

## Part 1

# Theoretical Underpinnings of Ethics

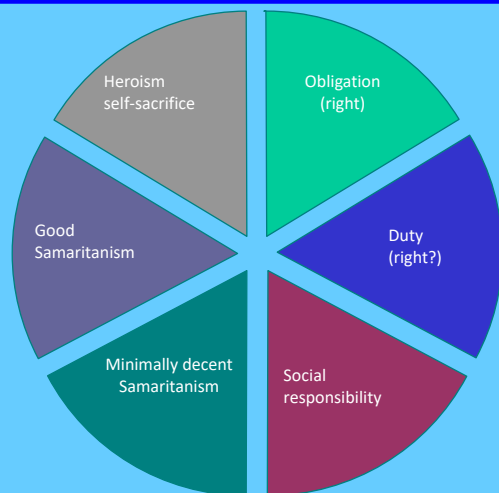
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## Part 2

# Moral Reasoning & Professional Ethics

Stephen Cohen  
School of Humanities & Languages  
s.cohen@unsw.edu.au

Lawrence Hinman,  
*Ethics: A Pluralistic Approach to Moral Theory*



What can we expect – and what can we demand – from moral reasoning and moral reasons?

How precise can we be in talking about ethics matters?

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

Aristotle, *Nicomachean Ethics*, Bk. I, Chap. 3 (circa 330BC)

Barriers to ethical decision making

Things that can stand in the way of making the best decision, even when you're trying to (or at least you think that you're trying to).

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Obstacles to

- Objectivity
- Working in client's interest
- Appropriate ethical considerations

## Partisanship

The good:

- Trying to act in the best interests of the client: here, being partisan is, in fact, a good thing.

The bad:

- Becoming too sympathetic (accepting) of a client's unrealistic or wrongheaded professed interests and working to further them (functioning more as a cheerleader than as a good advisor, i.e., a professional).
- Because of the close relationship between you and the client, you lose objectivity.

## Rationalisation

Basically, telling yourself a story with the moral that it's ok to do something that's in your own interest, rather than having your client's interest rationale of your actions.

For example,

- It's ok for me to do this, because everyone does it.
- If I don't do this, then someone else will.
- Given how hard I've worked, I deserve this.
- No one will get hurt if I do this.
- It's what my higher-ups would want me to do (i.e., the Nuremberg Defence; and My Lai, Vietnam)

## Implicit bias / unconscious bias

Unconsciously substituting stereotypes for real knowledge about the client. Making unwarranted assumptions based on those beliefs.

- Perhaps believing – on no real evidence – that they're like me, or
- perhaps believing – on the basis of my own political or social positions – that a certain course of action is desirable for everyone, or
- perhaps having an unconsciously generated overconfidence in my ability to guarantee outcomes, or
- ...

## Ethical blindness / Ethical Illiteracy

Looking right at an ethical issue and failing to see it – it simply doesn't register.

- Can be permanent, and in need of serious re-educating.
- Can be temporary – as when a flashbulb blinds you for a short period of time.
  - ✓ Perhaps working under the pressure of serious time-constraints, and then taking ethical shortcuts, because "it seemed like the right thing at the time; it never occurred to me that ... . Honestly, I just didn't see it."
  - ✓ "Ethics simply was not on my mind – it wasn't at all in my field of vision. I was thinking only of getting the job done as quickly and efficiently as possible."

## Reasoning with a false equivalency

If it's legal, then it's moral.

If there's no law against it, then it's ok to do it.

## Ethical Scripts

Basically, it's using a common template to deal with a problem, when that template doesn't, in fact, fit the situation. It is treating different sizes as though one size fits all.

For example: Ford Pinto

## Ford Pinto



- Marketed from 1971 until 1980
- you'll get over 6 million hits with a Google search
- ranked by *Time* magazine (2008) as among the 50 worst cars of all time
- ranked by *Forbes* (2004) as among the 14 worst cars of all time

### 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

$$\begin{aligned}
 &180 \times (\$200,000) \\
 &+ 180 \times (\$67,000) \\
 &+ 2100 \times (\$700) \\
 &= \$49.53 \text{ million benefit}
 \end{aligned}$$

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Costs of making the change:

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

Total cost:  $11,000,000 \times (\$11)$   
 $+ 1,500,000 \times (\$11)$   
 $= \$137.5 \text{ million cost}$

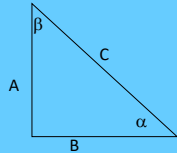
- x Cost -benefit analysis
  - x Reputational cost
  - x Would Iacocca allow his daughter to drive the car? (kind of a "light of day" test)
- Rather,
- What would be fair?
  - What would be a reasonable expectation of a car-buyer?
  - Who should (knowingly) assume what risk?

It's a matter of (good) judgment – not rules or formulas

## Problems and Dilemmas

### Problems

$$2 + 2 = ???$$



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

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

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

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

### Dilemmas

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

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

**Exception which proves the rule**

**Counterexample**

**Anomaly**

NOT

“Is it true that this is a counterexample?”

RATHER,

“Should we regard this as a counterexample?”

## Moral Judgments

Principled Judgments

Justifiable

Integrity

## Moral Behaviour

Principled Behaviour

Justifiable

Avoidance of hypocrisy

He should not have taken  
the money,

judgment

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

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

**because** it causes great  
unhappiness.

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

**Matters of judgment.**

**Situation is not black and white.**

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

**Tell a story.**

**Paint a picture.**

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

## Ethical judgment

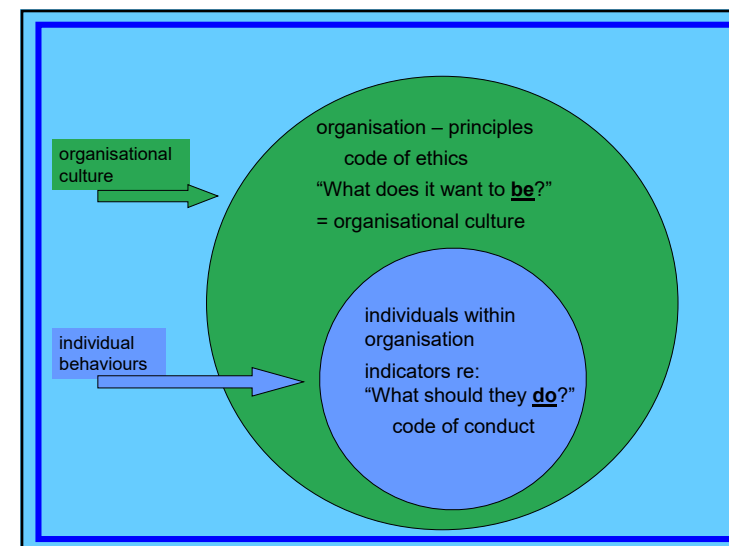
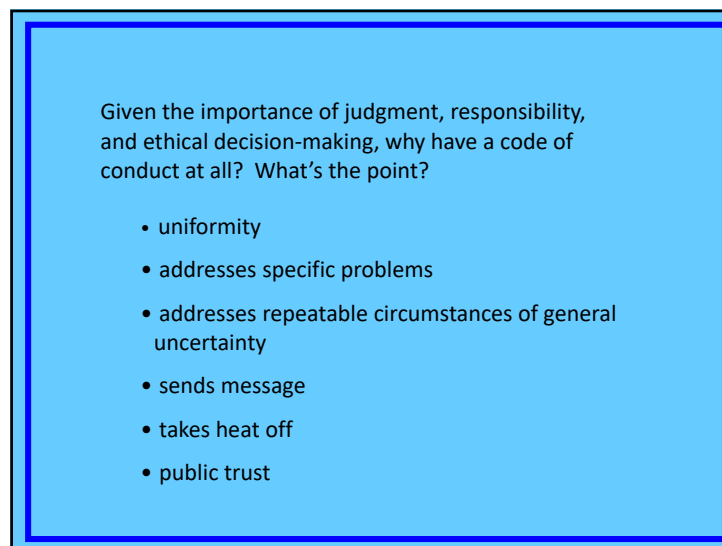
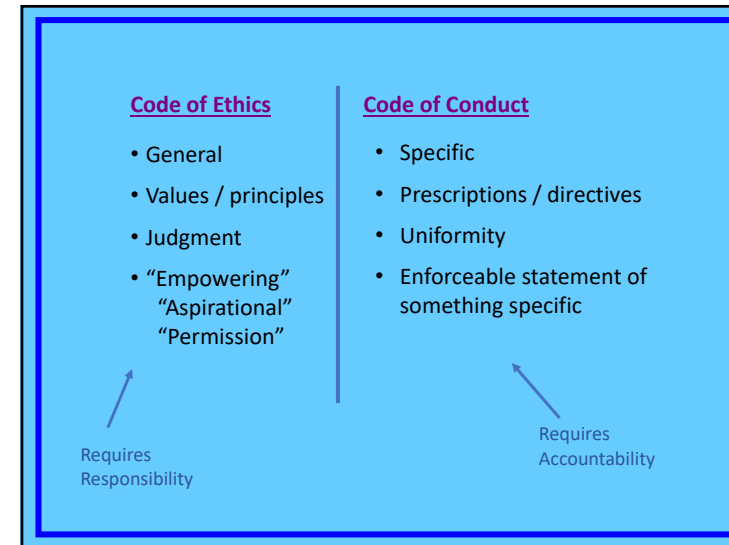
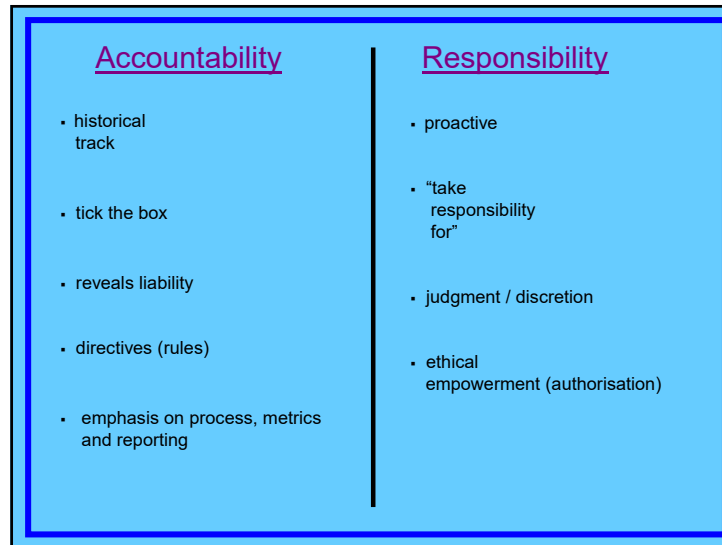
*responsibility & responsible behaviour*

**Rules**

*accountability*

**Regulations**

*accountability*





## Ethical Awareness

1. **Avoid moral negligence.**  
i.e., ask, "is there a moral dimension to the problem here?"
2. **Avoid moral recklessness.**  
i.e., ask, "have I adequately addressed the moral concerns?"
3. **Avoid moral blindness / moral illiteracy**  
i.e., ask, "have I identified all the moral areas of concern, and the moral values involved?"
4. **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.

### Ethical Caution

preventing, avoiding, minimising the unethical

‘precautionary principle’

- in cases where we don’t KNOW that an action is not harmful, we must proceed as though it IS harmful – and act accordingly
- in cases where we don’t KNOW that there is no risk, we must proceed as though there IS risk – and act accordingly

→ and

provide ‘safe exits’

- where there is risk (maybe of actual harm, maybe of ethical wrongdoing), we should provide mechanisms for behaving / responding if that risk is realised

engage in ‘defensive driving’

- this is risk avoidance. Even if it would not be our fault if something untoward occurred, we can still take steps to best ensure that that untoward occurrence does not happen.

This is really tough!

### A hierarchy

(suggested by William Frankena – about 40 years ago)

1. Don't inflict harm
2. Prevent harm
3. Remove harm
4. Do good

### 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.

### Expression of sympathy

(you didn't do anything wrong)

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

"I'm sorry for your loss."

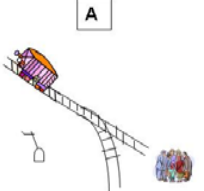
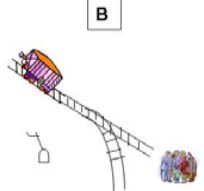
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### Apology

(you did do something wrong)

"I'm sorry."

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

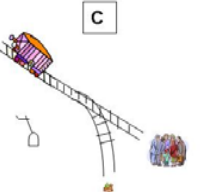

a) Should you ...?

b) Is it morally ok if you ... ?

c) Should you not ...?

d) Have you done something wrong if you do -- or if you don't?

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1. Agency is important (?) – e.g., consider B – 'doing something' vs. 'allowing something to happen'.

2. Moral imperatives -- what you should do, and what is permissible -- are different for professions from individual people (?)

## 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



73 seconds after  
liftoff



Roger Boisjoly (1938 – 2012)

Appearing before House Committee on Science & Technology, June, 1986,  
re: Challenger disaster