But in terms of quantitative murderous acts justified in terms of an etiology that was supposed to bring in a greater good, communism has the figures.

Fourth, situations are not so unique as to eliminate classification. The idea in situational ethics was that every situation is unique, and we have to decide in the situation what is going to be for the greater good. Well, every situation is unique but there are certain features that they have in common so we can classify them. We then see where a particular circumstance fits that description. For example, in the case of terminal decision-making (decision making at times of terminal illness), each situation has to be judged in light of what the facts are in that particular situation. You have to take into account the facts and whether treatment is going to do the patient any good or whether non-treatment is the appropriate care. All of that depends upon the facts. You can classify the cases, as we will do as we get into that, in

terms of what constitutes a rationale for non-intervention under those circumstances. Every situation has its particular facts that need to be taken into account. After those facts are discerned, they fit into certain classes of cases, and we distinguish between euthanasia and non-intervention of medical treatment. Sometimes non-intervention is culpable, and sometimes it is the right thing to do. We have criteria that enable us to judge.

The fifth point is that in consequentialism there is a tendency toward self-serving antinomianism. The tendency toward self-serving antinomianism is inevitable in a fallen humanity. That is not only a principle for tyrants. This is a principle for self-justification. The tendency toward self-serving antinomianism is inevitable in a fallen humanity. What I mean by that is if there are no principles of justice that apply universally, if it is all-situational and relative to the situation, then (as a sinner) I will take advantage of that and use it in a self-serving way. I will give you two examples. One is to claim falsehood in the national interest. That is sometimes in self-interest. When you examine it, the national interest is not at stake. The political interest is at stake. To claim a falsehood for the protection of the family, in reality, often turns out to be for self-protection. You see how if there is no universal rule that sets the standard, then what is in one's personal interest is often clouded under what is in some wider interest that is in consequence. That is almost inevitable in terms of a fallen humanity. Once you produce a principle in which only consequences count, it will be used in a self-serving way. At least I think that that proposition holds. This is one of the great dividing lines in ethics in this country. Consequentialism, in effect, resolves moral conflicts by removing universal principles, reducing everything to the one principle of good consequences. Then there are no conflicts. If you only have a single rule that consequences are for the greater balance of good over evil, you remove moral conflicts by removing traditional morality in terms of universal principles of right and wrong. When we come to specific cases, we will see how this has affected so much of our society.

In the case of the anencephalic child who was born in Florida, the parents wanted to take her body parts while they were still usable and donate them—really, to put her to death—that those parts might be used for some others. Well, this quote was from the newspaper, “One demonstrator said, ‘Baby Theresa was a gift from God. She was not created by God for spare parts.’” Another one said, “The baby’s maternal grandmother saw it differently. ‘Taking one and helping two, three, five—that is pro-life.’” Okay, the issue is this: may you take one life in order to help two, three, or five? It sounds good. Do we not want to create good consequences? Well, good consequences are something we should aim at, provided there is no injustice, which in this case would be discrimination against the handicapped. It would be killing an anencephalic baby in order to help someone out. If you introduce the principle that it is all right to kill in order that good may come, you have undermined a principle of justice and that opens all sorts of obvious injustice.

Evangelicals have critiqued consequentialism and rejected it. The next options are all held by evangelicals in one form or another. I think that when consequentialism appeared on the scene we were not very well prepared for it. Neither the ethics text that had been written up until the 1960s nor evangelical circles addressed the hard cases. I think that we were caught off guard in that respect. Various proposals have been adopted by evangelicals. One goes by the name of “tragic morality” or the idea of the tragic moral choice. We live in a fallen world, the theory says, and in such a world as this, we may be faced with a choice between alternatives both of which conflict with some absolute principle of duty. So, tragic morality of choice poses its absolutes unlike consequentialism, which has only one absolute. Tragic morality says, “Yes, there are multiple absolutes and they do sometimes, because we live in a fallen world, come into conflict with each other. And when they do, we should choose the lesser of two evils. But we need to confess our sin for having done evil even though we were caught and we

had to do evil in either the lesser or the greater.” It was the best thing to do under the circumstances, but you are still held guilty for that. There are some prominent evangelicals who have taken this position.

J. I. Packer, not to be dismissed, has taken the position that absolutes come into conflict and we should do the right thing and do the lesser evil. But even so, we are held guilty for that. I have a problem with this even though a person with such a stature as that of J. I. Packer takes that position. I think that what is going on here is the respect for, let us say, saving life and telling truth. Both of those are equally valid in terms of principle, universal principles of duty. It is intuitively recognizing in such a case as you have in providing refuge for Jews under the Holocaust that you would provide the refuge even if it meant telling falsehoods, yet still feeling that that has broken an absolute duty. Even though it is the right thing to do, it is wrong. But it is not as wrong as letting them go. However, it is still wrong, and so your conscience is not perfectly free. I think there are some problems with this, though. I think it is too easy of a way out. Not that it is easy, but it ought to be more articulated if we are going to take that as a position. After all, if the absolute is to tell the truth, then that is something we have to take up with God. I have never seen a defense of why telling falsehood is a lesser sin than allowing somebody else to take somebody else’s life. It ought to at least be articulated.

My problem is that we are to choose the lesser of two evils. Evil is ambiguous. If it is physical evil that we are talking about, things are physically less than ideal, and that is a different thing. It is bad not to have both arms. But if one of your arms has gangrene, then you better amputate the arm in order to preserve your life. Your purpose is not to maim; your purpose is to heal. Ordinarily, if it were not for the circumstance of the gangrene, cutting off somebody’s arm would be maiming that person. But you accept the lesser evil—the physical evil of going through life with one arm—against the greater evil of dying as a consequence of the gangrene. We are talking about choosing between two absolute things that God has commanded. We ought to remind ourselves that we are talking about the lesser of two sins. Then it becomes harder, theoretically, to justify this because we are saying that God has placed us in a situation in which we are going to have to sin. We are going to choose the lesser sin but we are still responsible for confessing our sin. You see, we call this the tragic moral choice because it derives from Greek tragedy. The idea in Greek tragedy is that sometimes in that polytheistic culture you have gods giving you different commands, and you are faced with a choice. If you obey one god, you disobey the other god. You have a tragic moral choice so you choose the lesser evil; that is, you choose to disobey the god that you think can do less evil to you. You are damned if you do and damned if you do not. You choose to disobey the god that can do the least damage.

But in a world where there is only one lawgiver and judge, this is incoherent. It is God who gives the commands. Moreover, it is God who controls the providence in which He has placed us. I think that we can say that God will not put us in a position where it is necessary for us to sin. It is His Law. The answer comes back, “In an un-fallen world, the commandments would not come into conflict.” That is certainly true. However, the commandments are given to us in a fallen world. The commandments are for our guidance. We need them because we live in a fallen world. So I think that this is not the way to go. Making sin necessary under some tragic circumstances falls short of the biblical ideal. I have some sympathy with what people are doing here. They feel that they cannot resolve the problem. They still feel guilty for that. They do the right thing even though they feel guilty, and they rely on God’s forgiveness. So, I want to respect that. Subjectively, they have not resolved the problem to intuitively do the right thing. But I think if we can relieve consciences, it is our obligation to do so. This category seems to me to involve some difficulty in requiring remorse for having done the only right thing under the circumstances.

There is a further problem that I have noticed. Once you adopt this for emergency circumstances, you have introduced a principle into your ethic that begins to multiply in its application. So, you know that divorce is wrong but you also know it is good to live a fulfilled life. Which is the lesser of two evils: to not have a fulfilled life or to get a divorce? The argument of the lesser of two evils is quite frequent when it comes to the issue of divorce. It short-circuits the process of working through the moral principles and their application. Once it is adopted for emergency circumstances, it tends to multiply to other areas as well. If you adopt, as a matter of resolution, the idea to choose the lesser of two evils, it is going to eat up your ethics, just like consequentialism eats it up until virtually anything can be done. So, the lesser of two evils will allow you to do virtually anything as long as you feel half guilty about it. That, I see, is the problem.

Now, I want to make a distinction. I think that the principle of the lesser evil that we have been talking about ought not to be confused with tolerating evil in order to promote a greater good. What we have talked about so far is doing evil so that good may come—doing a little evil so that a lot of good will come. But, I think we are forbidden by Scripture to do evil so that good may come. If God has absolutely forbidden falsehood, then we cannot tell a falsehood. “He will not allow you to be tempted above what you are able, but He will make a way of escape that you may be able to bear it.” I think that although that verse refers to something different, it is relevant to the idea that God’s providence controls all events. I think it is incoherent to think God, who controls all events, will place us in a situation in which we have to sin, therefore making sin inevitable. I do not think we can say sin is inevitable because that would make God the author of sin. Through arranging the circumstances in which it is inescapable, it is inevitable that we sin.

However, I would say that in principle there is a resolution. This idea of tragic morality does not give a resolution. It remains with a problem because it has not resolved it. It only said that we ought to do the lesser evil, but the evil is still there. In a way, you are doing evil that good may come, and you are saying that God’s absolutes come into conflict. I think we need to examine the absolutes and see what they really are. I would take it as an *a priori*, that what God commands will never be contradictory. God is not a contradictory God. He will not command us in things that conflict with His commands. I think we can rely on the fact that there is some resolution. I do not think consequentialism (“just act in love”) does it because that erodes all the things. But I do not think this does it either because of that. I was trying to distinguish this idea from another thing. This idea refers to doing evil that good may come. I want to distinguish that from tolerating evil in order to promote a greater good. It is sometimes permissible to tolerate evil but never permissible to choose evil. I think you have that in the Old Testament with respect to arbitrary divorce. God Himself tolerated evil in order that women may have protection in that kind of society. We may also tolerate evil, but that is different from choosing evil. This came up at the time that Dr. Koop was the surgeon general in America. He had a universal mailing and every American household had an address with respect to Aids. The self-protection from Aids, he advocated, was the use of condoms. Many folks objected to that on the grounds that it was tolerating practices that were themselves evil. But Koop’s argument was, “The public health is my responsibility and there are some things, out of concern for public health, that you allow and tolerate and make information available to people on how to protect themselves. There are some things that we tolerate that we do not approve of, but we tolerate them for the sake of a greater good.” Condom distribution would be one of those issues. When we get to sexual ethics, we will take another look at that. But that is an example of the difference between choosing evil and tolerating evil. We never choose evil that a greater good may come. Sometimes, we may have to tolerate certain things that are evil for the sake of public health or whatever.

The question was asked, “How much has this way of thinking (that we choose to do evil that good may come) affected our society?” I am not clear about that. This is more operative in evangelical circles because we cannot resolve the conflict. Society as a whole tends to be utilitarian or consequentialist. But when you examine that, it leaves minorities with little protection. You need a principle of justice. It is for the sake of minorities that you must balance your utilitarianism with a principle of justice. You cannot deny folks their rights just for the good of society. You must give everybody his or her rights.

I have been asked if utilitarianism is prevalent in our society. I think that some form of utilitarianism is the dominant philosophy in American culture. The television show *20/20* had a program about the selling of fetal body parts—using fetal body parts for profits. I have not seen it yet, but that is the idea that there is a greater good here without thinking about what we are saying about the value of human life when we begin to sell fetal body parts. This is the issue that compounds the motivation in having an abortion. If a person feels that some good will come from it, they are more likely to have the abortion for altruistic motives. They think, “At least somebody will benefit from this baby that I cannot carry.” Do you see how that idea of doing evil that good may come sort of balances it out? I think that that helps with the decision. If there is this deep-seeded feeling that it is not right, in spite of all that we say about choice, there is that questionable aspect, that doubtful aspect. This works in such a way to get people over that hump. If they can think of a beneficent purpose, it helps them. It is not just a total mistake. It does not seem to be so selfish a choice if someone else benefits. That is why consequentialism is so dominant in our society—if I can project good consequences. But, you see, good consequences need to be balanced by a principle of justice so the rights of all, even unborn infants, are protected.

I think that as this lesser of two evils is applied to divorce, it is also applied to the question of abortion. That is also one way of dealing with things without really resolving the ethical issues. It short-circuits the process or moral reasoning.

It has been asked that while tolerating evil are we not in some way culpable of that? It depends on the circumstances. There are some evils that we ought not tolerate, and we try to remove them from the society in which we live. Clearly, we are not talking about tolerating all evil. Sometimes it is culpable to tolerate evil. But there are some evils that in order to try to stop them we create a greater evil as a result. For example, if someone believes that contraception is wrong, to try to impose that upon a society can lead to worse problems than allowing folks to have access to contraception even though you believe that it is wrong. So you tolerate what you consider to be an evil in order to prevent a greater evil that might come about. That is an example. It may or may not be the right way to approach that, but that would be an example of tolerating an evil—choosing to tolerate a lesser evil so that the greater evil of social chaos and the threat of abortion could be prevented. If you restrict contraception, then you tempt women to have abortions. So, if you are opposed to contraception, you tolerate contraception to prevent a greater evil. But obviously, we cannot tolerate all evil. In fact, we ought to oppose some. We ought to oppose racial discrimination, for example. That is not something we can tolerate.

Is the argument I just gave consequentialist in nature? Remember, I am saying that any ethical theory that is plausible will have to have in it good consequences as one component. It is not that that is the whole of ethics. We are not anti-consequentialists. We are against making consequences the sole criterion of what is right. But we do have to consider good consequences. This simple example is obvious in the Bible. “If what you eat causes your brother to stumble, then you ought not to eat it.” That has bad consequences that you have to take into account. You must take into account the effects that your actions have on others even though intrinsically there is nothing wrong. It is not that we are opposed to consequences, but we have to balance them with the principle of justice. I am saying there is no sin in tolerating contraception with the goal of the greater good of preventing more abortions.