



# Judicial Ethics and Moral Responsibility in *The Children Act* by Ian McEwan

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## Abstract

*Ian McEwan's The Children Act explores the idea of judicial ethics and moral responsibility through the character of Fiona Maye, a High Court judge in the family division. The novel illustrates how judges must make difficult decisions that profoundly affect human lives. Fiona handles a case involving Adam Henry, a seventeen-year-old boy Jehovah's Witness and who refuses a life saving blood transfusion because of his religious beliefs. This case creates a conflict between law, religion, and personal freedom. The novel conveys that following the law is not always enough to ensure justice. Fiona's decision is legally correct, but it has emotional and moral consequences. McEwan shows that judges carry moral responsibility even after giving a judgment. The story also highlights the importance of empathy and human understanding in legal decisions. Fiona's personal loneliness reflects her emotional distance in her profession. Through this, McEwan advice that justice requires both legal knowledge and moral awareness. This study argues that The Children Act presents a complex vision of justice in which judicial ethics and moral responsibility are deeply interconnected. McEwan indicates that true justice cannot emerge through legal authority alone. but requires ethical sensitivity, emotional awareness, and an acceptance of the enduring moral consequences of judicial decisions.*

**Keywords:** judicial ethics, moral responsibility, law and morality, legal decision making, empathy

Ian McEwan is one of the most significant contemporary British novelists, widely known for his engagement with ethical dilemmas and moral conflicts in modern society. His novel *The Children Act* (2014) is a powerful exploration of the relationship between law, morality, and human responsibility. Set within the framework of the English legal system, the novel focuses on the ethical challenges faced by judges when legal rules intersect with profoundly personal and emotional human situations.

The narrative centers on Fiona Maye, a High Court judge in the Family Division, whose professional life demands strict objectivity and emotional restraint. Through Fiona's involvement in a sensitive legal case concerning Adam Henry, a seventeen-year-old boy who refuses a life-saving blood transfusion on religious grounds, McEwan raises crucial questions about judicial ethics, and moral responsibility. The case highlights the tension between legal duty, individual autonomy, religious belief, and the welfare of the child.



*The Children Act* goes beyond a legal drama to examine the moral burden carried by those who exercise judicial power. McEwan suggests that legal judgments are not merely technical decisions but moral acts with lasting consequences. Moreover the novel explores the limits of judicial detachment and emphasizes the need for empathy and ethical awareness in pursuing justice. This study examines how the novel presents judicial ethics as deeply connected to moral responsibility, arguing that true justice requires both adherence to the law and a sensitive understanding of human experience.

Judicial ethics means that a judge should be fair, honest, and unbiased. Fiona follows the law carefully. She makes decisions according to legal principles, without letting personal feelings interfere. In the Story, she handles a problematic case of Adam Henry, a boy who refuses life-saving treatment for religious reasons. Fiona must protect Adam while respecting the law. Her actions demonstrate the importance of ethical standards in judicial decision-making. McEwan highlights that judges are responsible for the effects of their decisions on people's lives. Fiona saves Adam's life through her judgment, but she cannot fully control how it affects him emotionally. The novel reveals that judges cannot separate legal duties from moral responsibility. Every decision has consequences, and judges must be aware of them.

One of the main ideas of *The Children Act* is the moral responsibility of judges beyond the courtroom. Fiona's decisions save Adam's life, yet the emotional consequences of her judgment reveal the limitations of a purely legal approach. The novelists show that judges cannot ignore the human impact of their own decisions. Moral responsibility involves considering how legal actions affect the lives of individuals, especially those who are vulnerable or unable to make decisions for themselves.

Fiona's judgment in Adam's case highlights the tension between law and morality. Legally, she has acted correctly, protecting a child from harm. Morally, however, she becomes aware that Adam's experience may carry long-term emotional consequences. The text portrays this awareness as a

key aspect of moral responsibility. Judges must act with ethical responsibility in their decision-making. McEwan says that moral responsibility continues even after the legal process is complete. Fiona reflects on her decisions and feels the weight of their impact on Adam, his family, and herself. This ongoing moral accountability distinguishes ethical judgment from mere legal compliance. It shows that law and morality are intertwined, and that justice is incomplete without consideration of ethical consequences.

Fiona is a professional who stays emotionally distant in her work. However, her personal life, including her lonely marriage, influences her ability to understand others' feelings. McEwan portrays that empathy is a key part of ethical judgment. Without it, even correct legal decisions can cause emotional harm. Judges must balance professional duty with understanding human emotions.

The novel asks whether strictly following the law is enough to achieve justice. Fiona's decision is legally correct, but it raises moral questions. McEwan emphasizes that compassion is as important as the law. True justice happens when judges consider both legal rules and human feelings. Children and other vulnerable individuals are at the moral center of *The Children Act*. McEwan showcase that judges have a duty to defend those who cannot defend themselves. Fiona's decision-making process in Adam's case shows that judges must consider the broader impact of their rulings. They are responsible for the welfare of children, patients, and families whose lives are profoundly affected by legal decisions.

Fiona Maye serves as a moral agent in the novel. Her actions illustrate the complex interplay between law, ethics, and human responsibility. She makes decisions that are legally correct but also morally reflective. McEwan portrays her as someone conscious of the consequences of her judgments, showing that ethical decision-making involves ongoing reflection. Fiona's character demonstrates that judicial ethics is not static; it is a continuous practice that requires awareness, sensitivity, and moral courage.



In *The Children Act*, McEwan exhibits that judicial ethics is mere adherence to the law. Judges like Fiona must also act with empathy, moral awareness, and understanding. The Story teaches that legal decisions affect real human lives. True justice requires a balance of law, morality, and compassion.

Additionally, the novel highlights the importance of emotional intelligence for legal professionals. Fiona's ability to empathize with Adam and his family allows her to make more responsible decisions. McEwan suggests that legal education and judicial training should include attention to moral reasoning, ethical reflection, and empathy. Judges are not merely administrators of law; they are moral actors whose decisions shape the lives of others.

Fiona Maye's story teaches that judges must also think about the human impact of their decisions. She follows the law carefully, but she also uses empathy, understanding, and compassion. The book examines

that true justice happens when law and human feelings work together. Judges must balance their legal duty with care for the people involved. Decisions in court can change lives, so moral responsibility continues even after the judgment. McEwan reminds that justice is most substantial when law, ethics, and humanity come together.

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