Start by just mentioning a couple of things I've had a couple of emails and asked for a bit of advice about what they might what you might have a look at if you. If you wanted to to see more about the kinds of ethical theories I've been talking about there's a good book by Lawrence human called ethics of pluralistic approach to moral theory that's really pretty good I think. I do want to just mention this that. With the speed that we're going through things and equally the speed that Laurence Hillman goes through things the idea isn't really to it it's not to give you a comprehensive understanding of the various moral theories and why people have opted for them but rather to give you a feel for it to give you an idea of what's involved in it and because of that I'm just this is just basically to tell you don't expect it but more than we're actually providing. I want also to mention something about essay writing. And that is the. Easiest way to right or not very good essay. I'm not very good essay would be you've got a problem or dilemma now that's unethical one and you're asking what should I do and what you do in your essay is say well count would say this mill would say this is Ralph would probably say it is sign your name and and quit that just won't do it mainly the idea is. To answer the question what do you think would be a good approach here and a bit. One way to write I think a reasonably good essay. Is to try to. Come up with a position that you yourself don't accept you know that this is this is and make the strongest case for that that you can and then show that that doesn't work if you can give the best run for its money to some case that you don't subscribe to that you think is not the the best thing to do and then you can show why that's wrong or why you would opt for something else that I think is it not a bad way to go about. Getting a pretty good essay. All right now there a couple of other things I want to highlight they have to do with comments that people make and I'm not going to talk at all about what rhymes with Aristotle and whether it's our stuff like I'm not gonna talk about that. 3 there were some questions or comments about. Mills view about maximizing happiness and whether that has to do with an individual. Or or not. And. On mills view the individual is not to be neglected but the individual individual doesn't count for any more than anybody else so it's just maximum happiness full stop it doesn't discount the one doing the calculating but it doesn't give that person moral weight. It's also I believe important to know about utilitarianism that you might have heard it expressed as utilitarianism is the greatest happiness for the greatest number. That's just not right you tell tarian ism is talking about the greatest happiness mill's utilitarianism is talking about the greatest happiness this is a principal about maximize Asian. It's not the principal about distribution it's not a principal about how to distribute the happiness it's a principle that's talking about maximizing happiness. Okay. Now there was another question that had to do about whether there is a cool duties to ourself to oneself the way I presented this I believe it's the way that gets you ethics stuff is usually presented is the ethics involved essentially inter personal behavior. Okay and the way I characterize this was that basically looking after yourself is a matter of prudence. However. When we were talking about Plato. And I think some other virtue ethicists ethics really is basically an internal kind of thing and that's what Plato talks about he talks about getting your own house in order. But what will happen Plato thinks and other virtue ethicists will think is once you've got your own house in order and that's really taken care of then of the core of ethics. Then interpersonal relationships will take care of themselves. That's that's his view. All right there was a question about goodwill and intention in this this arose with a discussion about called. His view that the only good thing the only thing that's good without qualification as a good will. And then that was a question or some comments about good will and intention I had said that good will is not the same thing as having a good intention we know for instance that the road to hell is paved with good intentions and that's called knows that also. An intention is that you would like something to happen. If you think about will in the sense that count is talking about will it's more like will power this person's got. Good will power that is they can make it happen what they're trying to make happen they're not thrown off course by other kinds of things and they can succeed in making it happen that's that's cons view of of up. A good will. Okay then there were a couple of of. Well there was one question is it really nice when we're going to actually deal with today someone had said what about one person dying who makes a decision about whether you kill that person you kill other people or so forth we're gonna talk a little bit about that today. And then there was a question about Thomas Hobbes. Your comment about Tom assaults. The way I'd explain Hobbs it had to do with**. Hobbs's** view is that the reason we ever get into a society the reason that we would ever want society at all is for security. You for in what he calls a state of nature none of us can trust anybody else we're all in constant fear that we're gonna be clubbed to death by the person standing next to us we can't trust agreements you know I say you put down your club all put down mine I'm hoping you go ahead and put yours down so I can get you in the head and you have no reason to believe I'll put mine down and therefore you won't put yours down and things never got any better calls his view is the only way we can. Can get around this is if there is some body or body a body the sovereign body standing next to us with a bigger club yet who says okay boys put your stuff down or I'm gonna really club you with this and now we're both secure and what's in it for the sovereign yes he's the sovereign has also subjects that's the deal okay and then the question here was what happens when the sovereign turns into Stalin well I'm not gonna talk about that today. Okay. We started talking about what makes moral reasoning so difficult and we're going to continue that sort of discussion only we're going to talk about it in the more practical and particularly the professional world rather than talking about what theories are involved we're going to talk about things. More more down to earth and more dealing with just professions but before we do that we're going to look at this. **This is a chart about moral stuff.** I'm just want to mention these location is something that arises from the special relationship. If for instance whether or not I mow your lawn has got nothing to do with ethics nothing unless I promise you that I'll do it. If I promise you that almost your lawn now I have an obligation to mow your lawn. That's what obligations are there special relationships that we get by signing or saying I do I will I promise we do something that establishes a probate special relationship. And if I have an obligation to do something for you you have a right to expect me to do it. Duties are like obligations except they don't require special relationships. For instance you probably think that we all have a duty to show each other respect. If we do have that it's not because each of us went around every other human being on earth and said I promised to show you respect I promised to show you and so and so and so on it's more like we think the kind of creature that we are in the kind of creature that other humans are we owe them a duty of respect. So it's not a special relationship in that room it's like an obligation that requires establishing it as a relationship it is a relationship because of who we are and if I have a duty to show you respect similarly you have a right to expect me to do it. What I have in mind a social responsibility is something like this it's. Well I can duty but there's no specified target. With every duty or obligation that we have there is a target for instance I have the obligation to mow your lawn while the target is you and your lawn that's it do you show your respect will here's the target the target is you and showing you respect. Social responsibility what I have in mind to something like this. There's a lot of things you could do that would be very good for society you can give money to the Smith family you can help clean up the beaches you can save the whales the list is a huge huge huge list. There's nothing on that list that you have to do but I think if you haven't done any of it you're being socially irresponsible okay well that's just me well I think. We know what good Samaritan ism is it's doing something you didn't have to do but it's. You get more credit for it was a good thing to do morally speaking somebody was having trouble at the side of the road and you help them change a flat tire he did a really good thing okay somebody didn't have bus fare you gave it to them you did a good thing you didn't have to it was an obligation or duty but it was good. Minimally decent Samaritanism. What I have in mind is something like if somebody asks you what time it is and you tell them. You shouldn't Pat yourself on the back for being a good Samaritan you just being decent and so you don't get the label good Samaritan for that you get the label if you even want the label of being just a decent human being. Here was a personal sacrifice. The philosophy word for this is super irrigation. That is often characterized as above and beyond the call of duty. But we know that there are things that are have moral worth it or not just duty and so that characterization isn't a terrific one it's something that will read put your vital interests at serious risk. You didn't have to do it the paradigm for this is the soldier who throws himself on the hand grenade to save the platoon. He is a hero. This person put their vital interests at risk. And that's normally something that people would say. You don't ever have to do that it might be a good thing sometimes to put your vital interest at serious risk but you wouldn't have an obligation to do it certainly don't have a duty to do it and given given the gravity of the whole thing and the terrible risk to yourself that's what it is to be a hero. All right if we were I don't think we're going to have time to talk about whistle blowing but if we did I would be putting whistle blowing in that category huh. I think I've actually had an argument in print over this I don't think you should ever say to anybody you ought to blow the whistle. Because it's like saying you ought to commit professional suicide maybe you won't maybe you'll be lucky anyway we're not going to talk about about that this is what I've said is a. Chart. Just moral stuff. At my point in giving his presenting this is to say it's not just to say here's different things but to say there's no systematic way to navigate around this chart is not for instance the obligations will always trump a good Samaritan isn't. Sometimes good Samaritan ism is the way to go and sometimes not how do you know that well good judgment it's a good judgment call let me give you one example and it's easy to come up with examples about this sort of thing. Suppose you have an obligation you said you'd be at my house for dinner at 630 so you know I have an obligation to turn up. On your way to my house you can see somebody really struggling at the side of the road to change a flat tire you can see they really are very good at what they're doing and you are one of the best flat tire changers there is and you realize that look if I stop to help this person I'm going to be late to Cohen's house. Probably going to be 20 minutes half an hour late and you know how much he likes to have dinner right at 630 all right so you're thinking about this and you decide let's just say you decide look it's more important to help the person changed a flat tire and you do when you turn up at my house expected me to be understanding. Okay now let's have the same kind of example where there are a number of people helping change this flat tire. They're all they're floundering a little bit you can tell they're going to get the job done course they will do it as well as quickly or as efficiently as you would do it but they'll get it done and you do after all have an obligation to be at my house so maybe you'll think in this case no obligation is the way to go here. Okay you can tell it's easy to come up with examples but my point is. It it's really reading the situation as it is in every particular case that will determine what trumps what in this chart you might think back to a little bit that we talked about with W. D. Ross. Who believes believed that when we're faced with anything ever to do there are a whole bunch of what he calls prima facie duties that are impinging on us some of them actually happened to be utilitarianism some other obligations some of them are other things. And we have to resolve this and he this you can't see because I'm this is a mom now waving my arms which is what a philosopher does when you really don't have an argument for anything you just arm waving we weigh these things up and way is of course just a metaphor for whatever kind of thinking we're doing in deciding what should what should trump what on any particular occasion. Okay what do we demand what can we expect from moral reasoning and more reasons we don't have formulas I've already pointed that out we have other things we have good judgment but what does that mean. Total says this. In his neck McKeon FX I think I might have talked about this last time our discussion will be adequate if it has as much clearness is the subject matter it makes up. 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's equally foolish to accept probable reasoning from a mathematician you're not talking about probability calculus or anything he's talking about 7 plus 5. And to demand from a rhetorician scientific proofs. Okay the point is this that. For some things that we do like mathematics is what he has in mind the. We can be really really really precise. For all the things that we do we can't be so precise we just can't rhetorician is like somebody who debates you get a topic can you debate it now you can give us your your assigned to divert to bait the prover the con. You can give the best arguments available but if you for whatever reason drew the short straw and have to debate that the earth is flat that's your side well there are better and worse arguments but he's not going to get a scientific proof at least not that's going to rival anything a mathematician can can produce okay. So let's talk about ways that that reasoning might go wrong. And it's important to keep in mind on I mentioned this. When we when we began. When. When organizations ask me not now as an academic but as a consultant. To help them do things I'm not the person your call if you're concerned about preventing fraud. I'm not the person you you call if you're concerned about controlling corruption. I'm the person you you call when your organization and the people in it you believe are trying to do the right thing. And they just wanted to help they want to know what to think about what are some ways that can go wrong what kinds of things might we think about what sorts of tools might we use in doing what we really are trying to do anyway so what I'm not talking **about barriers to ethical decision making** what I'm talking about is not. You know the barrier to our organization being ethical would be that we got a bunch of criminals in the organization that's not what I'm talking about I'm talking about organization and people in it who are trying to do the right thing. But stuff might get in the way. There can be obstacles to people's objectivity there can be obstacles for professional in working in your client's interest there can be obstacles for taking into account. Operative vehicle considerations and again this is not the obstacles are I'm a crook it is rather I'm trying to do the right thing what might have gotten in my way. Okay. Here's one thing which I've called partisanship just imagine your professional somebody's asking you to do something the good part about being part of St is that you are in fact trying to act in the best interest of your client so being partisan is a good thing. The bad part. Is. You could become too sympathetic of what clients unrealistic or wrong headed professed beliefs or professed interests are and then working to further them. More functioning more as a cheerleader then is a good adviser hi I recently was doing work with financial advisors who as a result of the royal commission and banking now have to do courses in ethics. And this is a particularly a good one. For them I believe that is you your. You gotta stand back when the person comes in and tells you that you know I really want to invest in that gold mine so for the song. Of course you want to support them you want to be on their side but there's a point where you have to say even though it might be very difficult to say that look that's just ridiculous to do what you're trying to do. And that that can be a difficult thing for professional to do up to say that what the client is expressing to you as their interest isn't really in their interest all right and that might become might be because of the relationship between you and a client and maybe it's because of that that you've lost objectivity. Rationalizations another one. This person all all sorts of places basically telling yourself a story with the moral that it's okay to do something that's in your own interest rather than having your client's interest in mind. For instance okay for me to do this because everybody doesn't. If I don't do this somebody else will. Given how hard I've worked I deserve this nobody's gonna get hurt. Those are really common common kinds of things. I work for a company I'm taking home a ream of of computer paper why well nobody will know it's gone or everybody does it. Well but everybody does really don't do it I can always staffed. And then the one that that. Is also very common it it's what my my higher ups would want me to do and maybe it's what not just what they would want me to do but it what they do want me to do. What we've known since Nuremberg that that's not a good defense and if we didn't know it since Nuremberg was noted since may lie in Vietnam. That because you're higher up tells you to do something if that thing is itself morally bad doesn't get you off the hook up okay and sometimes it can be really really really difficult okay **rationalization** that he's telling yourself a story. And we're not dealing here with with crooks we're not dealing with people who are trying to defraud we're dealing here with people who are trying to do the right thing. And. Here's something that sort of obstructed the their better judgment that is they rationalize something so that basically it turns out that their interest is in fact served. By doing whatever they're going to do and they've told themselves a story that well that's okay because such and such and so it wasn't an unethical thing for me to do. Implicit bias or unconscious bias. Would be substituting stereotypes for real knowledge about your client making a more disruptions about the beliefs. Your there was and I mention this not because I was dealing with with financial advisors lately that because I saw an ad on TV awhile ago that actually was an ad for a financial advising company. It shows a couple of elderly people coming in to get advice. And it shows their advisor who's a younger person offering me advice and you can see what this person is thinking about what how you want to save money so you can buy that yacht for yourself in 25 years and that's the kind of advice this person's giving even though these people have come to see him are in their eighties. So he's just got the wrong thing at the wrong thing in mind he substituted his own his own position. For their position. And so that's the first bit perhaps believing on no real evidence that they'll like me. Huh or the date they share my own political or social position so they you know what I can do everything up to put all my investments in green companies okay fine so that I'm going to tell him I got you many other options that's just it because that's what they would want. Or and there there's another word for this I forget the the phrase that is. I'm having unconsciously generated over confidence in my ability. This is a really common kind of thing thinking that you can actually do more than you really can do and you can do more than even the evidence that you yourself have seen says that you can do so. An implicit or unconscious bias. This is a common failure ethical blindness or I'm ethically literacy I think is a better phrase of blindness it can always be cured illiteracy can be sure that you don't cure illiteracy just by showing somebody a well formed sentences you know it's got a capital letter in the beginning in a full stop rather you teach them how to read. A few years ago I did a research project that had to do with ethical excellence in the public sector. And questions were what would what would that mean what would be some indicators what are some obstacles to it a variety of things. And although they didn't refer to it as ethical blindness this was one of the main obstacles is that people look at the issue they look right at it and it doesn't register with them he just doesn't register. This can be a prominent I think. In which case you need some really serious re educating about what makes for an ethical issue and how you should understand this it can also be temporary I think like when a flash bold blind you for a short period of time if you were working under pressure of time constraints because you know at the time I just didn't see it I was rushed. And frankly ethics just wasn't on my mind I was just thinking about getting the job done. Those kinds of things that temporary blindness. We can see we can we can. We can identify. And give the failed agent a recognition that this is what happened to you now you need to sort of take some steps so this doesn't happen in the future. The permanent bit needing re educating I believe is difficult people who just don't get it are they look right at it you know and just didn't see it. I still have is mine I think the best example this is a good example as far as I'm concerned there's been some cases where it was cash for comment on radio you know what that is that's that's paying the the disc jockey the radio commentator to promote certain products there were cases the one I'm thinking of particularly was many years ago with John laws. Who was was promoting various products. His audience believed that they trusted John he was their favorite person and the fact that he says banking with this bank is the best or using that kind of product is the best or that sort of oil for your car is the best well I don't think so so you know it must be the case where is if you ask John Lawson I didn't ever asking this but if you would've asked John was this do you know they think this is your your opinion you sell yeah do. But it's not your opinion is it now you're being paid to say this aren't you yes so you don't really know how that that motor oil stacks up with any other motor oil do you know I think you would think that would have been his answer to all those things. And he just didn't see there's anything wrong with it. So he was in that respect ethically blind I would put him in the first category that he wasn't acting under pressure it wasn't a temporary thing he just didn't get it and that's a real problem. Reasoning with the full frequency and this is quite common if it's legal in its moral so if there's no law against it is okay to do. Well that's not so mean take for instance the the simple example I gave you a little while ago. That. Whether or not I mow your lawns got nothing to do with ethics unless I promise you that although. Now I promise you that I did it I'm not are just some of published almost your nature strip and then I don't do it. If I offered as my ethical defense ethical defense well I didn't do it because there's no law that says I have to look. You know there's no law that's going that's going to require is going to enforce a promise. Are there other things in law that that are necessary in this case to make this a legally enforceable obligation. I am simply saying I promised to do it isn't enough. Similarly you know you for whatever reason you're not able to get out and shop for yourself this week and I probably okay I'll get you stuff and then I don't do it and tell you well. Close hello Sir I had to. It's true that there's no law but that doesn't get you off the hook for their being you've done something morally wrong. Okay. That's the goal scripts. This is using a common template. You got sort of your template for dealing with moral stuffs or with things that seem to be this kind of situation. You've got a template and you've talked down to something. And you come out with a result which is well and I'm going to try to indicate this it could be bizarre because you use what you thought was a one size fits all template for dealing with moral issues and in fact you try to deal with a moral issue that it doesn't fit is the example I'm talking about Ford Pinto. I don't know if you know about the Ford Pinto but it was marketed. The research I've done says was marketed from 1971 to 1980 but I believe that actually was marketed a little earlier than that. Anyway Ford Pinto and this is not just a matter of history are. This case is taught in business schools there been about 3 episodes of of soups a couple of episodes of law and order and at least one movie that I have been based on exactly the situation. Or if you do a Google search you get over 6000000 hits. For Ford Pinto it was ranked by time magazine as among the 50 worst cars of all time it was ranked by Forbes as among the 14 worst cars and just by the way I got a couple of others that are kind of interesting popular mechanics said this among the cars with the most dismal design flaws in automotive history. And it also said just by the way oh no no one of the 10 cars that deserved to fail. And yes this is the by the way CBS news right it is one of the 15 ugliest cars ever made. Okay let's talk about the Ford Pinto. In the late sixties. In America. Where the V. 8 had been king and if you really had to buy a small car by V. 6. Japanese imports were really taking up a huge part of the market. Subcompact cars. Lee Iacocca who was the the CEO of Ford Motor Company decided we want to compete with the Japanese imports the subcompact and we need to do it quickly. Going to make a car that that costs no more than $2000 weighs no more than 2000 pounds. We're gonna get ready really quickly. Our objectives here are size weight price fuel consumption reliability appearance and so forth I a cooker hood said safety doesn't sell. So we're not going to advertise this car is safe you know people want safe cars are buying solves all those we're. But doesn't mean our car's unsafe it just means that's not it's selling for a selling point now they're number of quotes and I'll be showing you a couple more. Made by engineers this company is run by salesman on engineers so the priority is styling not safety. And safety nevertheless was defined as acceptable risk. There's a Pinto. Lovely little car. I don't know that it deserves to be one of the ranked as one of the ugliest cars ever nevertheless. If you look on the one on the right the blue one you see at the back of it it's got one of these things that were popular for a few years called the crash proof bumpers. The idea was if you got hit in the rear that bumper would accordion and the frame wouldn't be injured these really were very successful what happened by and large was they crumbled all right but then it hit the frame and it was damage also but that wasn't a problem with Pinto. The problem with the Pinto was basically sitting inside that bumper. And close to the fuel tank wasn't exposed bolt. If you hit this car from behind. It was likely that that bolt was gonna punctured the fuel tank and that's not a good thing. Every crash test made over 25 miles an hour resulted in a ruptured fuel tank. And again this is one of the the comments safety is one of the objectives and it's not even in the green book green look is this book that just tells you what are the the features that a car has a motor that works out of they contribute to the value of the car. Not just by the way let me mention that this is really not part of the story it's only so I can give you this next quote about the same time in Australia was being manufactured Ford Capri. Now the complete was designed differently and there could have been a substitution maybe so that they the Capri fuel tank could fit into the printer all right but that's not any part of the story it's only here so you can appreciate this quote. That's all true namely and this is in parentheses the fact that the color tends to explode in minor accidents. What you missed the point entirely you see safety isn't the issue trunk spaces you have no idea how stiff the competition is over trunk space do you realize that if we put a Capri type tank in the Pinto you can only get one set of golf clubs in the trunk and really that's what's important okay now I do want to point out just by the way. At the time all this was happening in America. You know this every crash test made over 25 miles an hour resulted in a ruptured fuel tank. There was a legal requirement in the legal requirement was that a car be able to withstand. Being hit from the rear at 20 miles an hour. Not 2520 so I just thought I would mention that. Okay. I knew this was happening it knew that his car was dangerous. And this is what I thought we could fix the situation not talking about a Capri type tank we could fix the situation by re engineering putting bolts a little different. If we make the change so the cars no longer dangerous in that the way it is currently dangerous. We had an actuary actuaries figuring this out we'll save 180 burn deaths 180 serious burn injuries and 2100 burned vehicles and we can figure what each of these is worth based on the insurance pay out the beach would call for. So if we make the changes so the car is no longer dangerous in the way it currently is we will save 49.$5000000. That's pretty good that's a lot of money. What's going to cost us to make the change. Well right now we got 11000000 cars 1.5 and 1.5000000 light trucks. And making the change is going to cost $11 each. What's that cost it's 137.$5000000. Well for the way these things up. The weight up 49.5000000 against 137.5000000. And what they did was nothing. Because after all if you do a cost benefit on this and you're looking only at money well it's obvious what you should be doing. You don't put out 49.$5000000. You don't save 49.5000000 by investing 137 that is a net loss okay. Now. Let's just assume which is true. We know what they did was wrong. We know what was wrong they shouldn't have done this. What what what should they have been doing. We might say that I think none of these is right. We might say they applied a cost benefit analysis. Where cost benefit analysis doesn't fit now maybe there's a way to look at this that says that is the right that is what's wrong with this and that's the business about an ethical script they applied a cost benefit analysis in terms of dollars only. Script to a situation that it doesn't fit. I'm not entirely happy was just saying cost benefit analysis because I think we do do cost benefit analyses everywhere. A common. A common point that's brought up about what did they do wrong is are they didn't calculate reputational cost. Okay there's no where in this this calculation where they figure what having such a dangerous car in their catalog does to their reputation. Well let's just figure let's just suppose. They did put in reputational cost and let's suppose it's worth $15000000 50000000. What gets the benefit up to 100000000. Cost is still 37000000 not worth doing. I want to mention okay so not reputational cost what I want to mention is what I think is part of what's going on when somebody's thinking about this and when they mention reputational cost. I think people are seeing there's something wrong here what could it be something's wrong. And now if I can identify that something. What I'm saying basically is if you put this in it changes everything see that that makes it right. Okay but and so they they say reputational cost aha that's the game winner. Well when we first put reputational cost in I'm just nominated $50000000 we can see that's not it. That's not it maybe they should have but didn't have reputational cost figured but that's but we really think is irrelevant. It's it's sort of we put that in as a rhetorical kind of thing to win the argument. But the argument that this was wrong doesn't hinge on whether or not it included reputational cost it hinges on something else and what's that something else. Well I've got one of the possibility what I a cocoa this is a kind of the light of day test would I cook up allow his daughter to drive the car doesn't really matter you suppose you would say yes yeah would you drive fast nobody's gonna hit her from behind now. Rather the gate these might be important but for our purposes what they're important for years at least I believe. We have a strong feeling. And even a commitment that Ford did the wrong thing. And now we're trying to articulate that commitment you know in virtual what was it the wrong thing well initially when I saw it as being wrong I didn't really know I just had a feeling it's wrong and I know what all right reputational call seem like the easiest thing to put it doesn't work it's more like this stuff. It would be fair. What would be a reasonable expectation of a car buyer you buy a cheap car you don't expect it to perform as well as an expensive one but you also don't expect it to blow up okay. And who should knowingly assume what risk. Well again I buy cheap car I realize that things are gonna go wrong it's not going to be as reliable maybe so for the song but not this rich not the risk that somebody's gonna catch me from behind in the whole car is going to turn on fire no I mean you might even think. At what risk suppose we put that picture. In every Ford dealership. And we said all right. This or you pay $11 for probably if it's only one off you pay $80 and will fix your car you can choose but for didn't do any of that. I think that these are the important considerations here which you notice these are not. Not forget about I. akoko lot allowing his his daughter to drive. But cost benefit analysis by and large is matter of numbers. He takes no cost is certainly a matter of numbers. These 3 that I have below are not matters of numbers at all and so. Recognizing that these are the way the numbers line up. Can become very much irrelevant. Okay now I don't wanna say completely irrelevant but irrelevant and the reason I don't want to say completely your relevant. Forget just a minute about the risk stuff. Yes some years ago I was doing some seminars with managers in the R. T. A. as it was then. And along a particular stretch of road there didn't sort of follow. Skateboards surfboards kind of treating this their skateboards as louche and going down this this road and people were getting hurt. And it was pointed out by the engineers in the RTA you know we could when we build roads. It would be more expensive but we could make roads so that you know the the sides are you know Robert and soft and stuff and so anybody who veers into one of them even if they're doing the most foolish thing on earth. It's not going to be killed. But at some point. The risk. And the responsibility. Does. Aside with us the road builders. And resides with the particular road users. Now that I found that really convincing and so the business about who should knowingly assume what risk I think is a really important question and the answer to it is not always obvious but in the answer in dealing with Ford. The answer is obvious that the driver does assume some risk of course but. Nobody in their right mind would believe without being told that what you're risking is being tapped from behind and having your car explode. Okay. All right enough of. The Ford Pinto case. And in this kind of case as in so many others what we're dealing with. Is good judgment. And this is what I have said from the outset moral reasoning is difficult. Not because it has has complicated rules or complicated and very difficult formulas but because there are no formulas. And that makes it really very difficult much like that pie chart I showed you a little while ago there's no formula for navigating around that chart it requires. Explanation judgment of what I am doing this or should do this in this situation rather than that. One is a little bit about this. Problems and dilemmas. And the reason I want to talk a little bit about this is what I want to indicate is that when we're dealing with ethics. We're almost always dealing with the ones we're not dealing with problems at all. Problems are things that can have solutions. And the solutions almost always are correct or incorrect true or false. Here's a few we can get the right angle we can we know what to do is. S. is scheduled to begin right now but the door to the classrooms locked none of us has a key what can we do we can figure it out we can solve the problem. I think this is one to somebody's having serious trouble at the side of the road would be a good thing if you did something to the system I think most people would just say yes it would well here's one it would be easier to complete your essay by simply cutting and pasting from number website articles and representing the work to be your own is it okay to do this well anybody who had to think about that. Didn't solve the problem. IBM is now that's the answer no okay he's not sure of any wiggle room here the answer is no. Okay compare with these things. We could either retrenched 6 of our employees are also ask all 20 of the staff to take a pay cut what should we do. Okay now. I suppose you think we should ask all 20 of the pay staff to take care of the staff to take a pay cut and somebody now asks you why why should we ask them to take a pay cut. And your answer is because that's true. It doesn't even make sense. And similarly you know will know there with how we should be trained 6 Y. well that's correct I hope you can imagine the kind of arguments that would happen here it would be some we should read French 6 because his last on first off everybody knew that when they signed up and that's the fair thing to do and and we can't survive in taking a pay cut. The other side will be saying things like well yeah pay cuts pretty vicious but actually turning those 6 out into the into the cold is worse. Or somebody might even say look I think we can renegotiate all this but notice these are not solutions these are navigating through a dilemma. And this is one that I mentioned to you last time you happen to hear somebody reveal some confidential and sensitive information to somebody else just as you were walking by the office is it morally permissible for you to make use of this information we talked about that last time. The immediate answer to this is going to be something like it depends. And now will come the story what does it depend on well it depends on whether I had a duty not to disclose whether that information was vital whether the public interest outweighs this the the client's interest in having it kept confidential but not is it morally permissible for you to make use of this information no it isn't why not because that's correct doesn't fit with dilemmas that kind of thing true false correct incorrect. I don't fit. No. Along the same. Theme I want to talk about 3 other things. These 3. An exception that proves the rule a counter example and anomaly. The help sometimes I think in law when people talk about an exception that proves the rule that means something that seemed to be an exception but wasn't that's not what I mean. The exception that proves the rule in this phrase proves means tests. So it's something that seems to be outside the rule. It should be is in fact outside the rule. But it puts the rule to the test and the answer comes back yes the rule is the correct rule and this is an exception to it. Let me give you one example of this. I'm giving this example number of times I don't know why it always occurs to me when I was in graduate school it's not quite as far back as when dinosaurs roamed the earth. There was one fellow who was a couple of years ahead of me fellow named Jackson Napper who is regarded as a pretty smart guy. In order to get through graduate school where I was we had to take. Written exams in 3 areas for areas of philosophy of science astrology ethics and something else I forget. 4 areas and the rule was you got a pass all these exams 2 strikes and you're out. Well snapper just could not pass the philosophy of science exam I couldn't do it. After he failed a second time and the rule is 2 times and you're out. The department had a meeting to decide what we do about snapper. And what they decided was well the rule is the rule and we want to keep this rule but snapper is an exception to it he gets to stay in the program. That's what it is to be an exception that proves the rule. A counter example. This is counter example is the kind of thing that philosophers really put a lot of stock in. You got a general principle that says it applies to all cases. You find one case that it doesn't apply to that shows that the general principle as a general principle is false it doesn't work all songs are white. Find one black swan and you show that it's false that all swans or white. Okay. An anomaly. And the normally is something that doesn't fit the principal. And we don't know what to do with it we don't want to view it as a counter example but we don't want to throw away the principal single the principles just falls. Therefore we don't accept it anymore we don't really want to view it as something that an exception because we don't see how it works we can see for instance in the Jack snapper case why that was an exception and how it worked. If we were in a building right now and I threw a rock at the window when it floated in the air. We wouldn't want to say at the counter example they went gravity I don't believe in that anymore. And we don't have any way to characterize this floating rock as an exception it's just something we don't know what to do with and so we let it sit outside. As a matter of fact this one is we talked about Stockley last time. Well on Aristotle's view they had had a physics. According to his physics if you through if you had a. A string. Attached to a rock and you threw it through the air the string ought to go in front of the rocket shouldn't trail behind. But the thing was parastatals physics was a comprehensive system. Seem to be pretty good it wasn't thrown out for years and years and years and years and years even though this anomaly had been recognized pretty early on because you throw it out we got nothing. And we really don't like the feeling of having nothing okay there are I don't know if any of you know who Thomas Cooney is or fire island but these people thought this is the way science works in general. We have. Principles we there are things that occur the principles don't explain that are anomalies. And when enough of these things pile up that we just can't tolerate it anymore we have what they consider to be a revolution in science and we need a new paradigm that's what a paradigm shift is that all right my point here is not to teach something about Thomas Kuhn or irresponsible or rocks being thrown out the window it's rather to say that these 3 things are dramatically different from each other. They're dramatically different from each other. But if you did the logic that is you tried to express each of these with peas and cues and connectives. You would represent each one of them exactly the same. That is they have the logical structure is the same which is just remarkable. It doesn't it's not that something gives itself away is an exception that proves the rule or tells you I'm a counter example what tells you I don't normally I'm not a counter example. So in this respect. When we're dealing with these kinds of things it's not is it true that that's a counter example. But rather should we regard it as a counter example. Now my point here with in dealing with ethics is this is the way ethical argument works so in the case of me go back to this. Should we retrench 6 of our employees are also ask all 20 of the staff to take a pay cut. It's a matter of how much the argument is not terms of what what is this what is the correct answer is though it's going to give itself away by the very nature of the facts you know that you got before you it's rather is the whole argument between you and me when you're arguing one side of this and I'm arguing another. Is. You're telling me I should look at it in a certain way and you're trying to give me reasons to look at it that way I'm arguing no you should look at it this way and I'm trying to give you reasons why you should be doing that. Okay. Offering reasons for anything. And we talked about this first part last time moral judgments are principal judgment if you recall I'm going to move to this so you can see. To be a moral judgment it's principled that is it will have a rationale that will appeal this year or later to a generalizable principle. That's the way moral reasons work and you recall last time I was suggesting to you that if you had what you thought was a moral judgment but you couldn't satisfy these criteria that is a presenting a rationale in terms of reasons and then a generalizable principle that maybe it's what you what you thought had been a moral reason was just a matter of preference and you didn't have this kind of stuff you work we you couldn't apply these things and so really you should recognize it wasn't a moral judgment at all it was a matter of preference okay. So moral judgments will be principled justifiable and I've put in the new thing now integrity. Meaning that. Your principles today. Will be your principles tomorrow. That is the way this argument works if you've got this kind of case today and you have the same kind of case tomorrow unless you can separate them somehow and say well they're not quite the same well then integrity is being able to say right because it was then it's now also this by the way is what well we're gonna get to this part if you think about the arguments in America right now about whether they should be. Having hearings to appoint a new Supreme Court judge well you guys said before that now in the last year the president's term not now you're saying yep go ahead and do it well you're being and now we're going you're being inconsistent. Okay moral behavior all right the judgment. Think back to the very beginning when I talked about you bump your car into another car and this was what did you think so we're talking about what's going through your mind. And I said at that point it would be consistent for you to think I should put a note on the windscreen but in fact I'm just leaving I'm not going to do it nothing inconsistent about that. Okay but now we're talking about moral behavior. Which is like judgments will be principal behavior was behavior that can be explained and referable back to a principal justifiable and now the avoidance of hypocrisy we talked last time about hypocrisy it would be believing that you're acting in in a consistent way. But you're not you're in fact. You're not there just the same case. You're telling yourself a story. So that. That situation is not what it is this is now we can talk about Supreme Court although I don't believe that's the case of hypocrisy we have people the Democrats are now saying look you Republicans are being hypocrites because you you said when Obama tried to appoint a Supreme Court judge wouldn't have hearings because it was a last year of his term and now the trump wants to appoint. The Supreme Court judge even in the last year his term you got to have hearings so you're being hypocrites. They don't mean that hypocrites hypocrites somebody who thinks they're being consistent. In this case no we're doing it because we can't so I'm going to do with the property or failing to see the argument of course is the the argument that the arguments are relevant because we don't care about okay. Behavior if we're trying to be moral just like moral judgments were trying to get the judgments right. Well involving principle being justifiable and avoiding hypocrisy that is. We got it it will be this same for same cases. When things are relevantly similar and that's a big word relevantly but when things are relevantly similar will reach the same judgment when things are relevantly similar will behave in the same way. Okay so this case is the right thing to do was get all 26 of the staff to take a pay cut. The next situation comes along as far as we can tell it's the same kind of situation. Well consistency. Requires all right if that was right in that case it must be right here too they all take a pay cut okay unless something intervened that I saw my reasoning was right the last time. Okay. When we're dealing with moral stuffs we're dealing with matters of judgment which situations by and large are not black and white. Huh. I think it. There are a couple of things people will say. You know should we do this or should we do that and somebody might say well depends where you draw the line. I think by and large that's not helpful line drawing is not helpful. We deal with situations that are great. And to pretend that they're black and white or to put in an artificial lying to say anything on this side of the line is black and anything on that side of the line is is white when we drew the line through a whole set of great stuff he is not helpful. In offering a moral judgment it will depend how you see it and the judge the argument itself will be in terms of getting somebody to see things the way you do or coming around to seeing things the way they do you tell a story you paint a picture. In talking about telling a story I'm not talking about lying. I'm talking about trying to explain it or well explained it or describe it in the way that it appeals to you this is how I see it this is what I see the situation is being this is why I think this is the thing to do and you're telling a story. Okay. We're going to shift gears a little bit we're still talking about ethical judgment but a little differently now. I'm going to talk some about responsibility and accountability. Rules and regulations. Replace. Judgment. They're there for exactly that reason that is one such and such situation arises the rule says do this all right well that's it there's a regulation that says we have to do that. All right that's what count ability is about. Some organizations have gotten into a terrific trouble by trying to eliminate all together yes a good judgment. Okay. In one. Course I was teaching in the graduate school of management. When we were talking about what people do what their jobs are one person identified his job as my role in the organization used to engineer judgment out. That is make it so. It's not ever necessary or even allowable to exercise judgment you will all be matters of rules and regulations. Okay. Now I want to tell you one. Unpleasant story about trying to engineer judgment out. And. It was actually a couple but I'll tell you this one. You know what the waterfall train disaster. Let me just assume well you do it you know and I'm gonna tell you the story here at least a part of the story. Trains have on on this thing called the dead man's break. And the idea of a dead man's break is the person who's driving the train sits at the station I mean on the seat. And if anything were to happen to this person like they suffer a heart attack or stroke or they get sick and fall off the chair it engages the dead man's break in the train stops. Well trained drivers were finding this seat to be uncomfortable. And so they basically disengaged and so that you know they could be more comfortable in driving the train and what you would expect to happen happened somebody got sick stroke actually fell off the seat the train didn't stop and there was a crash and it was terrible. Okay. After this happened state rail as they then were who were responsible for the trains. Did everything they could do to make it so the dead man's break was fool proof. We're gonna be able to do this too all right now here's my glib account of what they didn't do and this is a very serious situation but they spent a lot of time and money. Trying to make that for the the dead man's break foolproof misspent no time trying to make it the case that fools don't drive the trains. That is rather that they focused on more rules and regulations and hard wiring. They didn't focus on on increasing and improving ethical judgment now there are numerous cases like this numerous cases I'm gonna tell you another couple as we move on to this. What accountability is for and it's really good at this is what accountability does it gives you a historical track of something did you do such and such to the box yes you can reveal liability and as I was supposed to have done this I didn't do it I'm liable for not having done it accountability issues directives rules the emphasis here is on process and metrics and reporting. That is you did it find your quota was to to get 800 volts 800 not some 800 bolts in the day thank you did it you got done fine we counted that you did what you're supposed to do. Responsibility is not like that. Responsibility is proactive as in take responsibility for this and not just take responsibility for getting those 800 knots on bolts but take responsibility for figuring out how to construct the fence. And take responsibility for is itself an ambiguous phrase it means do it and it means do it responsibly not just do it necessarily involves judgment discretion and will have with it ethical empowerment or ethical authorization that is. You are authorized to behave ethically here and you remember back to the first lecture when we talked about that can cost you it means you might have to do this is not the most efficient way that could cost us money. In order to get it done ethically. Okay now this business of of. Accountability and responsibility. The emphasis on this distinction. Grocer began to be seen I believe in the eighties it's not come to the fore except for the last maybe 5 or 6 years. But it used to be when people were hired to run companies CEOs like Alan bond. Mr for scabies. The view was let the managers manage. That is we hired him to run the place. But I'm not sure there was none of the accountability stuff none it was just there in there to do the job so do it. And we saw that there was need there were just failures very serious failures without because these people aren't being held accountable. And in a more personal view when I was hired at UNSW this is many years ago. They. We were just put into the classroom when it came know how you doing in the classroom I'm doing doing fine thanks up the class is going well is it yeah. Students like me it's really good and they're learning a lot well how do you know that well I just told you that's how you know that but you can't come into my classroom because that's private stuff you can't come in there and in those days you could of course now things have moved the other direction every teacher is seriously accountable for everything that teacher does okay. In the era of let the managers manage where the focus was on nothing but get the job done it is you're responsible for the organization go get on buddy that was that produce a lot of failures and so we as a society and not just Australia but pretty much all over the world. I'm very concerned about accountability what's going on there. But things shifted more and more and more to the accountability side and this is where my stories about state rail,nd and where stories maybe about being university teacher come in. This is not much of hyperbole but a little bit of. If I want to show that I'm a good teacher. Things I need to do our. I need to produce a syllabus. I need to organize the reading so the students know what they're doing week to week how much they need to read what the assessment will be for each bit when they'll be doing the assessment and the number of these kinds of things give them a. Plagiarism statement that you can't do this. And make sure everything goes to schedule that's what I need to do if I've done that I'm a good teacher plus all hand out a evaluation form which will save you know did you like this guy. If I do that I'll be a good teacher if I want to be an excellent teacher. I need to publish something in how to teach journal now an excellent teacher. There will be absolutely nothing. Let's get over to the responsibility side of your students learn anything from you. No indication of that all when in fact my responsibility if you look at it this way the responsibility I have in teaching a class is. To get the students to learn something and in particular get them learn to learn what I'm teaching that other stuff you know the syllabus is and so on you can count all that up and show that I've done it all but. Okay I have more about that but we're going to run out of time so I won't say more. For another time. Okay. The jet my general point here is that that the swing away from nothing but responsibility. To accountability became very much nothing but accountability and that can produce catastrophic ethical results. Okay. Let's talk a little about this. If if I were giving you this talk. Maybe 15 years ago. What I would say is. This is gone this is how I use the terms you don't need to use in this way some people do some don't. But I'm not giving it to you 15 years ago and given it to you now and saying this is by and large what people use these types. If you're talking about a code of ethics. You're talking about having something which is general it gives the values and principles of the organization you know we're honest we do this we do this. It will involve judgment necessarily. And it will be empowering our aspirational it will give you permission to make decisions and do things. This will require responsibility. The code of conduct is a different kind of thing. A code of conduct is not something that's going to introduce new values. But it's going to be specific and also a bit more about why you might want to be specific it will offer prescriptions not just be honest but. Tell them tell them the the complete details about how much that loan is going to cost them. Okay and what it will offer isn't enforceable statement of things that are specific. Codes of conduct are concerned with accountability. Codes of ethics are concerned with responsibility everything in a code of ethics will require judgment because those are statements of values. People often say about codes of ethics that they are living documents as we revise this from time to time it would probably be better at least in my view. To think of a code of conduct as as a living document our values are not going to change a whole lot whereas the things that we specifically require might now let me talk about why given what I've said already that. Allowing for responsibility is really an important thing. Codes of ethics do exactly that codes of conduct don't. Why would you have a code of conduct at all if I'm right that codes of ethics and his responsibility is the important thing. All right so given the importance of of judgment and so forth what's the point of having a code of conduct to just eliminate it I think the answer to that is no. A code of conduct can do these kinds of things. We've talked about ethical dilemmas. And in some cases it's the there might not be a single best opinion. There could be a variety of things that would be okay if for whatever reason. We wanted our organization to be uniform. In its handling of a particular kind of case even though we realize there are other ways that might be okay but for whatever reason we want to do these in a uniform way. A code of ethics isn't going to get us there but a code of conduct is. The code of. Conduct will address specific problems. Suppose we had as values that were honest and open and so forth. But in the mortgage lending section of this bank there's been a problem with people coming out not knowing all the fees that they've been there going to be charged for the long. Well we got a specific problem and so our code of conduct might say it would say more elegantly than this but it would say something like make sure that you have fully informed your potential clients of all the fees. Now this is not a new value aside from openness and honesty but it's recognizing that with just those values there and leaving people to their judgment we had a problem. And we're addressing the problem. There might be repeatable cases of where that where it's uncertain and this is quite like the uniformity problem that is it could be either way and there are a variety of ways we could do this we just and in this case we're just not sure what to do it's been aggressive work clash of values that to be a reasonable one and we got it we want some specific advice you know when this clashes with this and they're both reasonable do this and again it's a prescription do this you can send a message this is an important kind of thing can send a message throughout the organization and outside the organization. We give you one example. Some years ago. Portion of the medical profession had a problem. About. So this practitioners having inappropriate relationships with their clients impatience. They could have sent a note around reminding all their practitioners of their code of ethics which we've talked about things like proper distance itself and so on but they didn't they sent around a note that was nearly as much as this don't sleep with your patients. All right well that's. Pretty direct it doesn't leave any wiggle room at all and it sends a message not just well it sends a message throughout the organization there is a no go area folks but also sends a message outside the organization not merely the we've had a problem. But let it as it were being known we don't tolerate this stuff this doesn't represent who we are in any way at all and that's really important that gets me to the public trust what I will say something about to exceed all. Reputation is an intangible asset. Intangible assets in companies are things that can that appear on a ballot sheet they're worth something but they're not anything that you can kick in you know holding your hands up if you're looking at the intangible assets of coca Cola Amatil you wouldn't be just looking of cans of coke. You'd be looking at their reputation what's that worth okay. Reputation and particularly ethical reputation is an intangible asset and it's worth a whole lot and we could consider this in in a number of professions as being the public trust. Well it's now been a few years ago that KPMG. Did. Some research into what your reputation worth. And in reputation we're talking about here is public trust. What they discovered is that you know you can be as it were spending money and get your reputation back Newsweek we can talk about that we talked about reputational cost with the printer you can spend money and get you reputational your reputational value back but roughly for every dollar's worth of your reputation you've lost it's going to cost you 7 to get it back. Now that makes it precious and something that you know better that we have a code of conduct to try to eliminate the cost that we might incur then that we just in some cases leave it to people judge so I can do that another thing and this is take the heat off this this was mentioned by someone in a similar idea for RMS awhile ago. Takes the heat off. We are M. S. the RTA are not allowed to take bribes of course. But I've just overseeing a project it's worth a lot and the person who was awarded the project came in to give me a bottle of really expensive Scotch. And like I'm not gonna take it. If I just say look I'm not going to take the Scotch this person's going to get angry do you think I just think of bribing you with $120 bottle of Scotch from for my getting the contract to build a $15000000 bridge what matter with you. I can say look. This is not me I'm not allowed to do it I don't think anything except I'm not allowed to do it in which case it has taken heat off me okay the general point here. He is. These things are reasons why even when we want to put a strong emphasis on moral judgment. Thinking about things well coming to a justifiable conclusion. Even when we want the emphasis to be there it can sometimes be is sometimes desirable. Not to have that. To say look you don't have to think about this one body this is what you do okay. We're looking at an organization then I think we talked about virtues before and we we talk about these 2 main ways to well these 2 ways of looking at ethics stuff we talked about that this is what I should do. And this is the kind of person I should be I think an organization's this there is a parallel. If we're talking about individual behaviors. Okay the code of conduct. Is actually saying what should I do. Hey no room for thinking more about this exercising judgment what should I do. And we're thinking about a code of ethics. We thinking about the organizational culture and was thinking about what are our virtues what are the ones we aspire to and that's talking about what do we want to be. Okay. Talk a little bit about **ethical awareness**. When. I told you what organizations expect from me when they asked me to do work with them. Which again is not preventing fraud and controlling corruption but other stuff. The single most important thing I believe they can get out of what I do ever is to be ethically aware. Is it just things are not just. One dimensional get the job done efficiently but there's this other stuff going on that's ethics. And. This is this is a short story. People should be out to **avoid moral negligence**. So they should be in a position to ask and then answer the question is there a moral dimension to this problem is there a moral dimension here. Let me give you 2 examples of this one let's go back to the pie chart I mention about you've promised. To be at my house for dinner at 630 but there's somebody who's got a flat tire at the side of the road. The. If. If you chose to do either of those. Without even thinking. About what would be required by the other one these are helping or getting my house on time. If you were just not aware even in your thinking that there was this other moral thing it could be you should be thinking about them regardless of what you did to be negligent. Well let me give a different kind of example does not in the world of ethics necessarily it's in the world of reality. Suppose you're the person responsible for on a building site. And what your your workers have done is terrible footpath. You don't know that this is happened and somebody comes along and they've trip and they hurt themselves you're gonna be in trouble and the law is going to see was negligent. You should've known there was this problem and you didn't. Okay it's not like you knew it was there and chose not to fix it. I mean that would be a different problem but we're not talking about somebody trying to do the wrong thing we're talking about somebody trying to do the right thing and \*\*\*\* up and one way you can screw up is to be negligent okay that's what the law would say about you there you're negligent. **Recklessness** is I think well it's like negligence but not quite the same. Again suppose you're the person responsible for the building site. You know the footpath has been torn up and your way of handling this is to put a note in the local paper. That says look if you're walking around this building site you better be careful because the footpaths been torn up in a few places and then you don't put barriers up or anything you just have notified the paper. Well you weren't negligent because you knew that was the problem. But you've dealt with it in a reckless way. Okay I think the law would probably find you negligent here but we're not talking law negligence means you didn't see it here you did see it and you dealt with it badly you dealt with it in a reckless way okay. **Moral blindness or more litera**cy I touched on already. And this is asking. Have I identified all the more the areas of moral concern. Have I got the moral values. Some people at some organizations do this there are these things called ethical decision making models. That are designed. Primarily to deal with moral illiteracy. What they are is a series of checklists have you thought about this we thought about this have you thought about this what are the values involved here were really involved here now that you got all that on the table what do you think you should be. Now there are in the world of ethical decision making models probably about 500 of them are some people find some of them very helpful again when I did work for those days the RTA they want to have to call decision making model for the RGA and so we got one kind of a cumbersome one there's one that that an organization produced that's free for everybody. That's based on the R. T. a model but what they are our checklists not for solving a problem for you. But for helping you to navigate through the dilemma. So they are checklist to get it so that you're you're identifying the areas of concern. So you got them straight and your your way in this one I guess that one you going for this all right and then for is not something to avoid is just what we're trying to get used to have some **moral competence** so to be able to deal with an issue display that you're aware of it and the elements that are in it and then have some facility with ethical concepts and tools there are any if you think for instance how you would if you were asked now to write a short essay. We gave you a bit more information. Should we. Retrench 6 employees or get all 26 to take a pay cut. Now you're answering that question. And the answer is not going to be simply. Retrenched 6 full stop sign name hand in. The answer is not going to be called would say this Eris all would say that. John Stuart Mill would say this. Sign in handy. I know the answer to that is going to be here are some possibilities. Somebody might think this is the way to go but I actually think. The moral weight a better way to go is to do this B. calls. Okay so that small companies is not merely knowing that there are ethical elements is not merely knowing that there are tools it's a plying those tools. Okay now we're gonna deal with one more thing. Actually 2 thanks. Your call caution. A number of years ago it would have to do it was invented when people started talking about environmental things. It played a big part many years ago in the in arguments about abortion. This call the precautionary principle. It is in cases where you don't know that an act is not harmful. Proceed as though it is harmful. And in cases where you don't know that there's no risk. Proceed as though there is risk. And act accordingly. Okay this is a really important principle. And it's found application in a number of different areas. As it is it's probably true course you know don't know that there's no risk well all right we don't know that there's no risk we think there's I think there's very little risk are we supposed to proceed as though that risk is going to be realized. Don't drive on the harbor bridge because somebody might drop the hammer on your hit. The idea of the precautionary principle it's a safety principle. It's a way to avoid a catastrophic or a way to avoid the worst outcome. Earlier we talked about many Max strategy. I think this might be related to that we're here to avoid the worst possible outcome. Okay so what's governing this is not ways to achieve perhaps the absolute best result if everything goes really well is the way to avoid. What would be the worst if things go really really badly. Okay. Provide safe exits we know what this means quite literally in dealing with you know airplanes and buildings where there are safe exits. But we can think about safe exits in terms of ethics stuff as well. Mechanisms for behaving. And responding if things don't go as well ethically as we made for them to go. Okay for instance up safe exit. Can be something like a robust whistleblowing scheme. Where what we've got we've course won't you know organization because we've designed it so well. We don't expect that there will be any cases whistle blowing. There's because there's nothing to blow the whistle about. But if there is a case. Let's have it in place a good way to deal with. Okay engaging defensive driving. This. Just try to stay out of such situations although I do want to offer a proviso for this. I want to just mention literal defensive driving first I have a. The niece in law who's probably had more accidents and roundabouts than any other living human being and she's never been at fault many of let's just suppose I realize this is not quite the way it works with roundabouts. The rule is you have to give way to the right in a round about if somebody else who's in the roundabout. That means if there's somebody approaching the roundabout from the right. You have to give away to them because they're not in the roundabout. Well this is the kind of thing that's happened to my niece any number of times they're not the roundabout yet I'm going bang they hit me was it my fault but my cars demolished. If you were defensive driving she would recognize that cars pretty close to the roundabout the safer thing to do. He's just let him go. Okay so even if it wouldn't be our fault if something untoward occurred we can still take steps to take to get the best to make sure that we avoid the worst. Okay. All right it was another savings balance it's going. Yes. All right last thing is and this is really tough. And you know it's really tough because I have this light that says this is really tough. This is not the tough part there's a hierarchy. Suggested by philosopher named William Frank in about 40 years ago. Most important is don't I wonder what I want to tell you. Safe exits. When I did lots of work for the R. T. A. and I realized they keep coming to mind today but it was really good outfit to work with and I still do a. The head of the R. T. a guy named Ron Christie. Who then became the de Transporte supreme for the Sydney Olympics. Workers in there too but. He said. This defensive driving. What we have to do is not be risk averse. What do you what he meant by that was he didn't mean let's be cavalier when it comes to ethics. But he made it when that sorry he meant if there are situations that have ethical dimensions. And we're gonna get a rights otherwise we're gonna screw up. Don't avoid. We can't avoid them otherwise you'll just stagnate we have got to deal with those issues not just not deal with any issue that is ethically charged we've got to deal with it. So what I mean I didn't want to give yep in defensive driving risk avoidance I don't want to give the impression that if there's a single risk we ought to have an organization that identifies the ethical risk and and just. Never act in those places now we do act in those places and we try to get it right okay now let's get back to the really tough stuff. This is a hierarchy ended it's seen a lot of lot of your time doctors nurses police. The most important thing to do is not inflict harm. Second is prevented 30 is if it's their remove it and forces do good but this is a hierarchy most important is don't inflict. Okay that's not the tough part. 30 hands. By itself this is not the tough part either but let's understand what it is. Much like I I told you with counter example. And exception that proves the rule an anomaly. This is not a question of is there really a situation like dirty hands but rather. Is it helpful to look at things this way is this a good way to look at things and the way you it would be to look at things is this. Doing something that's right it's the right thing to do. It carries with it something. For which you're responsible which isn't right it is wrong. I'm not wrong this doesn't evaporate simply in virtue of the rightness of your act. That's what dirty hands now let me give you an example. I suppose this is the kind of example that's often used you're out in the jungle there's this nasty guy the firing squad he's got 12 people is gonna shoot I'm always going to killing all 12 of them. And he says to you look I'm either going to kill all 12 of these people are gonna give you the gun you kill any one of them in the rest can go free. You don't you can't just kill him. So your choices either stand there and he kills 12. Or you kill one. And the right hand 11 survive. That's not the dirty hands part yet. Let's suppose that you decide you'll take the gun and you'll kill one person. Okay we're still not to the dirty hands for. 11 go free. Now. Let's suppose you're back home you don't feel good about what you did. But the mother of the person you shop bangs on the door. And says you killed my son. Now. Of course you'll be nice about what you say and you will be sympathetic. What is the level of your sympathetic get out of your sympathy really the first part of the slide I'm sorry about what happened to you I'm sorry for your loss as in like a tree fell on your house I'm sorry for your loss. Where you don't take responsibility. You didn't do anything wrong. Is that what you think not merely what you'll say to this person but how you characterize the way you actually feel about this or is it this I'm sorry I'm sorry for what I did he. Which is to say you didn't do something wrong. Thank you sorry about it. If your response the way you're feeling I'm not talking about any rhetoric you might use in talking to this person this distraught mother but the but really what characterizes your own view about what you did. Is it the top part sympathy or the bottom part apology if its apology that's dirty hands. You did something that was right. But it contained an element of wrongness and the wrongness doesn't evaporate simply in terms of the overall right this. If it were simply a matter of. Totaling up happiness say. Then then. There's no apology you did the right thing there's no no. Stuff over here no collateral damage that you need to apologize for. Collateral damage can still be something that you have an expression of sympathy about not something that you have as as it were remorse about. Okay. So this is dirty hands and the question is. Is that ever an appropriate way of looking at things. If you were say a Die Hard utilitarian nothing but the numbers nothing but the the total amount that I could have produced all of utility. Well then it's just a one or 0 its owner it's all. There's no room for yes I did the right thing but remorse is appropriate no no room for that okay the question is is. His dirty hands. A good way to look at things how long I'm going to this is a bit of autobiography when I first came to learn about this. This situation. It was. Sorry that's my phone there's nothing. I'm sorry that phone I couldn't put on site. At 1.when I was head of the school philosophy we were making a new appointment. And we had a member of staff who had applied for the position. And. We didn't appoint that person. That person I knew about their personal circumstances. Which weren't terrific at all. And I was working in my office in the evening and basically writing a report about why we as a school had made the choice we had made and I was feeling terrible about this. UP and a colleague who'd also been working walked by my office and that person knew what I was doing and said to me and this is the first I've ever heard the expression yep you're experiencing dirty hands and that was exactly right it will be when dirty hands a curse it's a gut wrenching kind of thing even when you've done the right thing you're not off the hook for the element of wrongs. Okay. So now we know what dirty hands is. I think you've probably encountered trolley cases before. I'm not certain but I want to say something about trolley cases this is where all this comes together the business about do no harm don't inflict harm do good we talked about that hierarchy we talked about whether it's a case of what it would be to be a case of dirty hands on whether a particular case is a case of dirty hands. So in situation one the trolley cars coming down the track and it's going to hit that group of people you could flip the switch and it would go off into nowhere. In situation 2 is coming down the track is going to hit those people you could flip the switch and it would avoid all those people but he one person. So those people would be saved in the one person is gonna get hit by the trolley one person of course wasn't going to get hit let you flip the switch. The next case is coming down is going to hit that group of people you could divert it so it's just like situation be except it's mom. Who's gonna hit. And indeed it's gonna hit mom but you can divert it and hit a group of people. The reason I put in my home. Is. If we're just all part we talked about role morality. And we talked about well role morality which has a view if you're in a profession for instance. I imagine the profession are by and large as in the public sector that you don't show any partisanship to just personal relations. So if you're in the public sector for instance. Well you're in a profession for instance. Cases B. and C. should be treated the same. If you're just an individual. Who happens to be standing by the side of the track. Then then B. and C. are probably not the same. All right. The question asking each of these cases should you flip the switch. What is it morally okay if you flip the switch noticed that that's a different one from sheltering again. That's a different situation different question from should you is it morally okay for you to do this should you not have you done something wrong if you do or if you don't those are the questions to ask. For some people have talked about this agency is important and what some people think it is important not everybody is that. You're an agent here only if you flip the switch otherwise you haven't done anything. And that can make a difference they're actually some books that have been written more than 11 that I know with the exact title of killing and letting die. This being different things altogether and precisely because killing is being an agent in something and the argument is letting somebody die isn't being an agent. Okay that's all I have to say about that stuff. Yes. When suggested that I leave enough time in case you had questions or comments so I've left little time I'm finished. Okay thanks so much for that. There's a lot to save him but also I think would be interesting to hear from the class if there are any questions. I'm just gonna stop recording then.