

## Part 1

### Theoretical Underpinnings of Ethics

\*\*\*\*\*

## Part 2

### Moral Reasoning & Professional Ethics

Stephen Cohen  
School of History & Philosophy  
s.cohen@unsw.edu.au

**Late last night, when you were parking your car, you happened to bump into a car in front of you. You noticed that you had dented the bumper on that car.**

There is an ethical dimension to your thought process here.

If you ignore the ethical dimension, what – in general terms – are you ignoring? Can you generalise this, so that you can identify what it is that makes an ethical consideration an ethical consideration?

Don't use any of these words:

'right', 'ethical', 'moral', 'ought', 'good', 'should'

**A (maybe the) hallmark of ethical thinking**

*recognition that there are appropriate interests other than your own, that should act as constraints on unbridled pursuit of self-interest*

**List the four or five most important ethical characteristics possessed by someone you greatly admire.**

# Amazing Coincidence

Dispelling the significance of *relativism*

Honesty

Integrity

Fairness

Compassion (caring)

Openness

Exercise concerning bumping your car into someone else's.

\*\*\*\*\*

Thinking here is focussed on answering the question,

What should I do?

Exercise concerning identification of important moral characteristics.

\*\*\*\*\*

Thinking here is focussed on answering the question,

What kind of person should I be?

## Descriptive Ethics

Investigates what people do, and what they think are the right things to do.

“As a matter of fact, this is what they *do* think.”

---

## Prescriptive Ethics

Reaches a view about what *ought* to be done, and how people *should* behave.

## Descriptive Ethics

Describes  
behaviour

= anthropology,  
sociology

## Prescriptive Ethics

Normative Ethics  
(principles)



Normative Issues



Casuistry, Moralising

What makes moral reasoning so difficult?

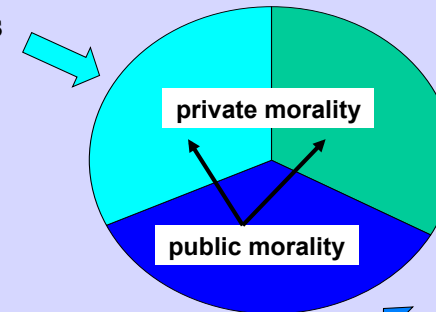
## Moral = Ethical

vs.

- prudential
- political
- preference
- artistic
- ...
- ...

## Ethics

Rules



Consequences,  
Outcomes

e.g.,

- professional code,
- law,
- loyalty to employer,
- confidentiality,
- requirements of one's  
role in an organisation

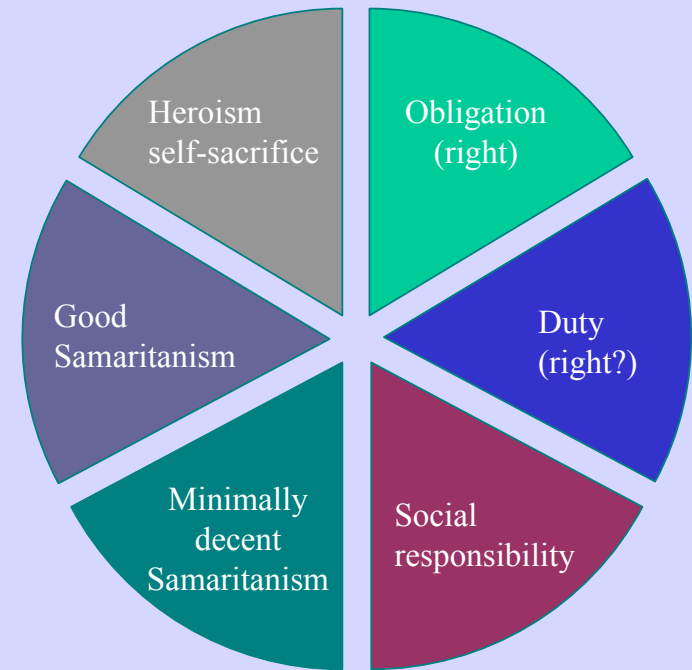
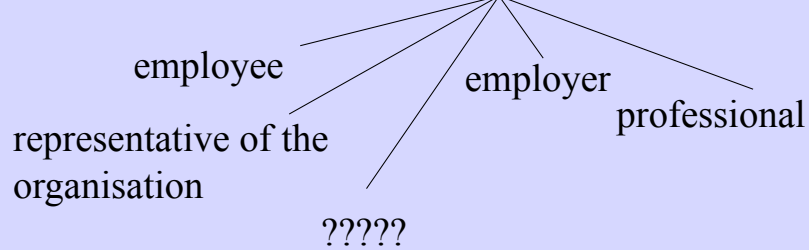
More?  
What else?

# Ethics in public and private life

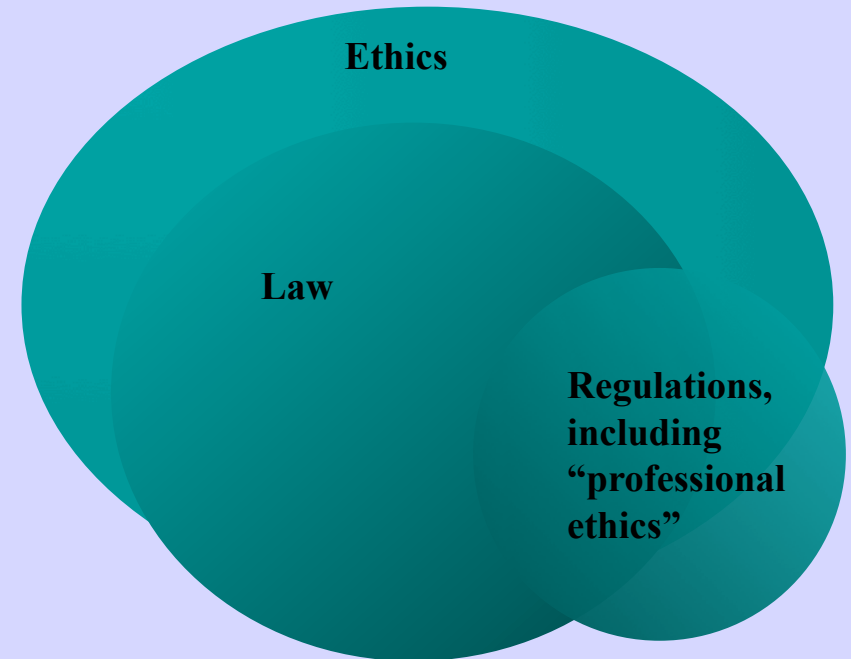
## Public & Private Morality

Individual

In a Role



**At work, you don't  
leave your private,  
personal values at the  
door!**



# Who's to judge?

The answer to this question is always the same:

You, as an individual.

## Ford Pinto

Compete with sub-compacts

“2000, 2000”

no more than \$2000

no more than 2000 pounds

Get it ready in no more than 25 months – rather than the standard 43 months

Product objectives: size, weight, price, fuel consumption, reliability, appearance, comfort, features, ride and handling

“Safety doesn't sell”

Lee Iacocca, President, Ford Motor Company

“this company is run by salesmen, not engineers; so the priority is styling, not safety” (Ford engineer – anonymous)

“safety = acceptable risk”



*“Every crash test made at over 25mph resulted in a ruptured fuel tank.”*

“Safety is not one of the objectives and is not even mentioned in the “green book”.



*“That's all true (the fact that the car tends to explode in minor accidents). But you miss the point entirely. You see, safety isn't the issue, trunk space is. You have no idea how stiff the competition is over trunk space. Do you realise that if we put a Capri-type tank in the Pinto you could only get one set of golf clubs in the trunk?”*



Benefits of making the change:

Savings: 180 burn deaths, 180 serious burn injuries, 2100 burned vehicles

180 burn deaths @ \$200,000  
180 serious burn injuries @ \$67,000  
2100 burned vehicles @ \$700

180 x (\$200,000)  
+ 180 x (\$67,000)  
+ 2100 x (\$700)  
= \$49.53 million benefit

Costs of making the change:

Sales: 11 million cars, 1.5 million light trucks @ \$11 per vehicle

Total cost: 11,000,000 x (\$11)  
+ 1,500,000 x (\$11)  
= \$137.5 million cost

## Ethical judgment

*responsibility & responsible behaviour*

**Rules**

*accountability*

**Regulations**

*accountability*

## Whistleblowing

### ➤ Internal

- Reporting through channels
- Doing an end run

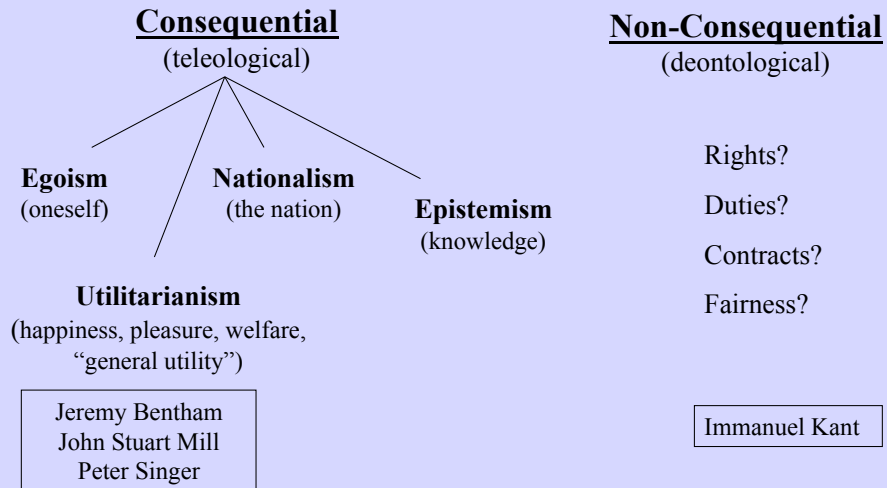
### ➤ External

- Going outside the organisation
  - regulator or other authorities
  - public

Challenger Space Shuttle: Jan.28, 1986



# Normative Ethical Theories



## Immanuel Kant (1785)

The only thing that is good without qualification is a good will – i.e., a will which wills will (does a good job willing). The good lies in the willing, not in the particular thing which was willed.

This has to be the basis of morality. Any other proposed criteria are either inappropriate or inadequate.

“duty” – not “inclination” or “achievement of some particular result” – is the central notion of morality.

This is the only thing which makes sense:

Otherwise, rightness and wrongness are matters of fortuitousness (luck) or simply a person’s natural characteristics (like height, weight, and, perhaps, sense of humour), rather than necessary characteristics, and behaviour that we can exercise control over. And that is simply not how we think about morality.



Autonomy is what’s important.  
Autonomous choice.  
Autonomous decision-making.  
Autonomous willing.

Willing well is a matter of consistency and universalisability:

The test –

Could what you are willing become a universal law?  
That is, “what would things be like if everyone did it?”

It’s not a matter of whether or not you would *like* it; but whether it could even be possible for there to be such a world.

- Duty as the basic moral feature
- Good will
  - ✓ Not in terms of effects
- Avoidance of hypocrisy
- Good will → duty
- Not character

## John Stuart Mill (1861)

When we engage in any action, we first have some idea of what we're trying to accomplish. A reasonable gauge, then, of rightness and wrongness would seem to be whether the means we've chosen to get there actually do the job.

In the most general sense, what we're out to achieve is happiness. There is no in principle reason why our own happiness is preferable to anyone else's.

Therefore –

“actions are right in proportion as they tend to promote happiness; wrong as they tend to produce the reverse of happiness. By happiness is intended pleasure and the absence of pain; by unhappiness, pain and the privation of pleasure.”

Nothing else makes any sense.

- Basis of morality
  - ✓ anti-Kant
- consequences are what matters
- Utilitarian principle

## W.D. ROSS (1930)

### *Prima facie* duties

1. duties resting on one's own previous acts
  - fidelity – resting on a promise
  - reparation – resting on a previous wrongful act
2. duties resting on others' previous acts
  - gratitude
3. duties resting on the possible inappropriate distribution of pleasure or happiness

4. duties resting on the possibility of our being able to improve people's conditions with respect to virtue or intelligence or pleasure
  - beneficence
6. duties resting on the possibility of our being able to improve our own condition with respect to virtue or intelligence
  - self-improvement
7. duties resting on the recognition that there is a distinction between helping and not harming
  - non-maleficence – more stringent than duty of beneficence

# Contractarianism

E.g.,

– Thomas Hobbes (1651)

without society, there is “continual fear and danger of violent death; and the life of man [is] solitary, poor, nasty, brutish, and short”

*Leviathan*, Chapter 13

– John Rawls (1971)

# Virtue Ethics

Human Excellence

Virtuousness – exhibiting the virtues

honesty

trustworthiness

courage

•  
•  
•

aretē

Plato

Aristotle

**Plato** (*circa* 380 BC)

Virtues: those things that enable humans to function well as humans.

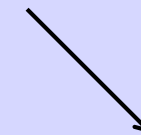
Function of a knife is to cut. A sharp edge allows it to perform this function well. So, a sharp edge is the virtue of a knife.

What are particularly human functions?

virtues are – courage, wisdom, temperance, justice

**Plato**

State (large, general)



Individual (small)

- Virtue as internal – not interpersonal
- Good person

## **Aristotle** (*circa* 330 BC)

Question: “What’s **IT** all about, anyway?”

Answer: Happiness

What does happiness amount to, and how do we get to it – what are the characteristics we should develop in ourselves so as to arrive at happiness?

Whatever these characteristics are, they are therefore “human virtues”. Consider the types of things that humans do, and where they (we) find happiness; and then consider what is involved in doing them well or badly: these will be the corresponding virtues and vices.

Moral virtues – concerned with “doing things”

Intellectual virtues – concerned with “thinking”

- Happiness – end of the chain of “why?”
- Character
  
- Degree of precision

“Our discussion will be adequate if it has as much clearness as the subject-matter admits of... [I]t is the mark of an educated man to look for precision in each class of things just so far as the nature of the subject admits. It is . . . equally foolish to accept probable reasoning from a mathematician and to demand from a rhetorician scientific proofs.”

*Nicomachean Ethics, Bk. I, Chap. 3*

## **Relativism:**

Values are different. They are relative to, for example, cultures, times, places, individuals.

## **Pluralism:** (text p.153)

There is no one single moral theory or principle that should be accepted as preferable to others. There are different, diverse, and even mutually inconsistent ethical positions that should be recognised; and there is not necessarily any single moral principle or set of principles that everyone should accept.

## **Moral Judgments**

Principled Judgments

Justifiable

Integrity

## **Moral Behaviour**

Principled Behaviour

Justifiable

Avoidance of hypocrisy

He should not have taken the money,

**judgment**

**because** that was stealing,  
and stealing is wrong

**rationale** – reasons that involve appeal to (application of) some principle

**because** it causes great unhappiness.

**Generalisable (appeal to principle)**: 'Whatever causes great unhappiness is wrong.'

**Matters of judgment.**

**Situation is not black and white.**

**It depends on how you see it.**

Not every story, or picture, or way of seeing it is a good as any other. Why not?

**Tell a story.**

**Paint a picture.**

## What is it to engage in moral reasoning?

**Top-down** – principles are paramount and non-negotiable. They drive the reasoning and generate moral judgments.

**Bottom-bottom** – actual moral judgments are paramount and all that matters.

**Bottom-up** – actual moral judgments are paramount. They drive the reasoning and generate principles.

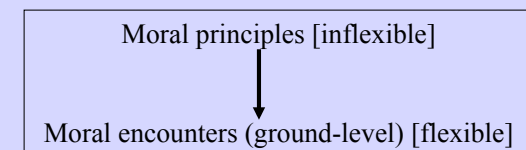
**Reflective equilibrium** – neither principles nor actual judgments are paramount. Both are negotiable. There is significant interplay, negotiation, and massaging between them

consistency – the centrepiece

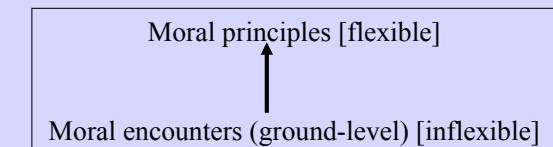
imaginative acquaintance – a tool for enabling fruitful consideration of a moral position

## Moral Reasoning

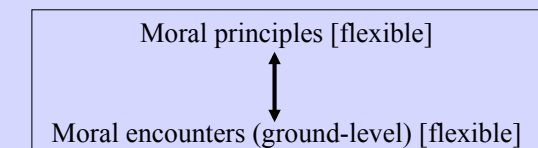
**Top-down**



**Bottom-up**



**Reflective equilibrium**



## Reflective Equilibrium

Moral Principles



Ground-level, intuitive judgments

## Re: “reflective equilibrium”

**Consistency** (or harmony) – the centrepiece

“**imaginative acquaintance**” – a tool for enabling fruitful consideration of a moral position

“**narrative imagination**” – imagine ourselves in someone else’s shoes, and their social world: their story. (Be an “imaginative humanist”.)

**Matters of judgment.**

**Situation is not black and white.**

**It depends on how you see it.**

**Tell a story.**

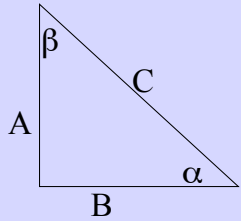
**Paint a picture.**

Not every story,  
or picture, or  
way of seeing it  
is a good as any  
other. Why not?

## Problems and Dilemmas

## Problems

$$2 + 2 = ???$$



Triangle ABC is a right triangle. Side A is 3.27 metres long. Angle  $\alpha$  is 25 degrees. How long are sides B and C? How big is angle  $\beta$ ?

The class is scheduled to begin right now, but the door to the classroom is locked and none of us has the key. What can we do?

Someone is having serious trouble at the side of the road. Would it be a good thing if you did something to assist them?

It would be easier to complete your essay by simply cutting and pasting from a number of website articles and representing the work to be your own. Is it ok to do this?

## Dilemmas

We could either retrench six of our employees, or else ask all twenty of the staff to take a pay cut. What should we do?

You happened to hear someone reveal some confidential and sensitive information to someone else, just as you were walking by the office. Is it morally permissible for you to make use of this information?

Exception which proves the rule

Counterexample

Anomaly

NOT

“Is it true that this is a counterexample?”

RATHER,

“Should we regard this as a counterexample?”

## Informed Reasoning

Not simply

- Reactions
- Gut feelings
- Situation ethics

## Rather,

- Systematic
- Justifiable
- Principled

## Moral Judgments

Principled Judgments

Justifiable

Integrity

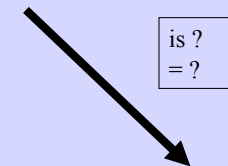
## Moral Behaviour

Principled Behaviour

Justifiable

Avoidance of hypocrisy

Moral behaviour



“principled behaviour”

- What are the principles?
- How do you get your behaviour to be “in line with” your principles?
- Avoidance of hypocrisy.

## Hypocrisy

a “practical” inconsistency between what a person believes about themselves, and how that person actually behaves

## Business or Profession

### Profession

- member of a profession
- specialised body of knowledge
- credentialing body
- public interest is paramount
- client’s interest
- exercise of judgment
- code of ethics
- public trust
- self-regulation (mainly)
- limited external regulation

### Business

- “professional”
- specialised body of knowledge (maybe)
- credentialing body (maybe)
- code of ethics (maybe)
- limited self-regulation
- external regulation (mainly)

## The Fundamental Principles of Professional Conduct (ICAA)

- The Public Interest
- Integrity
- Objectivity
- Independence
- Confidentiality
- Technical & Professional Standards
- Competence and Due Care
- Ethical Behaviour

## Requirements of (for example) –

### Engineers Australia

Formerly IEAust

The Institution of Engineers, Australia

### Association for Computing Machinery

### British Computer Society

### Australian Computer Society

### IEEE

Institute of Electrical and Electronics Engineers

Software engineering code of ethics & professional practice

### ABET

Accreditation Board for Engineering & Technology

# Professional Independence / Objectivity

Conflict of interest  $\neq$  being adversely affected by a conflict

A person's *having* a conflict of interest is not the same thing as a person's *being affected by* a conflict of interest.

You have a conflict of interest if, in the environment of offering an opinion, reaching a judgment, or making a decision, you have

- (nonmoral) personal interests or
- inappropriate business or professional interests

that conflict with the appropriate interests to be taken into account,

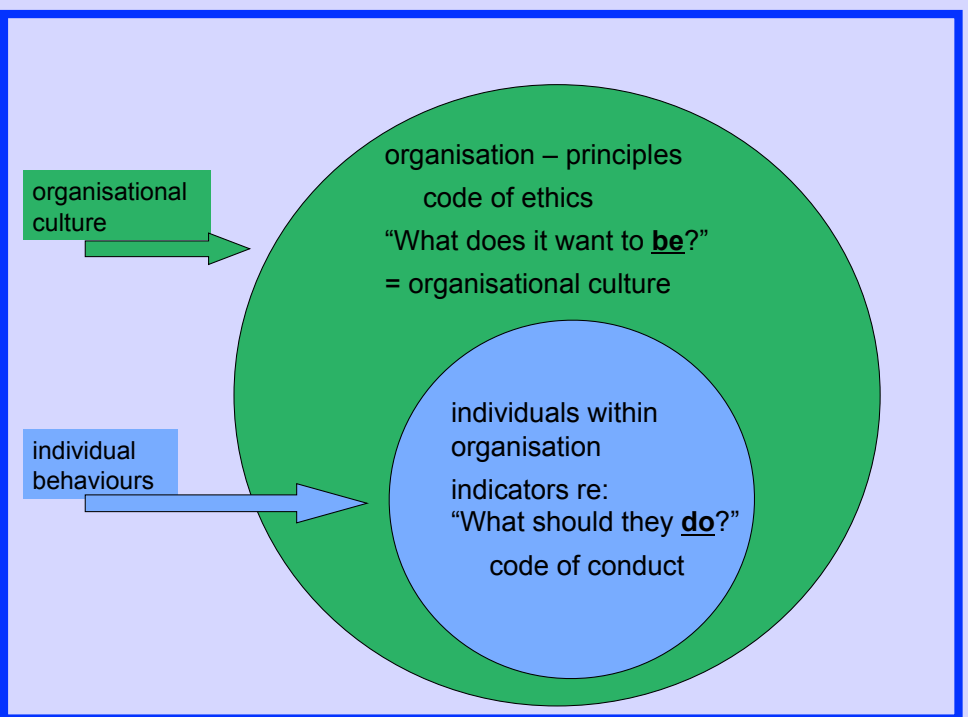
regardless of whether or not the presence of those competing interests affects your judgment.

## Accountability

- historical track
- tick the box
- reveals liability

## Responsibility

- proactive
- “take responsibility for”
- discretion
- ethical empowerment



## **Code of Ethics**

**general**

**values / principles**

**judgment**

**“empowering”**

**“aspirational”**

## **Code of Conduct**

**specific**

**prescriptions /  
directives**

**uniformity**

**enforceable statement  
of something specific**