

Legal based ethical dilemma course work

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Legal –Based Ethical Dilemma

Whenever a person is faced with an ethical dilemma, the solution is to weigh the different options and their impacts and settle for the best. According to experts, ethical dilemmas in the work places are bound to happen at any given time (Robinson, 2003). However, the biggest problem is that, in most cases, the decisions that are taken are not always the best for all persons. In some cases, criminals have been left to go scot-free even after killing people in cold blood. Although these are cases that are witnessed in real life, there are no exceptions in some films such as A Time to kill by John Grisham.

Today, there are so many websites that contain fake doctor notes and many people are more than willing to use them to explain why they did not report to work or in school. Prior to engaging in any stupid dealing that may lead to a patient or a doctor to a problem, one should put into consideration the pros and cons. In this essay, the focus will be on describing the ethical dilemma from the perspective of two main characters in the film and its solution. The focus will then shift on the major ethical system that best describes how the dilemma was resolved. Finally, the article would determine whether the system that was used was effective and a prediction of the outcome if a different ethical system were used to address the dilemma.

Tonya Hailey, a ten-year-old girl, daughter to Carl Lee Hailey is brutally attacked by Billy Ray Cobb and James Louis ‘ Pete’ Willard. Soon after the attacks, Tonya is rushed to a health centre; the two racists move to a roadside bar where they are found bragging about their evil deeds. Tonya’s father, Carl Lee Hailey recalls of a similar incident in the previous year where a black girl was brutally raped by four white racists and the court acquitted

them. In this particular case, he is not ready for a repeat of the same. While officer Dwayne Powell Looney is taking the two evil men towards a courtroom, Carl comes raging with anger and kills the two for defiling Tonya. He then flees away, after which officer Ozzie Walls arrest him at his home and he is put on trial. However, although the black American leaders plead with him to engage some high-powered lawyers to represent him in court, it lands on deaf ears after he decides to take his friend Jake Tyler Brigance as his defense attorney.

During the trial, the presiding judge is Omar Noose, a white, and the attorney in-charge of prosecution is Rufus Buckley. The prosecution attorney is so much determined to win the case in the offing because he knows very well that winning a murder case would mean a direct promotion to a higher position. Jake on his side has three attorneys helping him who are Ellen Roark, a law student, a professor of law Lucien Wilbanks, and his colleague attorney Harry Rex Vonner. Ellen is said to have some experience with murder cases, and that is what Rufus will be trying to prove. When the case commences, the judge denies Carl Hailey a bail; and he goes ahead to turn down the request by Jakes of changing the venue. At this point and time, Carl has also lost his job. A brother to Billy Ray Cobb wants to take vengeance on Carl for killing his brother. In the meantime, Carl's wife comes with some bad news that owing to the defilement, their daughter's reproductive organs were badly damaged to an extent that she could not give birth when she is an adult. A member of the KKK is caught while attempting to bomb Jakes. However, Jakes escapes unhurt and he continues to prepare defense for his client amidst tension.

The two characters who can be used to describe the ethical dilemma in the offering are Tonya and the doctor who is attending her. When Tonya is taken to hospital for treatment shortly after the two racists rape her, the doctor expresses his disappointment that it was not possible for her to give birth in future. In this particular case, the most terrifying thing is not even the defilement, but the long run impacts that Tonya will have to live with for the rest of her life. Despite the doctors using all means to save her from the embarrassment in the society, it was impossible to reverse the already caused damage to Tonya. Owing to this defilement, her dad was so devastated that he decided to kill the two rapists. This brought a double tragedy to the already troubled family because the father is jailed and her daughter does not heal. Aware of her misfortune, Tonya does not see the need to live and she threatens to kill herself if something is not done to rectify her ordeal. The medical team does not know whether to assist her to end her life or to refer her to a counseling team to convince her that it was not the end of life.

In order to solve the ethical dilemma as presented in the film, the teleological approach was applied. This ethical system approach ensures that the judgment of actions is based on the results. In this particular case, the doctors had to use all means of convincing Tonya that there was a whole life ahead of her, and committing suicide would only worsen the situation. The ethical system that was used to resolve this predicament was effective because it intended to save the life of the patient and not to bring more misery to the already troubled family. In the same vein, it saved the medical team from the risk of being jailed or losing their job altogether. If egoism

ethical system were used to resolve this predicament, things would have been different. This particular ethical system judges actions basing on the interest of one party. Putting this into consideration, there is likelihood that the patient's request of ending her life would have been given a priority (Robinson, 2003).

In this particular case, a legal ethical dilemma is also witnessed when Tonya's father kills the two racists in cold blood. It is revealed that four men had been previously acquitted for lack of evidence. This happened despite the fact that the victim had been defiled. In order to prevent this from happening again, Carl Hailey took law into his own hands and shot the two men before they had faced justice. Following their evil deeds, Tonya's life took a different direction. She would be forced by circumstances to live with that scar for the rest of her life. In this case, the presiding judge is faced with a legal ethical dilemma in several ways. Firstly, the two rapists had been killed, leaving no one to face their charges. In such an occurrence, it would be difficult to determine who would compensate Tonya for the damages meted on her. Would the judge decide whether the state would be the one to compensate Tonya, or he would leave it at that? The presiding judge would also find it difficult to determine the fate of Tonya's father owing to the damages meted on his daughter. He killed the two out of anger and this was sparked by the court, following the acquittal of four criminals previously. In the same vein, it would be difficult for the jury to determine the ideal value that would be equivalent to the damages meted on Tonya. Additionally, it would have been better if Billy's brother was arrested for attempting to avenge his death. It is questionable why Carl Hailey was

arrested for avenging the defilement of her daughter and Billy's brother was not arrested to face similar or lesser charges. At one time, Jakes escapes narrowly when unknown assailant wants to bomb him. This is a clear indication that someone was out to interfere with the court proceedings. There is a possibility that Billy's brother was behind the bombing and the court does nothing about it.

It is evident that doctors and patients are faced with legal and ethical dilemma and they have over time become very common. In most cases, doctors find themselves in a tight corner whenever patients are demanding to end their lives to flee from pain. Despite these demands by patients, doctors are supposed to remain firm and help them to reconsider their decisions. In some cases, nurses and doctors are forced to vote on what method to use to solve a particular predicament. In the film 'A time to kill', Tonya is defiled and she is more than willing to end her life after it is revealed that she cannot give birth. Similarly, the presiding judge is found between a rock and a hard surface on the ideal value that would commensurate with the defilement meted on Tonya. Additionally, it is difficult to tell who would compensate Tonya, considering the fact that the two rapists had been killed in cold blood.

References:

Robinson, D. A. (2003). A legal and ethical handbook for ending discrimination in the workplace. Paulist Press