

## CHAPTER TEN

# Is There Such a Thing as a Clash of Obligations?

### WHAT IS IT ALL ABOUT

Acting in freedom often means being able to choose more than *one* path. That is sometimes the case even when it concerns important decisions in life, for example, in choosing a career. A person can move in more than *one* direction. Both routes are passable.

Choosing is not a painful matter in many cases. But it is so when we are confronted with a conflict. Then we *have* to do either one thing or the other. Unfortunately while doing the one thing we cannot do the other. In certain cases the painful character of such a choice can even bring us into quite a quandary, because the question arises: If we choose the one thing, do we then not sin by neglecting the other? This brings us to the theme of this chapter: the clash of obligations, or (using the Latin technical term) the *collisio officiorum*.

Several examples will make the question clearer. In the case of a pregnancy threatening the life of the mother, a doctor has to choose. If he chooses the life of the mother, he will bring an end to the life of the child. Or the other way around. But in both cases there is a victim.

During World War II many people in the occupied Netherlands hid others (for example, Jews) in their homes from the German occupation forces. When the enemy came to the door asking whether or not they were hiding anyone, these people were faced with a choice: either to speak the truth but in doing so surrender those in hiding to the enemy, and thereby probably to death; or to lie but thereby probably save loyal fellow Dutchmen from death. If two shipwrecked sailors have secured a plank which can only support one of them, a choice must be made. The one pushes the other off the plank and saves himself at the expense of his neighbour; or he lets go of the plank, but surrenders himself to death.

The last example is classic and appears in many old handbooks for ethics. It is not, by the way, completely unrealistic. During World War II there was a Dutch Reformed chaplain, Allard Pieron, who had been taken captive by the Japanese. Together with others he was aboard a ship supposed to take them to Japan, but on the way the ship was torpedoed. In the lifeboat in which Pieron ended up there was one man too many. In order to make sure they would not all drown, one person had to sacrifice himself. Pieron volunteered and disappeared in the waves.

### DOES GOD COMMAND CONFLICTING THINGS?

In order to bring the problem into sharp focus, we must differentiate well. Certainly there is a conflict of obligations if obligations are understood as

the demands which *men* can place on us. If someone stands before the choice of either taking God's name in vain, because his parents tell him to, or not doing that, because it is in conflict with what God tells him, then there is certainly talk of a conflict of obligations. Nonetheless, here we can choose in just *one way*: *for* God and *against* the parents. One must obey God more than parents (Acts 5:29). The two obligations are of a completely different nature.

This example was chosen because on its basis something else requires our attention. Someone could say: it is all very well that a child does not give in to the demand of his parents to take God's name in vain. But when someone wants to fulfil the third commandment, he comes in conflict with the fifth commandment, which asks him to obey his parents. In reply to that it is necessary to say that not every commandment from God is an absolute commandment. An absolute commandment demands obedience, irrespective of the concrete situation.

The first and the third commandments, for example, are such absolute commandments. I cannot imagine a situation in which a man would be free to have other gods before God, or to take His name in vain.

Joseph Fletcher contends that just the opposite is the case. Someone may formally deny his faith in order to save the life of another.<sup>32</sup> Apparently, therefore, to him the life of men in need weighs more heavily than God's honour!

However, the obedience which the fifth commandment demands of children towards their parents does have certain limits. He who loves his father or mother more than Christ, is not worthy of Him (Matthew 10:37). There are circumstances in which father or mother must be left for His name's sake (Matthew 19:29).

Decisive for the question under discussion is now whether or not *God Himself* places us before conflicting obligations. There can be a conflict of duty between what He asks and what men ask of us. But does such a conflict also arise because *He* gives us contradictory commandments?

Now to come back again to the example of the child opposed to his parents: Is it true that God can demand something of us in the third commandment which is clearly in conflict with what He asks of us at the same time in the fifth commandment? In my opinion we cannot say that. Someone may be obliged to refuse to obey his parents, but we still cannot yet say that he is breaking the fifth commandment. For the very thing that God is commanding him *in that situation* is not to obey his parents. Whoever makes all the commandments in the Decalogue into absolute law statutes which can be abstracted from the Lawgiver, must certainly come to the conclusion that the third commandment can be obeyed and the fifth commandment broken at the same time. But whoever believes that he does what God asks of him at a concrete moment, considers *this* clash of obligations to be impossible. Then

<sup>32</sup> J. Fletcher, *Situation Ethics*, 72.

one would have to speak of a dualism in God. He would be asking completely contradictory things of us at the same time.

## THE TRAGIC ELEMENT

Nonetheless, there are people who believe that *God* can place us before a conflict of obligations. But that notion frequently goes hand in hand with the acceptance of the concept of *tragedy* — a well-known theme in Greek drama. The tragic guilt, in which man may become involved, is indissolubly bound up with belief in fate and polytheism. Where god opposes god, one absolute demand can be opposed to the other. Man is subjected to fate and is torn apart by conflicting obligations. Now a Christian does not believe in many gods who can place man before dreadful dilemmas with their conflicting demands. But that does not hinder some from continuing to speak of the tragic element also in Christian life. Then there is no cleft between the gods above, but rather through the world here below, through existence — a cleft which irrevocably places us before a clash of requirements.

In his book *Ethiek van het liefdegebod* (The Ethics of the Commandment to Love) with the subtitle: *Tragiek/Compromis*, S.J. Ridderbos says that the tragic element must not be banished from the sphere of Christian faith. For in that case the eschatological light from that same faith would at the same time be devalued.<sup>33</sup>

Now Ridderbos is correct in seeing that sin has warped much in this world. On account of our own guilt it has gone so far that we are always indebted to God and that even our best works are stained with sin. But guilt is something other than tragic guilt. What is tragic finds its origin *outside* us. It comes upon us and entangles us. Guilt, as the Scriptures describe it, is attributable to us on account of disobedience to God's commandments. There is a cleft running through us, but not through the commandments of God. If God were to place us before conflicting commandments, in which He would accordingly demand contradictory things from us, then we would *have to* sin. That would be tragic. But if His commandments are not heavy (1 John 5:3), then it is our fault and it is guilt when we disobey His commandments.

In many respects, our understanding is darkened and for this reason *we* fall into contradictions when it comes down to observing God's commandments. God has given His commandments for this *fallen* world.

## MENDACIUM OFFICIOSUM

It is also not possible to obey a command of God and at the same time to come flagrantly into conflict with the great commandment of love towards God and one's neighbour. Separating God's commandment from the summary of all the commandments — love — is impossible.

The question of those in hiding in the Second World War can serve as an

<sup>33</sup> S.J. Ridderbos, *op. cit.*, 158.

illustration. One could not reply affirmatively to the question of the enemy whether they were hiding anybody. The truth could not be told, but often lies had to be used. There is no other way in such cases. Being silent does not help, since silence can say a great deal! Ambiguous words or actions are just as poor a solution for whoever wants to avoid lying at any cost. For the intention is the same as in a lie: that is, to mislead the enemy.<sup>34</sup>

In order to save our neighbour, it can therefore be necessary to employ the lie. But it is a lie which is called a *mendacium officiosum*, in other words, a lie (*mendacium*) which involves a service (*officium*).<sup>35</sup> In perilous situations, the lie performs the service of saving others or ourselves. Speaking the truth would result in the death of those hiding. Anyone saving someone in hiding shows love towards his neighbour, even when he employs the means of the lie.

But, someone will say, is that not in conflict with the ninth commandment? One could certainly intend to save the neighbour who is hiding somewhere, but how about the neighbour at the door asking for the truth and receiving a lie? Now the ninth commandment is not only concerned with the neighbour *to* whom, but also with the neighbour *about* whom one is speaking. And we must also not declare all men to be neighbours in such a way as to even out any and all differences. The man who hides others in his house steps into the breach for *them* and not for their *enemies*. In other situations he might very well do that, but not here. He must protect those in hiding and prevent their (and his) enemies from committing an evil deed. For that reason I see no conflict here with the ninth commandment. Whoever observes the commandment of love cannot sin against that commandment. For the ninth commandment asks for just such protection of the neighbour (in particular in the administration of justice) by not bearing any false witness *against* him. Truth and lie can never be separated in the ninth commandment from their results for our neighbour: loyal help or disloyal injury.

The ninth commandment, therefore, must not be made into a commandment which forbids employing the lie in *all* circumstances. In the Bible passages in which the *mendacium officiosum*, the so-called "white lie," is made use of, we read nowhere of a condemnation of these lies (see especially Exodus 1:15ff. concerning the midwives in Egypt; Joshua 2 and James 2:25f. concerning Rahab; Judges 3:15ff.; 4:18ff.; 5:24ff.; II Samuel 17:19f.).

<sup>34</sup> Sometimes a distinction is made between *dissimulatio* (words and sentences employed in an ambiguous manner in order to thereby mislead someone) and *simulatio* (using actions in order to mislead, for example, pretending to be insane, just as David did with King Achish, I Samuel 21:13ff.). Further the *restrictio mentalis* can be mentioned. There someone says words, which — taken absolutely — are not true, but which become true by a *mental* addition. One could say to the enemy: We are not hiding anyone in our house and then add a thought (without saying it): We are not hiding anyone in our house *for you to pick up*. Further discussion of this distinction can be found in B.M. Lee, *Mendacium officiosum*, Groningen 1979, a study from which much has been derived for the following section.

<sup>35</sup> Next to the *mendacium officiosum*, classical ethics knows of the *mendacium perniciosum* (the lie which brings harm to the neighbour) and the *mendacium iocosum* (lying in jest, whereby the listeners are not able to distinguish well between true and untrue).

And, as was already noted, the tenor of the ninth commandment points in a completely different direction, so that it is difficult to say that those employing the *mendacium officiosum* are affected by the ninth commandment. One can just as easily save the life of one's neighbour with false information (and in this way obey the meaning of the ninth commandment), as one can damage one's neighbour's life with correct information — for example, in gossiping (whereby the ninth commandment is broken).

## THE OTHER EXAMPLES

It would be wise not to speak of a clash of obligations when it concerns what *God* demands of us. We often sin, but not because *God* makes us sin by demanding the impossible of us: two or more obligations which are mutually exclusive.

The other examples, spoken of at the beginning of this chapter but not yet discussed, also give no reason to speak about a clash of obligations in the sense mentioned above.

The necessary choice between the life of the mother or the child is a painful situation. So are, for that matter, all the examples of conflict that were summed up. They only reveal how broken the world and human society are. But this does not mean that in this brokenness we should be unable to point out a path for our actions along which we could walk, responsibly towards *God*. In most cases, the life of the mother would be chosen above that of the child. But it is not unthinkable that the other choice is also possible, namely, that the mother sacrifices herself for her child.

Here a real choice can be made in Christian freedom. It is not the case that — ir regardless of the choice — we would sin against *God's* commandment. Again, that would be the case if we had to exhibit *absolute* respect for *each* human life. But that is not the meaning of the sixth commandment.

A choice between two possibilities, however painful the choice might be, is still something other than a clash of obligations. *God* does not command the one and the other, so that we would necessarily be torn by choosing here. He asks us to discern what really counts. And whoever takes a responsible decision, then, is not guilty of breaking the sixth commandment.

The example of the two drowning persons clinging to just one wooden plank also contains no conflict of obligations before the face of *God*, since there is no conflict between the prohibitions of suicide and the commandment of self-denial. For whoever gives his life for his neighbour in such a situation, does not commit *suicide* at all. Talking about suicide in such circumstances proves how abstract the discussion can become in constructing a conflict of obligations. That is movingly clear in the words Allard Pieron spoke when he was ready to jump out of the life-boat to sacrifice himself for the others: "I am ready to die. I have a Saviour Who has purchased me with His blood." Whoever speaks like that, however horrible the situation might be, knows precisely what *God* asks of him and does not plunge himself into an unavoidable guilt, which a clash of *divine* obligations would bring with it.

More examples of conflict-situations which present someone with a terrible problem could be given. What must the man do who, under the pressure of sophisticated interrogation techniques, is afraid of betraying his neighbour? May he take his own life to save that of his neighbour? A Christian would shrink from this, remembering the words of Christ: "For what you are to say will be given to you in that hour" (Matthew 10:19). But however difficult a decision in this or in other borderline cases might be, the difficulty which *we* could have in taking a good decision nonetheless gives us no right to assume that *God* is presenting us with a conflict of obligations.

## CAREFULNESS

The examples just given are not to be found in everyday life. It is seldom the case that a pregnancy with complications necessitates a choice between the life of the mother and the child (the medical indication for abortion). War-time situations with people in hiding, a shipwreck with survivors and confrontation with torture fortunately have no relevant meaning in the lives of millions of people.

Nonetheless, the conflict is often close to home. The *mendacium officiosum*, for example, not only becomes relevant in war-time, but can also become relevant at the bed of a sick person who is dying, but who is not (yet) capable of grasping the truth. What should we say then? Unique situations can also arise here. Many handbooks record the case of a seriously ill mother who asks about her (dying) child but who could die herself upon hearing the truth (the child has died). Should we then agree with Fichte in saying: "If the woman dies on account of the truth, let her die"?<sup>36</sup> Or is W.H. Velema correct in saying that God's purpose cannot be to destroy another by speaking the truth?<sup>37</sup> I choose for the latter.

But there are also other less uncommon situations, in which it is easy to keep an incurably ill patient ignorant of the truth through cowardice or for the sake of convenience. To that, J.J. Buskes says: "Is the degree to which a man can bear the truth about his being sick the measure by which we decide what we may and must say to that man? In normal life, if we still care a bit about each other, we must also again and again tell each other something we cannot bear . . . . Dying is such a radical event, that it is a self-evident demand of humanity that we, knowing one of our number to be dying, must not rob him of the opportunity to prepare himself for death by misleading him."<sup>38</sup> Buskes too recognizes that there is no rule without an exception, but what he says here is of great importance as a rule. The truth, even when it is painful, is of supreme importance for ourselves and our neighbour.

Here too we must pray for clear insight and discernment. And that in

<sup>36</sup> In B.M. Lee, *op. cit.*, 148.

<sup>37</sup> W.H. Velema, *Leer ermee te leven*, Kampen 1973, 69.

<sup>38</sup> J.J. Buskes, *Waarheid en leugen aan het ziekbed*<sup>3</sup>, Baarn 1964, 127, mentioned in B.M. Lee, *op. cit.*, 150.

order to handle the truth carefully. That is an art for which the leading of God's Spirit is necessary. We must *grow* in the truth.

Dietrich Bonhoeffer offers a nice example for that last remark. A child is asked by his teacher whether or not it is true that his father often comes home drunk. It is true but the child denies it. The teacher's questions bring the child into a situation that the child is not able to cope with. Had the child been older and more mature, then he could have answered: "May I speak with you alone about this during break?"<sup>39</sup>

<sup>39</sup> Lee, *op. cit.*, 151.