Giving Foot the Boot: Right or Wrong?

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Philosopher Philippa Foot died on October 10, 2010 on her 90th birthday. One of her significant contributions to the study of moral and ethical judgment is the Trolley Problem popularized in her 1967 essay, “The Problem of Abortion and the Doctrine of the Double Effect.” The Problem is one of several examples demonstrating how judgment of an act as right or wrong may depend on (1) whether that act is intended or unintended, (2) whether that act complies with the duty not to do something or to do something, (3) whether the consequence of that act depends on doing something or allowing something, and (4) the allowance of a double effect—an act having two (or more) consequences—a concept popularized by St. Thomas Aquinas in the 13th century. Immediately, one sees that Foot is on to something more complicated than the generic utilitarian approach—the right act yielding the greatest good for the greatest number of people—or the generic deontological approach—the right act being what is right in and of itself and applying to us unconditionally.

One version of the Problem, involves a trolley running out of control. “A trolley is running out of control down a track. In its path are five people who have been tied to the track by a mad philosopher. Fortunately, you could flip a switch, which will lead the trolley down a different track to safety. Unfortunately, there is a single person tied to that track. Should you flip the switch or do nothing” (Foot, 1967)? Many people respond that flipping the switch is the right act, because one ends up with only one dead as opposed to five.” But not all do. Some respond that it’s wrong to participate because the scenario has been created by a mad philosopher, and participation renders one partially responsible for death. Others respond that human death is special enough that five dead may not be any worse than one and/or that the very attempt at calculus is not possible or is itself wrong.

Other variants of the Problem have involved stopping the trolley by pushing a very fat man off a bridge into the trolley’s path, identifying the very fat man as responsible for the plight of the five people, adding a loop of trolley track beyond the one person who may be hit and killed back to the five people who otherwise may be killed. And, in fact, commentators on the Problem and related dilemmas have shown that modifications of the basic scenario yield different kinds and groupings of judgments, even with the same two options of five human deaths or one. For example, Judith Jarvis Thompson in her “The Trolley Problem” writes that a “brilliant transplant surgeon has five patients, each in need of a different organ, each of whom will die without that organ. Unfortunately, there are no organs available to perform any of these five transplant operations. A healthy young traveler, just passing through the city the doctor works in, comes in for a routine checkup. In the course of doing the checkup, the doctor discovers that his organs are compatible with all five of his dying patients. Suppose further that if the young man were to disappear, no one would suspect the doctor.” Here, choosing the option that will result in one human death, not five is often much less likely.

One might entertain the hypotheses that the choices made for each scenario are largely conditioned by social and cultural factors or highly correlated with the usual suspects of demographics of gender, sex, race, and so on. However, a further set of findings initiated by John Mikhail, working within the
Massachusetts Institute of Technology’s Department of Brain and Cognitive Sciences, and described by Greg Miller in Science suggest that the choices made in such scenarios are based on an unconscious brain-based moral grammar, much as many researchers advocate an unconscious, brain-based linguistic grammar underlying everyday language usage.

What to make of all of this? With such exquisite differences leading to different moral and ethical decisions, should we be quite as sure as we may be about hiring and firing decisions? Penalties like incarceration and capital punishment? Abortion? Justifications for political violence including terrorism? If we should be not as sure, would we become more or less moral? Is morality founded on making unsure decisions having quite sure consequences?

Quite a bit of mileage out of a trolley. Not a streetcar named Desire, but one hurtling forth since the beginnings of intellectual history carrying believers, those struggling to believe, and those skeptical of both as well as skepticism itself. To be totally engaged in the foundations of knowledge and their implications for social action might best be located in the life of the philosopher Pierre Bayle (1647-1706). He so relentlessly employed the weapon of Cartesian doubt to knowledge that that even Cartesian doubt was in dire jeopardy. But unlike many skeptics, his conclusion was not to launch and maintain an all-court press and attack on everything, but to preach tolerance. A tolerance not conceived as soft on morality, but the hardest and truest sort of morality of which humans are capable. This from a refugee with first-hand experience of mass religious and political hatred, torture, and murder to rival our own era. So what would Bayle do on the trolley of intellectual history? He would not give Professor Foot the boot but, instead, give her his seat with a tip of the hat and a smile.