

## Part 1

# Theoretical Underpinnings of Ethics

\*\*\*\*\*

## Part 2

# Moral Reasoning & Professional Ethics

Stephen Cohen

School of History & Philosophy

**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'

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

## Amazing Coincidence

Dispelling the significance of *relativism*

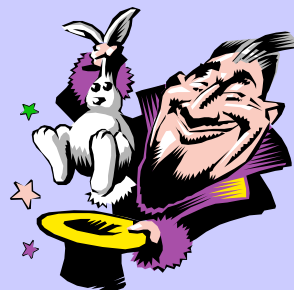
Honesty

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

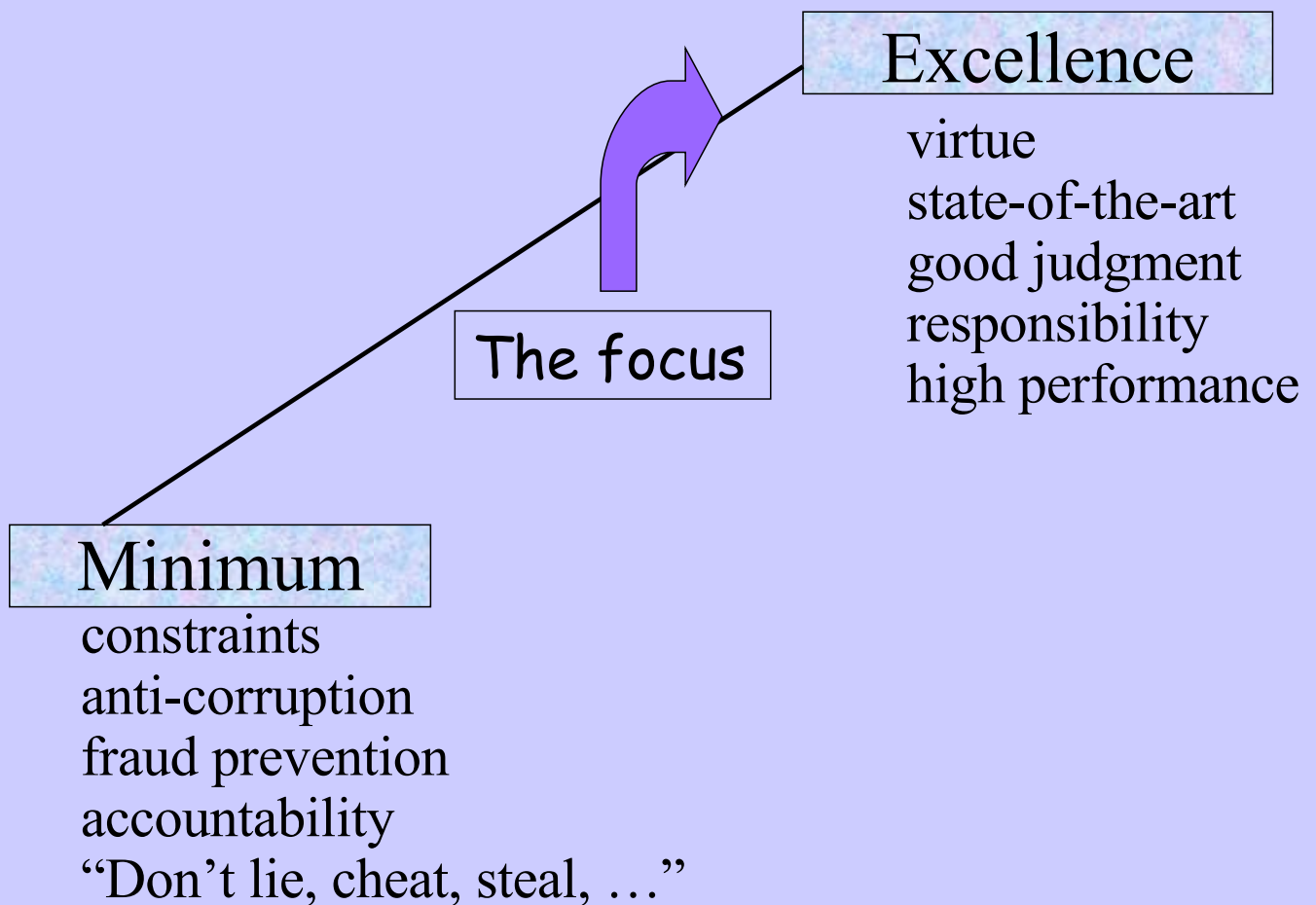
What makes moral reasoning so difficult?

Moral = Ethical

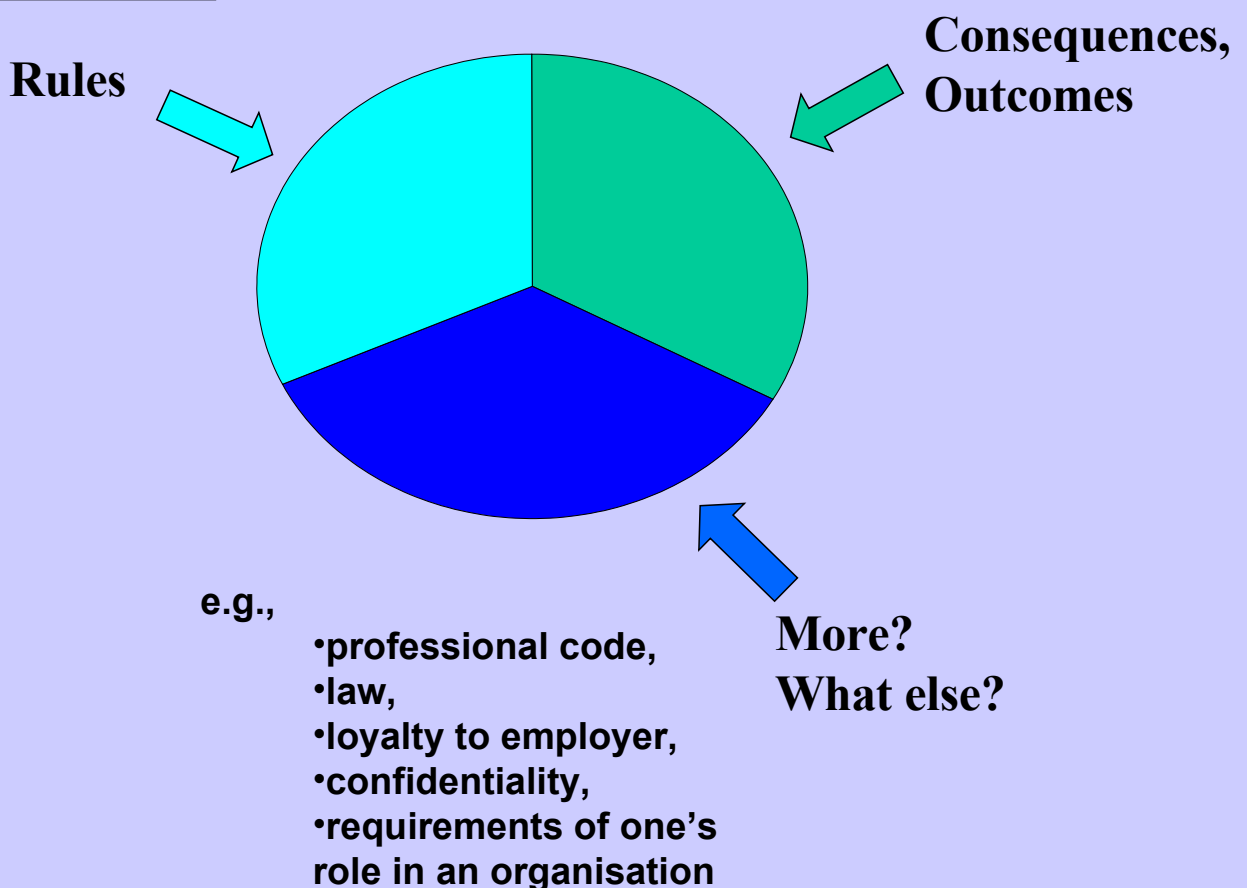
vs.

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

# Ethics / Morality



# Ethics

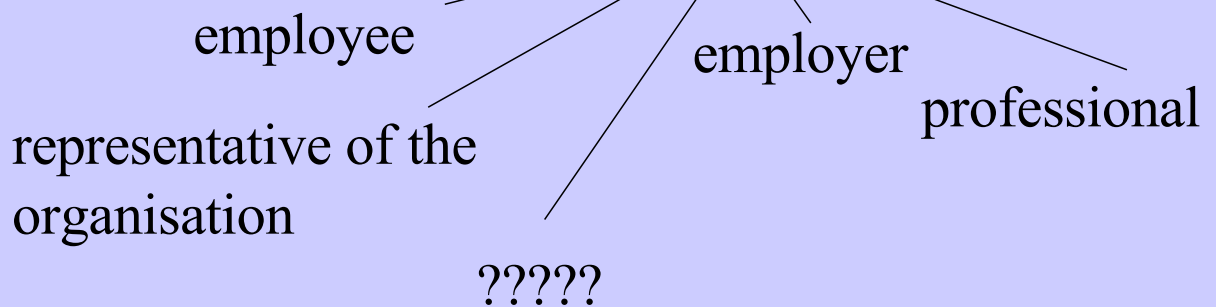


# Ethics in public and private life

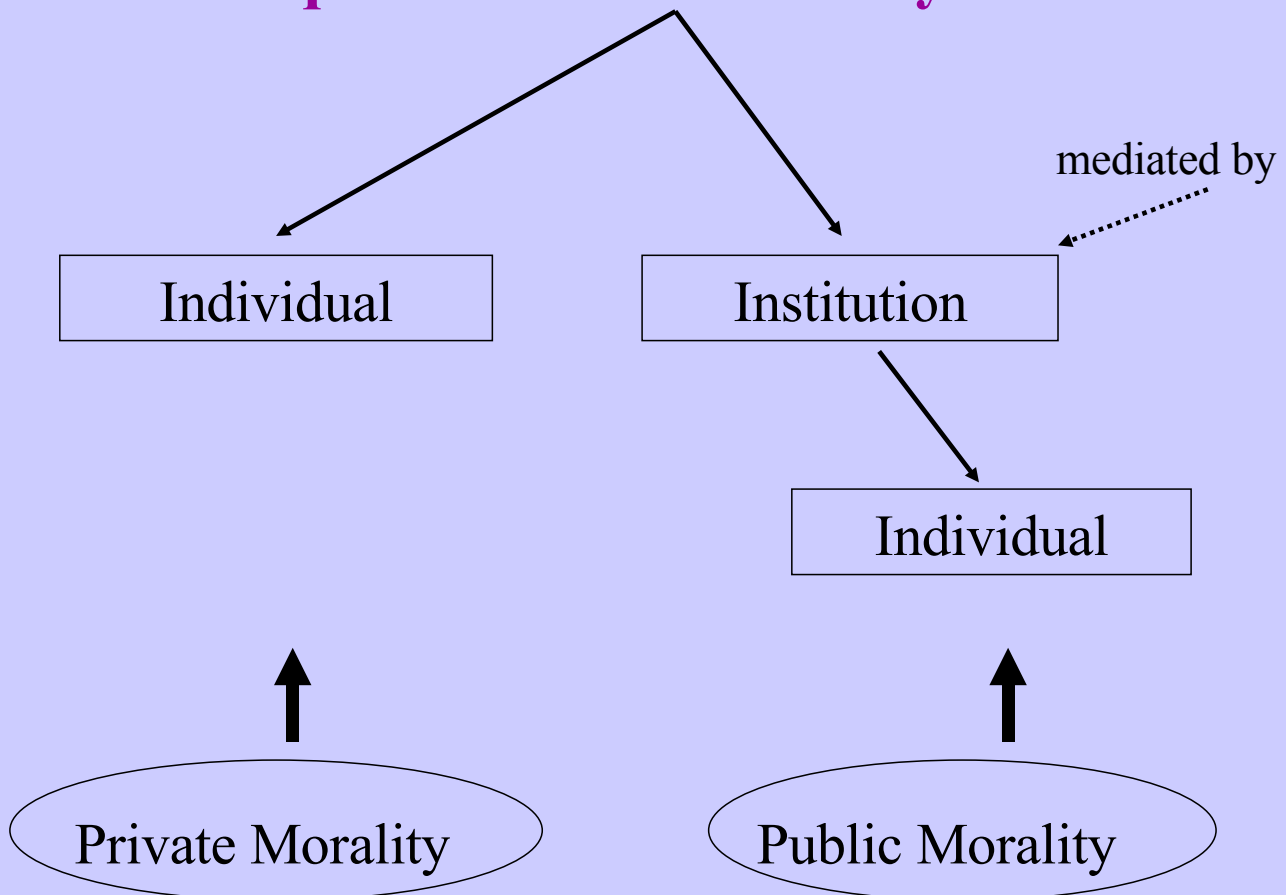
## Public & Private Morality

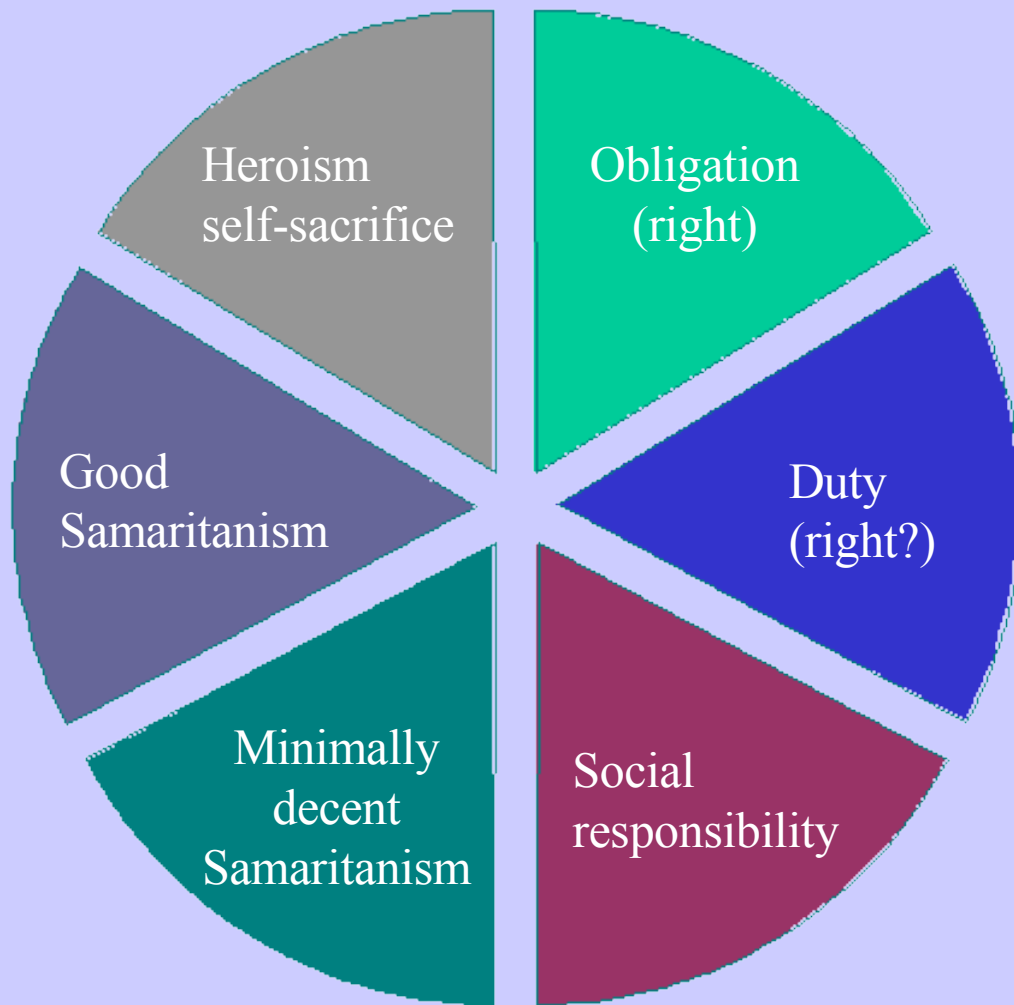
Individual

In a Role

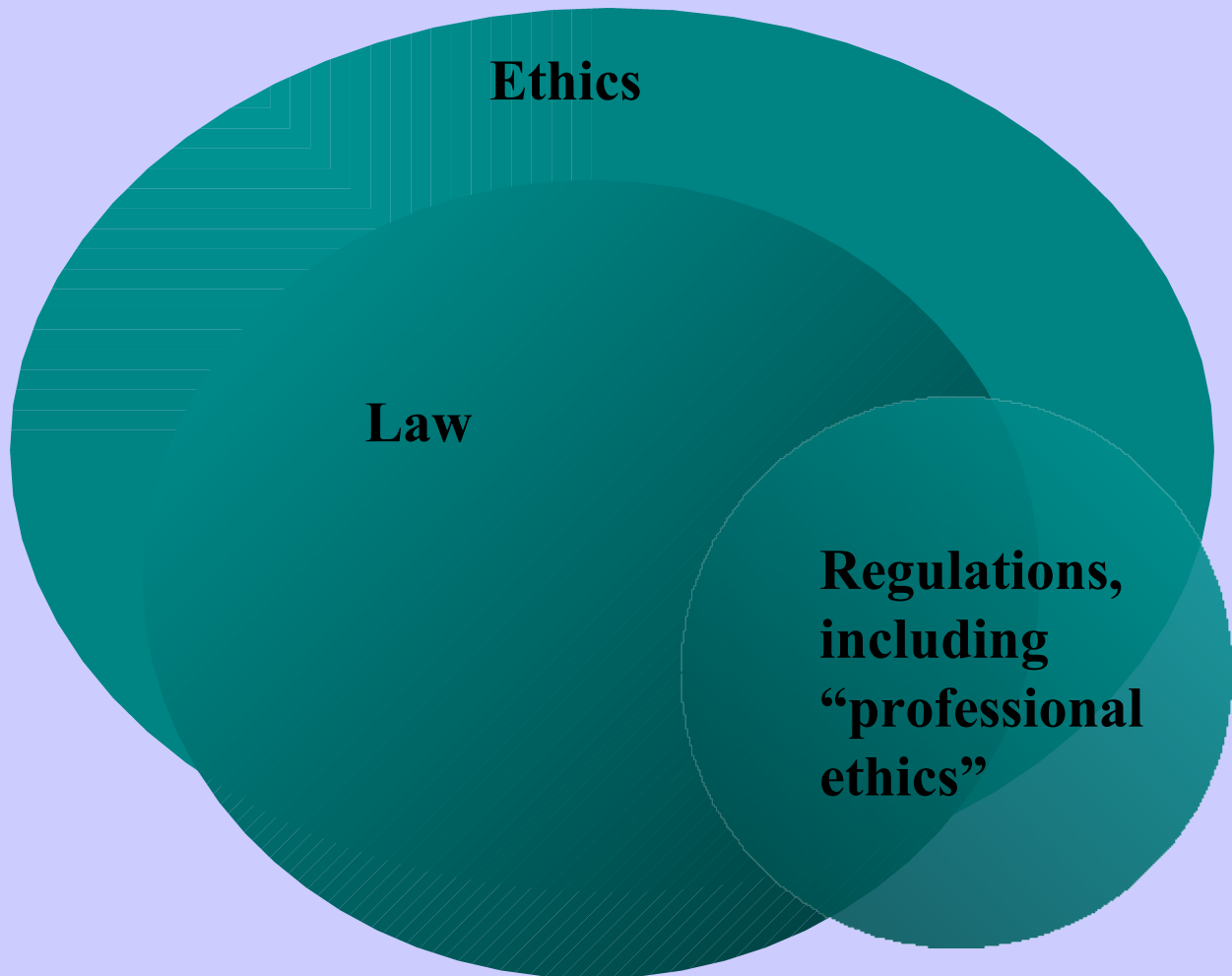


## Requirements of Morality





**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

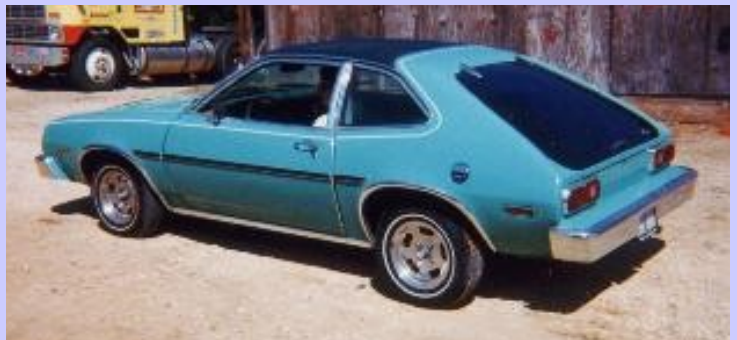
Product objectives: size, weight, price, fuel consumption, reliability, appearance, comfort, features, ride and handling

“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

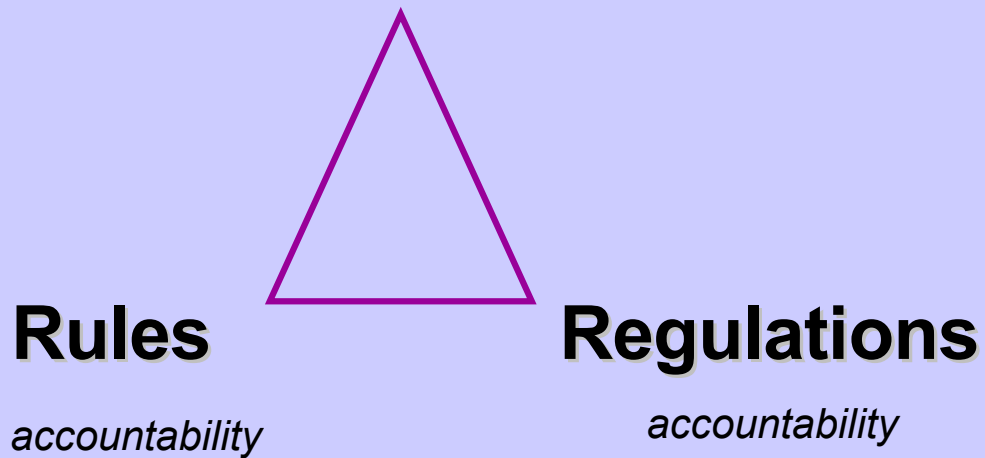
### Costs of making the change:

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*



## 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

### Consequential (teleological)

**Egoism**  
(oneself)

**Nationalism**  
(the nation)

**Epistemism**  
(knowledge)

**Utilitarianism**  
(happiness, pleasure, welfare,  
“general utility”)

Jeremy Bentham  
John Stuart Mill  
Peter Singer

### Non-Consequential (deontological)

Rights?

Duties?

Contracts?

Fairness?

Immanuel Kant

# 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.



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

1. duties resting on the possibility of our being able to improve people's conditions with respect to virtue or intelligence or pleasure
  - beneficence
2. duties resting on the possibility of our being able to improve our own condition with respect to virtue or intelligence
  - self-improvement
3. 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)
- John Rawls (1971)

## Relativism:

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

## Pluralism:

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.

## Virtue Ethics

Human Excellence

Virtuousness – exhibiting the virtues

aretē

honesty

trustworthiness

courage

•

•

•

Plato

Aristotle

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

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

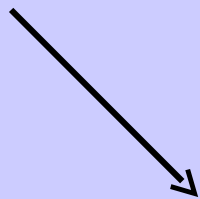
Function of a knife is to cut. A sharp edge allows it to perform this function well. So, a sharp edge is the virtue of a knife.

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

## **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:  
Whatever causes great  
unhappiness is wrong.

## 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.

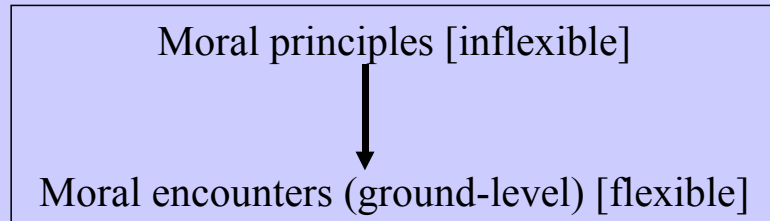
***Reflective equilibrium*** – neither principles nor actual judgments are paramount. Both are negotiable. There is significant interplay, negotiation, and massaging between them

consistency – the centrepiece

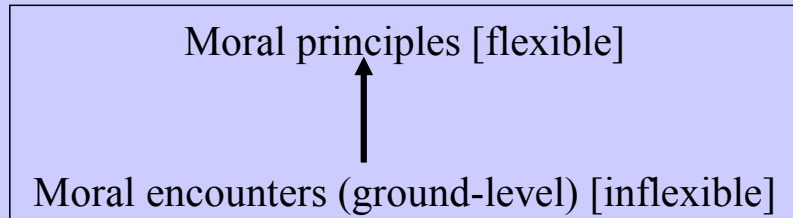
imaginative acquaintance – a tool for enabling fruitful consideration of a moral position

# Moral Reasoning

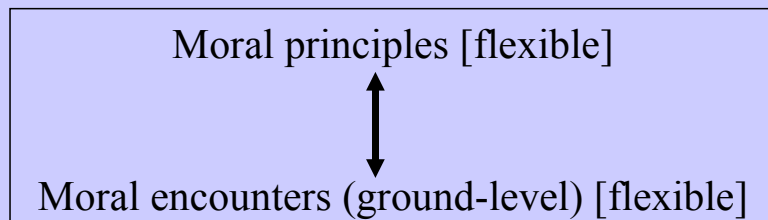
**Top-down**



**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”.)

## **Moral Judgments**

Principled Judgments

Justifiable

Integrity

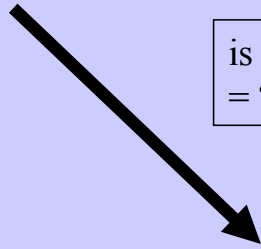
## **Moral Behaviour**

Principled Behaviour

Justifiable

Avoidance of hypocrisy

**Moral behaviour**



is ?  
= ?

**“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**

## A tale of hypocrisy

"Your business is very important to us."



"You are the 38<sup>th</sup> person on hold right now. We'll get to you in approximately 57 minutes."

**Matters of judgment.**

**Exercise discretion.**

**Situation is not black and white.**

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

**Tell a story.**

**Paint a picture.**

**Exception which proves the  
rule**

**Counterexampl  
e**

**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

- **Avoid moral negligence.**  
i.e., ask, “is there a moral dimension to the problem here?”
- **Avoid moral recklessness.**  
i.e., ask, “have I adequately addressed the moral concerns?”
- **Avoid moral blindness.**  
i.e., ask, “have I identified all the moral areas of concern, and the moral values involved?”
- **Exhibit moral competence.**  
i.e., deal with the issue, displaying an awareness of its elements and facility with ethical concepts and tools, if there are any.

## Moral Reasoning

**Moral reasoning occurs only in the  
*presence of an issue***

This issue is a *stimulus*

## What's the issue?

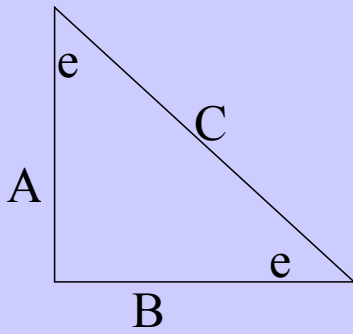
Charles is Margaret's supervisor. Margaret has been on sick leave for the last week -- Charles signed the form approving the leave for the stated reasons. On his break, Charles walks to the local Dymocks. On his way, he happens to see Margaret walking down the street, wearing a track suit and carrying a tennis racquet. She doesn't see him.

Sam is new with the organisation. He has always been self-employed. He reports to work at your offices, as a member of your team. At 9:30, while working at work for your department, a cigarette. position, he has occasion to use a departmental car for official business. A complaint has been received that he was seen loading his family groceries into the back of a vehicle with a departmental emblem on the side.

## Problems and Dilemmas

## Problems

$$2 + 2 = ???$$



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

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?

## 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    **O**    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.**

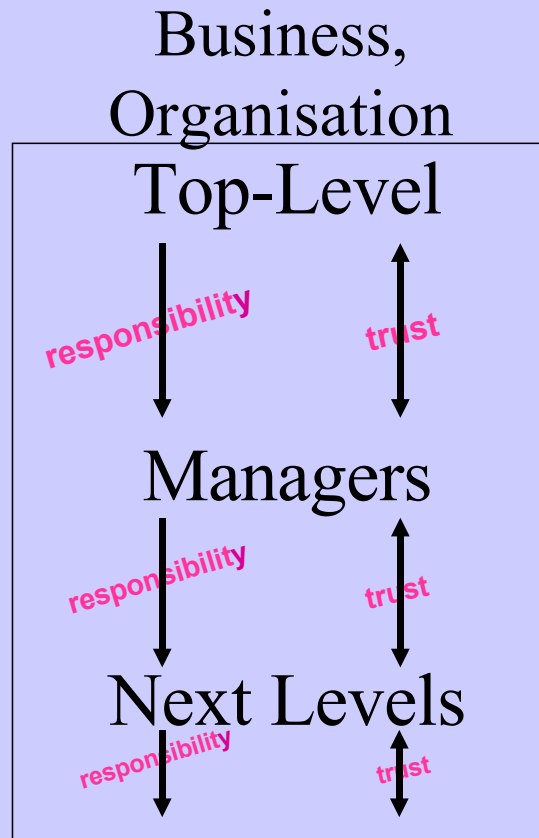
### **Accountability**

- historical track
- tick the box
- reveals liability

### **Responsibility**

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

# Ethical Empowerment / Ethical Authorisation



## Code of Ethics

general

values / principles

judgment

“empowering”

“aspirational”

## Code of Conduct

specific

prescriptions /  
directives

uniformity

enforceable statement  
of something specific

## Who's to judge?

The answer to this question is always the same:

You, as an individual.

Here's something *really* tough!

# Dirty Hands

A situation in which –

doing something that is right carries with it something for which you are responsible which is wrong (morally bad), which, itself, does not evaporate simply in virtue of the rightness of your act.

## **No Conflict**

e.g., subscribe to one principle → provides unequivocal direction

## **Conflict**

- Resolved
- Resolved, and dirty hands
  - Consequences / other-than-consequences
  - Conflicting principles
  - Public / private
  - Professional / business / private

## Expression of sympathy

"I'm sorry about what happened to you."

"I'm sorry for your loss."

## Apology

"I'm sorry."

"I'm sorry for what I did to you."

EXTRA

## Systematically -

- Get straight on what the issue is.
- Write it down.
- Listen! Do you understand the argument?, the other side's position", etc.?

- Write down the various concerns, etc. – possible ways of dealing with the issue.
- Consider them; and deal with the issue.

**Avoid “moral negligence”**

## Rules of thumb:

- Light of day test
- If the question occurs to you, “Is it ok for me to do this?”, then most likely the answer is ‘no’.

### Ford Explorer / Firestone Tyres



# Research findings from ICAC



## Key research findings

Staff are more likely to:

**Copy their superiors**

than to:

**Adhere to ethics policy**



# Key research findings

- ❖ **Statements from the CEO on stance on ethics**

Have more effect on behaviour than

- ❖ **People's own ethical goals and beliefs.**



# Leadership Means

- ❖ Identifying organisational values
- ❖ Leaders following these values themselves
- ❖ Promoting values to others
- ❖ Ensuring values reflected in all actions & decisions
- ❖ Having the courage to insist on ethical conduct



# Leadership involves

- ❖ authorising and empowering others to behave ethically

## Key research findings

- ❖ **Strong, clearly stated values =**

ethical decisions being the easiest way to go

# Overall – encouraging ethical behaviour

People are more likely to behave ethically when:

- ❖ managers behave ethically
- ❖ organisational values are clear
- ❖ ethical behaviour is rewarded
- ❖ sanctions for unethical behaviour are clear
- ❖ there is practical ethics training



## Who's to judge?

The answer to this question is always the same:

You, as an individual.