



THE DOCTRINE OF DOUBLE EFFECT

OSUN Connected Learning Contest Winner

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Course: Ethics

This assignment took place in the second week after our return from Spring Break, which was also the second week after our move to the online learning environment. The Doctrine of Double Effect is one of several ethical theories that we consider in the course. It is particularly interesting in the context of the course because it follows our discussions of consequentialism and Kantian deontology, and in some respects it can be seen as a hybrid of the two theories: while decidedly consequentialist in its general emphasis upon the moral relevance of consequences, it introduces deontological constraints upon pure consequentialist moral deliberation.

The online discussion effectively replaced the use of response journals in the classroom. In addition to their responses to the initial prompt, however, the assignment enabled them to read and reply to, in writing, and in a thoughtful way, other students' writing. Knowing that their responses and replies would be read by other students did, implicitly, encourage them to think through and polish their responses, before posting them to the discussion forum, more carefully than they might have otherwise. The spontaneity of in-person dialogue and discussion sometimes produces moments of illumination and insight for the participants like no other form of communication can; but written responses, when there is little or no time constraint, can allow for a level of depth and detail rarely achieved in in-person dialogue. I think this assignment enabled students to discover this for themselves. The assignment also expressly encouraged (indeed, required) students to respond to each other, a result which sometimes can be challenging to achieve in the regular classroom setting.

Ethics (PHIL 175)

This is an introductory level undergraduate course that examines various ethical theories, with some emphasis upon comparatively evaluating competing models of moral deliberation. One way in which the theories are evaluated is by determining whether and how well they can solve various artificial or real-world moral dilemmas. Theories covered included consequentialism, contractarianism, Kantian deontology, the doctrine of double effect, and virtue ethics.

Practical and pedagogical value

The asynchronous online discussion provided an ideal environment for thoughtful but introverted students who are uncomfortable speaking up in our regular in-person in-classroom environment. I saw several such students flourish in our online discussions in ways that would never have happened had we not moved to the online environment. Other, less introverted students, had no trouble with the transition.

Further, the online discussion provided students additional opportunity to practice, and thus to develop, their writing skills, especially as the online discussion implicitly provides an occasion for peer review and critique.

Unsolicited feedback from students emphasized (i) the importance of providing reading/lecture notes; (ii) the importance of providing structure, which I sought to do by way of (a) specific discussion prompts, (b) specific requirements around the discussion, (e.g., one response and at least two replies), and (c) limited time-frame (1 week) in which the discussion was open and thus within which time students had to complete their requirements with respect to the discussion); and (iii) the value of taking time to think through and write out replies.

At the start of the online section of the course, I alone provided prompts for each weekly discussion, for a given topic; by the end of the third week, however, several students had indicated that they had topics that they wished to introduce into the discussion forum. I was very pleased with this development, and approved of it, with the proviso that students check in with me first regarding the relevance of the topics they wished to introduce. They did a nice job with this, but I think I would still give them a couple of weeks of practice with prescribed constraints before allowing students to initiate discussion topics in the online environment, at least with an introductory level course comprised of mostly first- and second- year students.

With respect to technological tools, this assignment made use only of our course Moodle page, including the Moodle discussion Forum. I uploaded to the course Moodle page a set

of lecture/reading notes, and required students to participate in the online discussion. Because of the circumstances – the sudden change mid semester from in-person in-classroom discussion, to online learning, and not knowing what technology each student would have access to, and given that several students would be in different time zones, I opted for an asynchronous online learning environment using simple and straightforwardly accessible technology. For example, there was no video component. Previous experience with asynchronous discussion indicated it can be a worthwhile learning environment; my experience with this course confirmed my earlier experiences. Good philosophical discussion doesn't require much, in terms of technology, whether online or in the classroom, in any case.

The assignment

The Doctrine of Double Effect. Reading Notes and Asynchronous Online Classroom Discussion. The doctrine (or principle) of double effect maintains that there is a morally significant distinction between the intended consequences of one's action and the expected but unintended consequences of one's action, as when one wishes to bring about some good effect, knowing however that some evil or adverse effect (hence the double effect) will also be brought about incidentally. The doctrine provides guidelines for determining when the pursuit of such actions is morally permissible.

There were three components to the assignment. First, there was the set of required readings, which were published on the course syllabus. Second, I uploaded to the course Moodle page a set of lecture/reading notes, which provide the theoretical framework for the Doctrine of Double Effect, and which included some discussion of its perceived strengths and weaknesses as a model of moral deliberation, along with some specific notes pertaining to the assigned readings. Third students were required to participate in the online discussion forum according to the following strictly prescribed parameters: (i) each student was required to respond to the initial discussion prompt, which I introduced; (ii) each student was further required to reply to or comment upon responses from at least two other students, including responding to replies, thus generating a discussion thread; (iii) all responses and replies had to be completed with the prescribed time-frame (1 week) in accordance with the reading/class schedule on the syllabus. I placed a word limit of 500 words on any one response. With the transition to the online learning environment I provided students with a set of standards for online discussion, which, I am happy to report, all students scrupulously abided by. I participated in the discussion, mostly by way of providing encouragement, answering specific questions, e.g., about the reading or the doctrine under discussion, or by offering suggestions.

Because it was a large class (by Simon's Rock standards) of 15 students, I divided the class into two discussion groups, one with 7 students, the other with 8 students. This was done for several reasons, including (i) I didn't want to require students to have to read through

too much of other students' writing; and (ii) it allowed for more focused and less diffuse discussion than might have been the case if all fifteen students were participating in the same online discussion.

The uploaded assignment (#6 below) includes the reading notes I prepared for the class, as well as the discussion forum for one of the two discussion groups for the class (I'd have added the second as well but it would make the document several pages longer than it already is.) I have removed the names of all the students from the discussion forum. I am the "Brian" referred to therein. Students' responses and replies are otherwise unedited.

Bard College at Simon's Rock
Spring 2020
PHIL 175 Ethics
Brian Conolly
Doctrine of Double Effect – Online Assignment

Doctrine of Double Effect (DDE) – Reading Notes

The Doctrine of Double Effect is a theory of moral deliberation that emphasizes a distinction between the *intended* consequences of an action and the *expected* but *unintended* consequences of an action. That is, it provides a means of considering the moral permissibility of an action wherein good ends are intended, with the awareness or expectation that evil may also be brought about incidentally (not intended but expected) by the same action. That is, it considers whether and when an action is permitted when it is expected that the desired good end of the action will be accompanied by evil side-effects, as it were, or more precisely, that there will also result undesired and unintended – but expected- adverse incidental consequences.

I. Boyle on Double Effect

Joseph Boyle, in his essay “Toward Understanding the Principle of Double Effect” provides a short formula for the principle of deliberation that determines when such actions are permissible:

“It is licit to posit a cause which is either good or indifferent from which there follows a twofold effect, one good, the other evil, if a proportionately grave reason is present, and if the end of the agent is honorable, that is, if he does not intend the evil effect.”

An example where such a principle might apply would be harming or even killing someone in self-defense.

Most of Boyle's seminal essay is concerned with elaborating upon the four conditions that are implicit in the formulation.

The four conditions of moral permissibility, according to the doctrine of double effect:

1. the agent's end must be morally acceptable (excludes acts done for immoral purpose)
2. the cause must be good or at least indifferent (excludes acts which are intrinsically immoral, the object of which it is impermissible to bring about)
3. the good effect must be immediate (evil effect cannot be means to an end) (excludes immoral means to good ends)
4. there must be a grave reason for positing the cause

On p. 12, Boyle provides a neat set of examples to illustrate each of the four conditions.

Comments:

ad 1: the intended good effect specifies the action as a good action; correlatively, evil cannot be a means to the good end, because in that case the evil effect must be intended, and hence the intended evil effect specifies the action as an evil action.

ad 2: this condition appears to imply that the cause which brings about the effect can be evaluated independently of either the good or the evil effect. Boyle, however, appears to argue otherwise: cause and effect are correlative, and so positing that a cause is immoral can only be because it brings about some effect which it is intrinsically impermissible to bring about. This is not consequentialist, however. The evil effect that it is impermissible to bring about is not evil because it fails to optimize outcomes, but for independent non-consequentialist (and frequently absolutist) moral proscriptions.

[Alternately it might be considered that what makes the cause to be good, indifferent, or evil, is the motive. (Boyle doesn't take this line, but others do.) Is it selfish (evil or deplorable), altruistic (good), or indifferent? This might ultimately be a case of remote vs. proximate ends, but in any case I am not persuaded that condition 2 is superfluous or necessarily collapses back into condition 1, as many people argue.]

ad 3: "immediate" here does not mean "right away" or "without delay". Rather it means that the expected evil may not be the *means* to the good effect. The evil may follow from the good, or the good and the evil may follow independently from the cause, but the good effect may not follow from the evil. It is taken as an implicit principle here that it is never moral to seek good through evil.

ad 4: it is considered generally impermissible to engage in an action that one knows will result in some evil, even when the other three conditions are met. So there has to be a very strong over-riding reason that would make the action permissible, such as, that the end desired at is very important and the situation is urgent and there is no other way to achieve the good desired outcome – but again, only if the other conditions are also met.

Questions:

1. Is this a doctrine of justification or excuse (i.e., a principle which lessens the imputability of a bad act, lessens, but does not eliminate the blameworthiness of the action)? (If the action is justified, there is no imputability, no blameworthiness of the action; it is at least permissible.)

Boyle argues that it is a principle of justification: the unintended evil consequence is knowingly and willingly brought about by the agent, and therefore is clearly imputable to the agent. It is therefore a *volitional* act, if not exactly an *intentional* action. Hence the imputability cannot be eliminated or diminished. The agent is responsible for the action and must be evaluated accordingly.

Boyle argues that there is a morally relevant distinction to be made between intended consequences and permitted or accepted consequences; and that these correspond to analogous senses of "voluntary".

The foreseen consequences of one's bringing about an intended state of affairs are often considered when deliberating, but not as the reasons for the action, but often, sometimes as conditions in spite of which one acts.

2. How does this differ from the consequentialist calculus?

- evil cannot be a means to the good end, whereas pure consequentialism appears to allow for this
- consequentialism optimizes outcomes, and so doesn't recognize evil as such as being *part* of the optimized outcome. Certain consequences might be undesirable in themselves, but the optimized outcome is the best outcome, it is the best state of affairs in the circumstances. DDE acknowledges the inherent evil of the incidental consequences and does not attempt to cover it up within the context of optimized outcomes.
- DDE is consistent with absolute moral proscriptions (indeed it perhaps doesn't make sense unless there are non-consequentialist moral standards to appeal to for the determination of the good of the intended effect and the evil of the unintended but accepted consequence). It can perhaps be viewed as a kind consequentialism (it does, after all, recognize the moral significance of consequences) restricted by deontological (or other non-consequentialist) constraints.

3. Does DDE require moral absolutism (the view that there are exceptionless moral proscriptions)? Does moral absolutism (e.g., Kantianism) require DDE?

Boyle argues that DDE does not require moral absolutism. I am not persuaded. I regard DDE as non-teleological consequentialist moral thinking. That is, it is a theory of moral deliberation that requires us to think about the consequences of our actions (unlike Kantianism) but the rightness or wrongness of the action is not determined by the optimization of states of affairs which our actions are intended to bring about; rather the rightness or wrongness of the action is determined at least in part by reference or appeal to moral standards that are independent of consideration of optimized states of affairs, perhaps not necessarily exceptionless moral proscriptions, but independent nonetheless.

II. Quinn on double effect

Warren Quinn, in his essay, "Actions, Intentions, and Consequences", attempts to work out the moral implications of the doctrine of double effect, especially with respect to whether it can *consistently* differentiate between permissible and impermissible actions in parallel or analogous pairs of cases. The specific cases he considers are (i) the terror (TB) vs. the strategic bomber (SB); (ii) the craniotomy case (CC) vs. the hysterectomy case (HC); and (iii) the guinea pig (GP) vs. the distribution of resources (DR) cases.

At the same time he is interested in examining the intentional structure of actions wherein the agent alleges to distinguish between *intended* consequences and *expected* but *unintended* consequences, and whether and under what conditions, such expected consequences can be excluded from the intentions of the agent to the extent that is required by the theory. This problem is sometimes referred to as the problem of *closeness*.

Quinn introduces several interesting analyses of his three pairs of cases that suggest that, with respect to the problem of closeness, each case in a given pair is perhaps morally less

distinguishable from the other than might initially seem. Thus in the terror bomber vs. the strategic bomber case, it can be argued, following Jonathan Bennett, that the terror bomber strictly speaking doesn't need the civilians actually to be dead, "he only needs them to be as good as dead and to seem dead" (pp. 25-26). Further, the strategic bomber might not aim at civilian deaths, but because automotive factories never exist apart from civilian populations, bombing such a factory "invariably results in some innocent deaths" (p. 27). Such analyses make the DDE appear more like moral sophistry, a method of making excuses grounded in false or specious distinctions.

In order to rescue the theory from this kind of embarrassment – namely, that it fails to distinguish clearly and consistently between cases, depending upon how the intentions of the agent are described— Quinn considers (and critiques) whether there might be intrinsic features of actions whereby the doctrine can indeed distinguish between such cases more clearly and consistently. His method here thus implicitly draws DDE deeper into the deontological camp, and further away from the consequentialist camp, precisely because he is looking at the intrinsic character or quality of actions, Quinn considers several bases of distinction, with respect to the intrinsic quality of actions, with each successive basis a refinement of the prior. These are:

1. Doing harm versus allowing harm
2. Harmful *direct* agency vs. harmful *indirect* agency
3. Harmful direct *opportunistic* agency vs. Harmful direct *eliminative* agency

He closes his discussion by considering how the rights of those involved in the agent's actions – whether directly or indirectly – affect the moral analysis and moral permissibility of the action.

1. The moral difference between "doing" and "allowing" (DDA: The Doctrine of Doing vs. Allowing).

Even when one is morally culpable for "allowing" harm to befall someone, such culpability is mitigated in comparison to when one actually or directly *does* harm to another. (To illustrate this difference we can also consider the distinction between active and passive euthanasia. In active euthanasia, typically, a toxic compound is introduced into the bloodstream of the patient, causing the death of the patient; in passive euthanasia, life-sustaining hydration and nutrition is withheld from the patient. The latter in certain cases does not involve any culpability, whereas the former almost always does. Thus, it appears that DDA discriminates *against* "doing" but in certain cases discriminates in *favor* of "allowing".)

Note how DDA differs from consequentialism, with its strong requirement of *negative responsibility*. Since the agent is equally responsible for any and all outcomes available to the agent, the distinction between *doing* and *allowing* makes no moral difference. The agent is as responsible for outcomes that the agent directly causes as for outcomes in which the agent plays no causal role but chooses not to intervene (when the agent could) to prevent or obstruct those causes.

How does DDA do with respect to the pairs of examples? It *might* distinguish between CC and HC (but even here it is not clearly the case), but it is not at all clear in the other cases. Let's consider DR vs GP in particular. In the GP case the research physician has not introduced the agent (e.g., the virus or bacteria) that will likely cause the death of the patients. Rather, he is merely deliberately withholding the treatment that might cure

them. He is thus *allowing them* to die. But so is the attending physician in the DR case. She is likewise *allowing* her patients to die. But there are, it seems, important and moral significant differences between them, which differences, however, DDA cannot capture.

2. alternatives to DDA

2a. Perceiving the shortcoming of DDA to explain or articulate the apparent or alleged moral insight of DDE, Quinn proposes, as a better explanation, the following distinction:

harmful direct agency (HDA): harm effected upon some victims from the agent's deliberately involving them in something in order to further his purpose precisely by way of their being so involved.

harmful indirect agency (HIA): nothing is in that way intended for the victims, or what is so intended does not contribute to their harm.

The standard whereby HDA can be justified is much higher than that whereby HIA might be justified. Justification of any *direct agency* would require (i) that harm itself is not useful nor that what is useful be causally connected in some especially close way with the good that it brings about.

While Quinn thinks that HDA is sufficient to explain the "moral asymmetry" between the two actions in each pair of cases, it is insufficient to explain what Quinn sees as the *weaker* asymmetry between HC and CC (weaker because they are less clearly morally distinct) on the one hand, and the *stronger* asymmetry (stronger because they are more clearly morally distinct) between both the DR v GP and TB v SB cases.

He therefore introduces a further distinction with respect to HDA, namely:

- (i) direct opportunistic agency
- (ii) direct eliminative agency

The difference, Quinn, explains, depends upon "whether the agent, in his strategy, sees the victim as an advantage or a difficulty". (p. 31) Thus in the TB case, the agent could not carry out his strategy, achieve his goals, without involving his victims; likewise for the GP case. These then are cases of harmful direct opportunistic agency. In both those cases, the agent requires the presence and involvement of his victims. In CC, the agent would be much happier, we assume, if his victim were not involved. Rather, his victim is an obstacle that needs to be removed in order for him to achieve his goal. This, then, is a case of harmful eliminative agency.

Quinn asserts that direct opportunistic agency is more difficult to justify: fatal or harmful exploitation is more difficult to justify than fatal or harmful elimination. (p. 31)

2c. objections and counter-examples

Quinn, to his credit, considers a clever counter-example of harmful direct agency, which however, is neither (i) direct opportunistic agency nor direct eliminative agency:

shooting through or running over hostages in order to harm an assailant (p. 32)

The harm to the incidental victims is in no way useful to the goal. The agent acts *despite* their presence, and neither opportunistically nor eliminatively. Nevertheless the agency

appears to be direct. These are problem cases that do not fit neatly into Quinn's scheme and he doesn't seem to know what to do with them.

3. In the last section of his essay, Quinn offers some further clarification for why DDE rules against instances of HDA, and especially instances of HDA that involve direct opportunistic agency. His discussion here echoes some of the considerations that Korsgaard introduces in her discussion of the formula of the end in itself in her essay on Kant and the permissibility of lying.

HDA has a two marks against it. DDE appears to rest on special duties of respect for persons, which are violated in HDA, but not HIA. "The direct agent treats his victims as if they were then and there *for* his purpose." (p. 35)

But compare the questionable moral presumption even of HIA: The victims of HIA may "be treated as beings whose harm or death does not much matter, at least not as much as the achievement of the agent's goals" (p. 35) Still, there is room for a morally significant distinction from HDA, which has the additional presumption of *involving* the victim. Such victims of HDA should become involved only *voluntarily* (cf. p. 36), but in both TB and GP, this is decidedly not the case. The result is to emphasize the importance of consent: "each person has some veto power over a certain kind of attempt to make the world a better place at his expense" (p. 37).

There is thus, in DDE, a deontological constraint that is otherwise absent from purely consequentialist thinking, which helps to explain why DDE can make moral distinctions between actions that are indistinguishable from a purely consequentialist perspective.

DDE remains consequentialist, because unlike pure deontology, Kantianism in particular, consequences, intended and expected, are morally significant for one's deliberations and to the rightness and wrongness of the action. But because of the non-consequentialist constraints, and because of a more sophisticated appreciation of the relation between means and ends, DDE can offer a much more subtle analysis of the morality of actions than can pure consequentialism.

Discussion Group 1 – The Doctrine of Double Effect (names of students have been removed)

The doctrine of double effect

by [Brian Conolly](#) - Monday, March 30, 2020, 6:55 PM

Is there a significant moral difference between the actions of Terrence the terror bomber and Samuel the strategic bomber in Woodward's examples? (See Woodward's introduction, pp. 1-4.) They are indistinguishable from a purely consequentialist perspective, but Woodward, at least, seems to think there is a significant moral difference. Why does Woodward think that there is a difference? Might we grant that there is some difference between Terrence and Samuel here, but deny that it is a morally significant difference?

Re: The doctrine of double effect

by [Student 1](#) - Tuesday, March 31, 2020, 4:47 PM

I think the clearest distinction between Terrance and Samuel is Terrance's willingness to be an active moral agent. Terrance is willing to act on his assumption that killing civilians will ultimately save more lives. Though from a consequentialist perspective, this assumption should be reason enough to necessitate the killing of civilians, this specific scenario reveals the fatal flaw in this method of thinking. Terrance is wrong in his assumption, for Samuel's example proves that Terrance ended up killing the same number of people that he ended up saving. If Terrance miscalculates even further and ends up killing more people than he would have saved, then Terrance has done something objectively impermissible. Ultimately Samuel never risks making that mistake and his refusal to is morally defended by the DDE.

Re: The doctrine of double effect

by [Brian Conolly](#) - Friday, April 3, 2020, 12:43 PM

But let's imagine that their actions result in the same number of deaths, in both the near and the short term. Does the fact that Terrence actively intends, that is, desires to kill civilians whereas Samuel merely expects the deaths of civilians as an incidental consequence of his intention and desire merely to destroy the munitions factory -- he might even desire not to kill civilians, but sees this as unavoidable in the circumstance -- is this difference in their intentions sufficient for us to make discern a moral difference, even when the results are consequentially indistinguishable? You seem to see the difference in terms of Terrence's assumptions - about whether killing more civilians now will result in the death of fewer people in the long term. Or perhaps I have misunderstood you?

Re: The doctrine of double effect

by [Student 1](#) - Friday, April 3, 2020, 3:57 PM

I think you partly understand me. I understand in order for the moral scenario to remain controversial the outcomes need to be equivalent; that is why moral scenarios are often as contrived as they are. If Samuel saves more people Terrance is a monster, however if Terrance saves more people Samuel is weak. What I'm trying to articulate is the reason why Terrance's intention, or desire, to kill civilians, is morally significant is because the consequences of an action cannot always be accurately predicted. If Terrance and Samuel could see the future with certainty, not only presume but be certain, that Terrance's targeting of civilian centers would save lives, then I believe Samuel's actions might be more difficult to defend. However, I believe Samuel should not be faulted for not wanting to commit an evil act, not only because he is justified in not being able to bring himself to do it, but primarily because to commit such an act would be impermissible without the certainty that it would result in the most optimal consequences, and an inability to predict the future makes certainty impossible.

Re: The doctrine of double effect

by [Student 2](#) - Saturday, April 4, 2020, 1:31 AM

Re: Student 1's April 3 comment

You say here that "to commit such an act [an evil act like Terrance's] would be impermissible without the certainty that it would result in the most optimal consequences." You then concluded that because we can never certainly know the future, that condition you describe is impossible. So to connect the dots, I believe you are saying that actions that definitely cause bad/evil are impermissible because you can never be certain in advance that they optimize outcomes.

I think acting based on uncertainty is a necessary evil that all systems that guide moral deliberation must commit (no humor intended with the necessary evil bit). If we can not be sure of anything, and yet we must always act, we must design our actions upon leaps of faith and statistics-- or "our best guess." What we can then begin to weigh, however, is how certain different consequences are. If you are sure civilians will perish (95%, or more, let's say); but you are only 65% sure that these deaths will really be instrumental in ending the war sooner to save more net lives, then you're choosing to almost definitely let those people die without any significant certainty that your actions will also cause the positive effect. This could turn into an

interesting numbers game. More calculous stuff? Of course there is certainty as a factor in the calculous, does that cover issues like what you mention when implemented right?

Re: The doctrine of double effect
by [Student 1](#) - Monday, April 6, 2020, 10:31 AM

I would like to clarify that Terrance is choosing to kill civilians. I understand that if we operate with an unwillingness to trust our assumptions/estimations we will be unable to make decisions. I don't think acting based on uncertainty is a necessary evil, as it often needs to be done to make simple choices. However, choosing to commit evil, such as killing civilians, remains morally impermissible when committed with uncertainty. I'll introduce the idea that perhaps this action can be retconned into becoming permissible, thus it remains impermissible until the consequences of said actions are revealed, where if and only if the consequences are optimal the judgment against the agent in that specific instance can be dropped. A sort of moral gamble. However the choice to not make this gamble should always be defended by the DDE.

Re: The doctrine of double effect
by [Student 3](#) - Tuesday, April 7, 2020, 10:56 AM

I agree with what you are saying, Student 1. We are making a decision to do things and not to do. Each action and its consequences should be considered. Terrance, knowing people would die, still chose to kill those civilians. Your point directed me to the first comment "the intended good effect specifies the action as a good action; correlatively, the evil cannot be a means to the good end, because in that case the evil effect must be intended, and hence the intended evil effect specifies the action as an evil action" (DDE, pg2). And the idea you mentioned about moral gamble is really interesting, would love to hear more.

Re: The doctrine of double effect
by [Student 4](#) - Wednesday, April 1, 2020, 1:51 PM

Woodward believes that there is a significant moral difference between the actions of Terrence the terror bomber and Samuel the strategic bomber because he believes that the doctrine of double effect only justifies Samuel's actions, therefore making his actions morally permissible and Terrence's actions impermissible. The doctrine of double effect (DDE) states that a moral agent is permitted to act in a way that may likely result in negative consequences as long as the positive consequences are the original and sole intent of the actions and there is significant cause to commit a possible foul-ending action. According to this doctrine, Samuel's actions can be dismissed as morally permissible because he is bombing with the intent to target only the munitions factory which will hopefully end the just war sooner. Although he is fully aware that many civilians will likely get hurt, his pure intent does not include the harm of others. Terrence, on the other hand, does not act per the DDE -- according to Woodward -- because he intends to bomb the munitions factory and kill civilians. Woodward believes that only Samuel has acted in a morally permissible way. I agree that there is some difference between Terrence and Samuel, but I believe that both their actions should be considered morally permissible under the DDE. I believe that Terrence's actions are permissible because his ultimate intent is to end the war, which is a positive objective. Therefore, I believe that his intent to harm the civilians can be justified as a way of fulfilling his larger goal and viewed as a negative consequence to his positive intent.

Re: The doctrine of double effect
by [Brian Conolly](#) - Friday, April 3, 2020, 12:50 PM

This is a nice analysis for the most part. But despite the appeal of Terrence's overall objective, namely, to end the war, he doesn't actually satisfy *all* the criteria for permissibility required by DDE. In particular, his action and intention fails the third criterion, namely, that the good effect must be immediate. That is, the

evil produced by the action cannot be the mean whereby the good is achieved. (On DDE the end does not justify the means). For this reason alone, Terrence's action must be seen as impermissible on DDE. Woodward presents an objection -- inspired by Bennett-- that also gives reason to call into question whether even Samuel's intentions are permissible in this scenario.

Re: The doctrine of double effect
by [Student 4](#) - Friday, April 3, 2020, 4:06 PM

If the immediacy of the good that Terrence produces is disputed, I believe that Samuel's intended good is also questionable. Samuel's intent is simply to bomb the munitions factory which is only defensible as a good action in the context that this will hopefully end the war sooner. If this intent is considered to have an immediate enough effect to qualify for moral permissibility under the DDE, then I contend that Terrence's actions should also be considered comparably immediate and therefore justifiable under the DDE. As both of their actual actions remain the same, with the same consequences, I see their actions as equally immediate.

Re: The doctrine of double effect
by [Student 5](#) - Thursday, April 2, 2020, 5:50 PM

I think that what separates the two bombers is their intentions in their actions. Both have a desire to end the war and will attempt to do so by bombing a munitions factory. However, Terrence goes with the intent to kill civilians under the idea that at the cost of few he is saving many, a very consequentialist view. Although the act of bombing the munitions factory will result in the death of civilian's Samuel's intent is to merely destroy the factory, not the people inside. I think that this intent is what makes the two differ. It reminds me a little of Kant, and how an action only had moral worth if your intentions were correct. It does state that there is a clear difference between intentional acts of evil and unintentional acts of evil, with Terrence being the example for intention while Samuel representing the unintentional side. This is a little confusing as it was previously mentioned that Samuel is fully aware that many will die if he bombs the factory. It appears that the only thing that is different is that Samuel does not mean to harm people, even if his actions will inevitably do so.

Re: The doctrine of double effect
by [Brian Conolly](#) - Friday, April 3, 2020, 12:54 PM

You raise a good point here - it is hard to say that the deaths caused by Samuel's actions are *unintentional* when he is fully aware and expects that his action will result in deaths of civilians. I think this goes right to the heart of the matter with respect to tenability of DDE, namely, whether we can separate out *intended* outcomes from merely *expected* outcomes. Also just for clarification - for Kant, one's action has moral worth only if one's *motive* are correct. In Kant, we have to distinguish *motive* from *intent*. For Kant, *intent* means *intended consequences*, which for Kant can have nothing to do with the moral worth of an action.

Re: The doctrine of double effect
by [Student 4](#) - Friday, April 3, 2020, 4:16 PM

As a moral agent's intent can only be measured by the moral agent's confessions itself, with no other viable means of validating their claims, it seems difficult to hold subscribers to moral or civic law. If Samuel were to bomb the munitions factory with the intent to harm civilians but claimed that his sole purpose was to bomb the munitions factory regardless of civilian casualties, there would be no way to determine his intent. This seems like a rather subjective and elusive method of measuring others' moral actions, but rather a means to defend one's own moral decisions to themselves. At least in Kantianism, others' motives can be

estimated a little more accurately (by examining their situation, needs, desires, etc.) than intent which is determined individually and personally.

Re: The doctrine of double effect
by [Student 2](#) - Saturday, April 4, 2020, 11:52 AM

Yeah– this all makes me think about Kantian duty.

If Terrence is acting for the sake of duty (in causing both the civilian casualties and the destruction of the munitions factory), his actions are superior (or more driven by duty so, to Kant, superior) to Samuel's "accidental" civilian casualties and, from some perspectives, refusal to fully execute his duty.

So if Terrance's motivation is purely duty, while not getting caught in the undesirability of certain actions, he seems to be on the right track with some pure motives.

Now, unless he's just bloodthirsty I think we can assume that he is acting on behalf of some kind of sense of duty.

Re: The doctrine of double effect
by [Student 3](#) - Tuesday, April 7, 2020, 11:47 AM

As the reading suggests that DDE "remains consequentialist" for how much consequences are evaluated and Kantianism particularly focuses on the pure right or wrong characteristics of one action if Samuel is fully aware of what his action will result, it feels like this DDE is justifying for the bad effects the actions would cause. For this reason, I think there is a clear distinction between Terrance and Samuel. Samuel's action is permitted because Samuel meant and determines to act for the goal of good intent and he targets only the munitions factory. DDE allows for unintended consequences. Terrance wants to kill civilians which is essentially bad intent.

Re: The doctrine of double effect
by [Student 1](#) - Friday, April 3, 2020, 4:13 PM

I think you highlight here how the DDE comes into clear conflict with the consequentialist concept of negative responsibility. Though negative responsibility can often get incredibly convoluted when it comes to the permissibility of one's life path; meaning whether one's life is pointed in the direction that will most optimize outcomes, it is clearly understood in this scenario. Samuel is directly negatively responsible for all the lives he could have saved if he had chosen to target a civilian center. The DDE makes a very firm distinction between passively letting evil happen and actively causing it yourself.

Re: The doctrine of double effect
by [Student 4](#) - Friday, April 3, 2020, 4:21 PM

I agree that the DDE focuses primarily on intent and whether harm was the main motivator for actions versus a consequence of positive actions. Do you believe that there is a significant moral difference between actions that intended harm and caused harm versus actions that intended something (let's say) positive but also had expected harmful side-effects? I feel that if harmful effects can be reasonably assumed from committing a positive action then that action should hold equivalent moral worth to an action that intended harm from the beginning.

Re: The doctrine of double effect

by [Student 2](#) - Saturday, April 4, 2020, 11:45 AM

Re: Student 4 April 3

I mean, if an agent truly intended harm but in doing their harmful action did "accidental" good that they were able to foresee but they didn't "intend" and didn't desire, we would lean towards perceiving their moral worth differently than if they intended the good consequences consequences from the beginning. Do these two situations hold equivalent moral worth as well?

Re: The doctrine of double effect
by [Student 6](#) - Sunday, April 5, 2020, 9:22 PM

Just going to hop on this question real quick...

Again, I think that being open to the idea that it is possible to hold individuals accountable for performing predetermined and/or non-contingent immoral actions while at the same time not saying that, necessarily, they made the overall "wrong" or worst/worse decision... and acknowledging that intent and motive are more telling of a human's values and less of the morality of specific actions, for, I believe I'm saying, the morality of specific actions is not contingent on the circumstances under which they are being performed.

Re: The doctrine of double effect
by [Student 2](#) - Saturday, April 4, 2020, 11:35 AM

In answer to Brian's initial question:

The difference between the two's actions is all in intent (obviously). Assuming that their actions are absolutely equivalent in their results, utilitarianism would dictate that the two's actions are of equivalent moral worth. At first I was thinking that the only difference here that could be morally relevant is this motivation— so, which part of the results of an action are motivating the agent to do the action. Terrance is motivated to kill, specifically— but it is for the good cause of saving more lives on the whole. However, by having this overt intent (irregardless of his other, more permissible mission to target the weapons supply) he begins to bear a lot more moral responsibility in our thinking for the deaths.

However, to insist that less evil is done by Samuel because he acts only because he desires the positive element of the result is inaccurate (at least in terms of consequences, in this specific instance). Terrance, who causes the same consequences, seems to me in this case to just be fully in acceptance of the necessary doing of evil synchronously with good (so in this way it does conform to the time requirement because DDE says legitimate good can't come as a product of evil, the two must at least be synchronous). While Samuel is doing a part of his moral and military duty, he is not fulfilling them to the best of his ability if he doesn't "intend" and aim for the unsavory thing that will do that best. What we might call his "restrictions" are stepping in. He desires not to do this "immoral" action (though in utilitarianism, at least, the morality of the action is not related to its maxim but to its effects in its specific context).

So Samuel is doing duty, but doing part of it reluctantly. Terrence is embracing the duty to maximize good, but perhaps too wholeheartedly. We cringe at him for being too willing to break other types of moral rules/guidelines for his cause. However, this seems like an unjust judgement. It is difficult and potentially wrong to call either one of them morally inferior or superior.

Re: The doctrine of double effect

by [Student 6](#) - Sunday, April 5, 2020, 9:17 PM

Student 2 I'm replying to you but really it's just to everybody/everything we've been talking about...

I believe it is very practical to argue that what is necessary occasionally is to hold perpetrators (moral agents) culpable for actions committed which are objectively morally wrong while at the same time hearing their argument behind the action they've taken (intent/motive). Their explanation does not relinquish them from accountability, but it does potentially augment their moral identity.

Re: The doctrine of double effect

by [Student 6](#) - Sunday, April 5, 2020, 9:13 PM

I've spent the past while attempting to comprehend what exactly we are to consider when qualifying an action morally... it appears that at the moment we are to question the intent behind the action (what consequences we expect to ensue), the motive of the action (why we are doing it in the first place, excluding the consequences), and the actual consequences which occur. I would argue that yes, it is important to consider the intent behind actions, insomuch these are telling of the moral agent's values, identity, and in some sense, morality, or identity as a moral being. The said being equally true of motives. That said, the hard and fast morality of any given action, I think I believe as of now, cannot be contingent on the circumstance or moral situation. For example, it is wrong to bomb the factory no matter what, in the same way it is wrong to take a human life no matter what, though this does not mean that the bomber or murderer (necessarily) is always making the wrong decision...

Re: The doctrine of double effect

by [Student 5](#) - Monday, April 6, 2020, 11:23 AM

I'm not sure exactly what it is your saying but to my understanding what you're trying to get across is that just because an action is an impermissible doesn't mean that it is automatically wrong. I also think that you make the point that the intent behind an action is important and can tell much about the character of a person but it is not the ultimate decider of whether an action is moral or not. This is an interesting point because there may be a situation where one's intent is good but their judgement is faulty if that makes sense.