

Running Head: ETHICAL FOUNDATIONS OF PSYCHOLOGY

Ethical Foundations of Psychology

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Key Terms:

Ethical Foundations of Psychology

Ethical Decision Making: The Problem

Psychologists, whether they are experimentalists, industrial psychologists, or therapists, are increasingly faced with moral situations in which ethical decisions about what to do have to be made. Take the following cases, for example.

Case 1: A college sexual assault center receives numerous complaints from women that they have been sexually assaulted after (they surmise) they have been slipped a date rape drug. They all report the name of the same fraternity on campus. Although the sexual assault center reported the incidents to the campus police, they refuse to reveal the name of the fraternity (or the women) citing the rule of confidentiality from the APA ethics code.

Case 2: In a well-known and often-cited psychological study, Stanley Milgram (1974) led his subjects (Ss) to believe they were giving dangerous electric shocks (up to 450 volts) to innocent individuals. Of course the individuals did not actually receive such shocks but acted as if they did (including agonizing screams). Research Ss obeyed the authority of the experimenter, who insisted they proceed with administering the shocks. There was a high degree of obedience to the experimenter's authority, thus showing an analogy with Nazi atrocities.

Ethical Dilemmas

Each of these cases presents a difficult choice for the professional involved. The first case involves interpreting the meaning of maintaining confidentiality. If the therapist breaks confidentiality against the client's wishes, the therapeutic relationship may be broken or at least damaged to where trust in the therapist is in question. If the therapist does not break confidentiality, it may bring harm to numerous other women who may experience the same

demeaning experience. In the Milgram case, the choice is between potentially producing valuable knowledge while possibly harming Ss versus not harming them but also not producing good (knowledge). The psychologist must weigh the importance of gathering data against the need to preserve the rights of subjects to make informed decisions about participation. Most psychologists would agree that these and similar cases involve an ethical issue, but trying to define the nature of the ethical problem and coming to an ethical conclusion is more difficult.

In fact, the Milgram case involves the question of whether it is even ethical to deceive research subjects when it might result in painful consequences for the subjects. Here the quest for knowledge conflicts with one's duties to one's subjects. Although some would like to believe that the Ethical Principles of Psychologists and Code of Conduct (APA, 2002) henceforth referred to as APA Ethics Code, would cover these and give clear-cut answers that are not always the case. Standard 4.02 also requires explaining the limits of confidentiality and implies that it may be broken with informed consent. In addition, Standard 4.06 allows consulting with colleagues about the client with their informed consent to protect others from harm. In other words, should the therapist keep confidentiality absolutely or ask the clients for their consent to reveal the name of the fraternity. Even as more and more standards are added, clear-cut answers remain unclear.

Ethical issues become problematic when there are no clear guidelines to give direction. Should psychologists rely on their personal values and judgments? Are such value judgments all equally valid or good? If not, how can such judgments be rationally defended? Are there guidelines for making such decisions, and if so, what are they? Are the codes of ethics of the various professional organizations adequate? Can they be justified? If so, how? In this paper, these and various other closely related issues concerning the ethical foundations of psychology will be discussed and an account offered of how to resolve them.

Personal Values

When faced with difficult ethical decisions, people sometimes argue that one should fall back on one's own (personal) values or sense of personal obligation. But which values should be relied on, and are everyone's values equally acceptable? Part of the problem in identifying appropriate values is that the term *value* is used in multiple ways, so that what constitutes a value is often unclear.

When *value* is used as a noun, at least eight different realms of values have been distinguished (Frankena, 1963). These include morality, art, science, religion, economics, politics, law, and customs or manners. When *value* is used as a verb, it means to prize or esteem and can extend to anything liked or desired. For example, someone may say he or she values ice cream, sex, a blue sky, and so on. Rollin (2006) calls this area "personal ethics" and suggests most of these can be left to the discretion of the individual. Like law personal values have areas that overlap with ethics but are distinct from them. This is particularly true of religious values many of which would overlap with both the law and professional ethics. On the other hand there may be areas in which a professional's personal values conflict with the ethics code, the profession's culture, or the law. For example, a student in training may hold personal values based on spiritual or religious beliefs that conflict with law (i.e., abortion) or the core values of the profession (i.e., that gay or lesbian relationships are wrong).

The question of whether there are specific ethical values that therapists ought to hold is the cause of considerable debate. Most practicing psychologists, for example, learn that tolerance of a client's values is one of the most basic assumptions of psychotherapy and that they are not to impose their values on a client. Others argue that professionals in the field have a right to hold and act on their own values. Certainly this argument has some merit particularly with regard to

values that do not directly influence professional decisions. However, as already noted, there are some values psychologists or counselors ought not to hold and there are some things that people esteem or value that are not moral. Few would argue that professionals ought to value deliberately torturing clients or research participants. In short, there are limits to the values that a profession can tolerate its members holding.

Individuals freely choose to enter the professions of psychology . Once they have made that choice, it is presumed that they hold the values promoted by the profession and denounce ones that are antithetical to it. One way that APA legitimizes this process is by stating to prospective members that by submitting an application they are agreeing to uphold the profession's code of ethics. If individuals become members and act on values that are antithetical to psychology in their professional capacity, the profession can judge their behavior to be unethical and revoke their membership.

Typically introductions to ethics codes provide a common set of values, which are expected to guide the work of the members of that profession when they are acting in a professional capacity whether that capacity is practice, research, or teaching. These values are not optional. Rather, they represent the core values of the profession. Typically, one of those values used to enhance the welfare and development of the individuals and groups with whom those professionals work/ In other words, abhorring the idea that psychologists or counselors might deliberately torture their clients or research participants derives, in part, from a fundamental value of the profession, which is to promote the welfare of others. We can judge the behavior of a psychologist or counselor who engages in behavior that violates this value as unethical.

Conscience

When it is said that an ethical decision ought to be based on personal values, what someone may have in mind is something like “Let your conscience be your guide.” In fact, conscience is defined as “the sense or consciousness of the moral goodness or blame worthiness of one’s own conduct, intentions, or character together with a feeling of obligation to do right or be good” (*Webster’s Ninth New Collegiate Dictionary*, 1988, p. 278). According to Beauchamp and Childress (2001), conscience “is a form of self reflection on and judgment about whether one’s acts are obligatory or prohibited, right or wrong, good or bad. It is an internal sanction that comes into play through critical reflection” (p. 38). In other words, in contrast to acting on personal values, acting on conscience implies that one is guided by moral values which one has considered in relationship to the situation at hand.

On the other hand, in some cases, one’s conscience is erroneous. The maxim to follow one’s conscience does not imply that conscience is either a sufficient or infallible guide for moral action. In fact, claims of acting on conscience may merely be rationalizations for immoral acts. Further, sometimes our conscience may fail to give us any direction at all. Again, this does not imply that people should act in a way that they believe is wrong but that conscience, too, can be informed by a critical evaluation of ethical values.

The critical question that psychologists must ask is, “What are the ethical values that psychologists or counselors ought to hold, and how can they be justified?” Often the initial answer to this question is that those values are identified in the ethics code of that profession. On the other hand, the argument has already been made that codes are not infallible and that they, too, are open to criticism. Thus, professionals should also ask, “What are the ethical values that the profession ought to hold and incorporate in the ethics code, and how can they be justified?”

The question that immediately arises when considering ethical issues in the practice, research, and teaching of psychology is, “What ethical assumptions ought to guide thinking and actions?”

Professional Codes of Ethics

Many individuals are content to believe that adhering to a code of ethics that governs their professional behavior can solve ethical issues. Professional codes of ethics can be found in a variety of areas: business ethics, medical ethics, legal ethics, etc. These are largely the outcome of events occurring in the second half of the 20th century. In particular, professional ethics in psychology was strongly influenced by earlier developments in related fields such as medical and biomedical ethics

Brief History of the APA Code of Ethic

In particular, the concern with the ethics of professional psychology has several historical roots: (1) as an indigenous moral concern within psychology, a concern that partly was fueled by controversial cases in psychology and the social sciences, and moral charges and questions raised about psychology, (2) as an extension of biomedical ethics, which was a reaction to the Nazi atrocities uncovered during the Nuremberg Trials, and (3) a general (philosophical) concern about research ethics.

Internal Ethical Deliberation. One of the original motivating factors in developing a code of ethics apparently was the existence of numerous charges of unethical conduct leveled against psychologists in the 1930s (Hobbs, 195 , p. 81), in particular issues concerning psychotherapy and consulting psychology. This resulted in the formation of a Committee of Scientific and Professional Ethics (1940), which investigated charges of questionable conduct. This led (1947) to the eventual formulation of a code of ethics in 1952, which extended beyond the original domain of malpractice to include more general ethical questions.

Secondly, insofar as psychologists receive funding from the government, they were required (at least initially) to abide by the federal guidelines set forth in Institutional Review Boards (IRB) procedures. Hence, one of the sources underlying the emergence of a research ethics involved the internal history of psychology. Partly as a result of the recognition of several studies, especially, Milgram's study of obedience (1963), and Zimbardo's Prison Study (1973), psychologists were stimulated to reflect upon the ethical foundations and implications of their research methods. This led to revisions in the professional code of ethics to include, more explicitly, ethical issues involving research.

Biomedical Ethics and Federal Regulations. One of the most important antecedents of psychological research ethics was biomedical research. First, there was the Nuremberg Code of ethics, which set forth morally acceptable and unacceptable conduct with regard to medical research with humans. Next, there were several now famous cases of controversial biomedical research that came to public attention: the Thalidomide Drug Tragedy (1961), the Jewish National Hospital cancer study (1965), the Willowbrook hepatitis study (1966), and the Tuskegee syphilis study (1972). The upshot of this development was the creation of a set of federal guidelines for research on humans. The first was set forth in an initial report of the Surgeon General of the Public Health Service in 1966 (PPO #129). This, in turn, led to the establishment of Institutional Review Boards (IRBs) in 1971 and 1974; the 1974 National Research Act authorized the National Commission for the Protection of Human Subjects in Biomedical and Behavioral Research to formulate the ethical principles that should govern the conduct of biomedical and behavioral scientists performing research on humans—the Belmont Report (1978). (See Childress, et al, 2005.)

From the beginning (1966), the behavioral sciences were included in the guidelines—first in the Surgeon General’s revisions (1966, 1969) to his original 1966 comments and then in the Department of Health, Education and Welfare (now the Department of Health and Human Services) guidelines in 1968, 1971, 1974, 1979, 1981, and 1984.

It has always remained unclear, however, what *behavioral science* meant in this context and precisely what kind of research was considered to be ethically debatable. Was it the result of the deception studies of the 1960’s, the biomedical studies involving behavioral control (e.g., psychosurgery, drug studies, behavioral modification programs performed on prisoners, veterans, children, the mentally committed, and the aged), and/or the result of a national concern about data banks and the invasion of privacy? These questions have never been thoroughly examined.

Philosophical Ethics. Thirdly, several individuals saw the need for a general set of ethical principles that would cover psychology and social science research. The Belmont Report (1978), for example, set forth the principles of *beneficence*, *justice*, and *respect* providing the philosophical basis for federal guidelines concerning institutional review. It was, however, directly tied to biomedical ethics and said virtually nothing about psychology.

The most famous attempt to construct a set of general ethical principles governing biomedical research was done by Beauchamp and Childress (1979), who adopted the ethical principles of *autonomy*, *nonmaleficence*, *beneficence*, and *justice*. Although the Belmont Report and Beauchamp and Childress provided basic sources for constructing a general account of biomedical ethics, neither spoke directly about the ethics of psychology.

What then about a general account of psychological research ethics? Although there have been several books that have attempted to do this, e.g., Diener & Crandall (1978), Kimmel (1988, 1996), Reynolds (1979, 1982), Sieber (1992), what is lacking in most of these accounts

is an adequate philosophical foundation. In most of these works, for example, there are discussions of confidentiality, informed consent, deception, harm, etc. , and there is the usual mention of standard philosophical theories of ethics—Kantianism, utilitarianism, virtue ethics, etc. But, with the exception of K. Kitchener (1984, 2000), how these theories relate to issues, say, of deception was not clearly spelled out, so that the connection between these abstract ethical theories and practical issues is not very apparent. Several of these general accounts, many of the specialized works, and at least one professional code of ethics indicate the need for *middle level ethical principles*, e.g., principles of autonomy, non-maleficence, beneficence, etc. This would suggest a tripartite level (Beauchamp & Childress, 1979; Fox & DeMarco 1990; Resnik, 1998). Given the prevalence of this approach, we believe it is sufficiently widespread to be termed “the standard or received model”; others call it *principlism*. Here, we will explicitly adopt this model (K. Kitchener, 2000), which was partially adopted in the 2002 revision of the American Psychological Association Code of Ethics. We believe that, with suitable revisions and qualifications, it has the potential to become the standard model for research ethics in psychology.

What is a Professional Code of Ethics?

By the 1950's, therefore, the profession of psychology saw the need for and proposed a professional code of ethics for psychologists. In large part, this was a reaction to (perceived) misconduct on the part of psychologists. Hence, like much of ethics, the primary focus was on setting forth norms or standards of conduct—what was unethical and hence to be avoided ought to do. In part, this was a device to police the profession and to avoid ethical charges of misconduct and legal action (APA, 1953). But, of course, there is more to a professional code of ethics than setting forth prohibitions (proscriptions).

Are such professional codes of ethics really needed over and above general ethical rules such as: don't hurt others, don't lie, don't steal, don't break a promise, respect others, etc.? Is there a specific function or logical justification for codes of professional ethics? (Bayles, 1989; Goldman, 1980; Koehn, 1994). To answer this question, we need to look at what a profession is.

A profession is usually institutionalized: it has a social and legal structure, dues, licensing practices, and typically a formal code of ethics. These in turn are based upon *role theory* (K. Kitchener, 1988T). A professional (e.g., a physician, a teacher, a lawyer) has a certain function (role), some end state defining the goal (*telos*) of the profession: to heal the patient, to teach students, to protect the legal rights of clients, etc. Along with this role comes *obligations* and *privileges*. Similarly, the *recipient* of the services of the professional (a client, a patient) has a set of role duties and privileges: patients following the orders of the physician, students read the assigned text and take exams.

A professional has specialized knowledge and expertise for which recipients engage him or her in an explicit or implicit contract. In some professions, a fundamental aim is to help the client so that the welfare or good of the client and/or the client's desire is primary. Hence, in medicine, psychiatry and psychotherapy, we have a combination of specialized knowledge and concern for the patient's good.

A useful way to view a profession, therefore, is in terms of *contract theory* (exchange theory). A professional aims to provide a particular *service* (benefit) to a recipient (client, patient, parishioner, student), who desires the service. In return, the recipient directly or indirectly compensates the professional for the service (typically by monetary payment). Hence there is an explicit or tacit contract between the two parties.

The professional, therefore, has a *specific obligation* to the recipient—to produce client good—which he or she does not have to the general public.

Certain behaviors on the part of the physician are incompatible with the function of the medical arts, which is to heal and produce health. Similarly, in psychotherapy, there are behaviors, e.g., having sexual relationships with clients, that are arguably incompatible with the role of the psychotherapist.

One consequence of the contract model is that dual role relationships would seem to be problematic (K. Kitchener, 1988). since this would lead to several functional ends being present, thus engendering conflicting functional directives. It is for this reason that practicing psychologists who also have clients sometimes run into moral problems since patients presume that the psychologists' goal is to help them.

The Adequacy of Professional Codes of Ethics

As we have indicated, many professionals appear to believe that, in order to behave ethically, it is sufficient to follow the APA Code of Ethics. While we believe that such allegiance is, in general, laudatory and although we believe that the evolution of the various versions of the code of ethics shows improvement in a variety of ways, several qualifications to our praise of the code of ethics need to be made. In fact, there are four reasons to believe that following the APA code is not *sufficient* for general ethical behavior (we ignore the issue of whether it is *necessary*) (1) As several individuals have pointed out, there are several concepts and propositions in the code that are unclearly stated, ambiguous, and/or vague. One example is the recurrent phrase: “psychologists do not do so-and so” where what is meant is not an empirical generalization but a normative duty. (2) Professional codes of ethics are *incomplete*: it is impossible for a code to cover all possible situations that will arise; hence there will be gaps not

covered by the current code. In this case, one can be following the code but the code will be silent about a moral situation. Some other source must then be found. (3) An ethical code can have internal conflicts, i.e., standards (directives) that are incompatible with each other, e.g., confidentiality can conflict with non-maleficence. (4) Ethical codes can conflict with each other and a person can belong to several different professional organizations. If so, then it would be impossible to follow both of these directives at the same time. (5) Ethical codes can conflict with general ethical principles, religious views, and the law. In this case, one must decide whether to follow the code's standards or obey the law (or abide by a general ethical principle). Although the code allows for conflicts with its mandates and the law, it is silent about conflicts between its standards and more general ethical principles.

Professional codes of ethics do not and cannot always provide complete and unequivocal directives when psychologists are faced with tough ethical decisions. Individual judgment, interpretation, common sense, and wisdom cannot be avoided in many cases. We argue that what is needed is a broader conceptualization of ethical responsibility that allows dialogue across professional lines, that allows psychologists to make ethical choices when codes are silent, and that affords guidance when codes give contradictory advice. In addition, we suggest that exclusive focus on decision making, without nurturing the character traits that support good judgment and that provide the motivation to act morally is insufficient.

In addition, it would seem that the code itself needs to be justified. Surely, the standards were not proposed as arbitrary, subjective preferences of the various committees. But if not, then it needs to be clearly stated how the standards are to be morally justified. This will necessarily involve questions about ethical methodology, such questions belonging to the realm

of meta-ethics (see below). In fact, little has been written on the ethical methodology followed by the founders of the code.

In short, in light of the limitations of ethical codes and the fact that there are real ethical dilemmas that involve deciding between competing ethical obligations, it is particularly important that psychologists develop a deeper understanding of ethical decision making.

We will propose such a set of broader and more basic ethical decision-making norms. We argue, therefore, the need for something more general than professional codes of ethics, namely, ethical rules and ethical principles together with a model of ethical decision-making. Our model of ethical decision-making purports to be an adequate model for making ethical decisions. But before discussing it, several preliminary issues need to be discussed.

The Field of Philosophical Ethics

When confronted with the question of what makes something an ethical issue, people will often respond that it involves a determination of right and wrong. However, when considering the above cases, it becomes apparent that ethics involves more than just judgments about whether an act is right or wrong. In Case 1, the professional is faced with deciding between competing moral obligations or claims about what is right. As these cases at the beginning of the article, the professional faces an ethical dilemma, a problem for which no choice seems completely satisfactory, since there are good, but contradictory reasons, to take conflicting and incompatible courses of action. The cases illustrate the inevitable need for psychologists to make ethical choices.

In the most general sense, ethics is concerned with the question of what to do, what to seek, how to treat others; in short, how one ought to live. This is the forward-looking perspective

of the 1st-person perspective. What ought I to do? On the other hand, there is also a 3rd-person perspective of evaluation, which is backward-looking. Should the other person have done that? The 1st person perspective is the one that most often bothers the ordinary psychologist and the 3rd person perspective that most often plagues ethics committees.

There are several clusters of issues or questions making up the subject matter of ethics.

(1) *Obligation*: questions about what one ought to do, what one's duty is, what is morally right?

To whom or to what do we owe our obligations and duties? (2) *Moral Value*: what kinds of things in the world are morally good—what is intrinsically good or valuable? Happiness?

Autonomy? A good will? (3) *Rights*: what moral rights does an individual have. What is the nature and justification of a right? What is the extent of rights, e.g., do they extend to animals and nature? (4) *Justice*: What is a just action? Does it come from an institution, policy, law?

What is the nature of fairness and equality in the treatment of others and ourselves? Who (if

anyone) is responsible for their actions (and character)? Who should be blamed and punished?

These four notions—obligation, moral value, moral rights, and justice—constitute what we can call the basic *questions* or *problems* of ethics. Ethical theories (normative ethics) purport to be able to *answer* these questions and *solve* these questions. For this reason, a considerable amount of ethics is devoted to discussion of the nature of normative theories of ethics (see below).

Philosophers (Frankena, 1963; Hospers, 1961; Taylor, 1978) frequently refer to ethics as the philosophical study of morality. Ethics, therefore, is a branch of philosophy that addresses questions of how people ought to act toward each other, that pronounces judgments of value about actions (e.g., whether someone ought to be praised or blamed for those actions), that

develops rules of ethical justifications (e.g., how we can justify holding one set of values over another), etc.

Some Important Distinctions

Before describing a model of applied ethics, some basic distinctions are necessary. Because psychologists are seldom trained in the language of ethics, some confusion may exist between the relationship between ethics, the law and psychology.

Ethics and the Law. In Case 1 the counselors are torn between being ethical and providing information the law could use to prosecute members of the fraternity. Clearly, in this case, ethics and the law were not necessarily identical. First, laws frequently are concerned with behavior that has little or nothing to do with ethics. Second, laws may differ from city to city or state to state. Thus, in one state it may be legal for a girl to marry without consent of her parents at age 16; in another, the legal age is 18. It would not make sense to say that because a girl married at age 16 she was moral in New Hampshire but that if she moved to New York her action would become immoral. Further, arguments can be made about laws being unfair, unjust, or immoral. For example, in an earlier era one of the arguments against laws that discriminated on the basis of race was that they were immoral and, therefore, ought to be changed. By contrast, some laws may be evaluated as “just,” and these are the ones in which ethics and the law usually overlaps. Evaluating laws as moral or immoral suggests there is another perspective, an ethical one, from which they may be judged.

Just as there are concerns that the law addresses issues that do not directly derive from moral responsibilities, so are there ethical questions about which the law is silent. For example, although society legislates actions that parents may not engage in with their children, such as

incest or abuse, there are many positive ethical responsibilities that parents have toward their children about which the law is silent.

Some of the difficulty in distinguishing what is legal and what is ethical derives from the fact that laws define which acts are right and which are wrong from the perspective of the body that established the law, e.g. legislature. Because ethics is also involved in evaluating whether acts are right or wrong, there is an overlap of subject matter. As legislative bodies further attempt to control the work of psychotherapists through laws, the overlap will only grow. For example, since the early 1970s, the courts have taken an intense interest in the possibility that psychological tests lead to discriminatory practices against minorities, women, and individuals with disabilities (Bersoff, 1983). These court decisions often refer to some concept of fairness or justice embodied in the law which is an ethical argument.

The overlap is further complicated by the fact that when judges set precedents or interpreting laws, they frequently give ethical arguments for their positions. As an illustration, both the majority and dissenting opinions in *Tarasoff v. Regents of the University of California* (1974) were argued from an ethical perspective. In fact, Levine (1988) suggested that “At its best law reflects society’s concepts of ethical duties both positive (‘thou shalt’) and negative (‘thou shalt not’)” (p. x). However, as already illustrated, the law does not always meet the ideal and may, in fact, regulate some areas of life that do not call for ethical evaluation. Because professional ethics and the law have areas of common concern as well as divergence, they can probably best be conceptualized as two overlapping circles that share a common intersection, as illustrated in Fig. 1.

[Insert Figure 1 about here]

Law is defined as a rule of conduct prescribed or recognized as binding by a controlling authority (*Webster's Ninth New Collegiate Dictionary*, 1988). If that is the case, then the codification of ethical rules by a profession gives it the standing of law for that profession. Furthermore, if laws may be evaluated as moral or immoral, the possibility must also be considered that the ethical rules for the profession can also be evaluated as moral or immoral. In other words, by the higher standard suggested here, an action may be unethical even though it does not explicitly violate a section of the APA ethics codes. For example, although the APA ethics code allowed limited bartering, some have argued that bartering for services is always unethical because the practitioner enters into a dual relationship with the client that might negatively impact his or her objectivity.

These statements, as with earlier ones, should not be interpreted as advocating a rejection of codes of ethics. Rather, the intent is to differentiate the “ethical” from the “legal” and to emphasize the continuous need to evaluate the ethical validity of a code that a profession endorses.

The Subdivisions of Ethics

If *morals* are a part of the human value system—the beliefs, desires, and behavior of individuals—they can be empirically studied. The study of morals as they *exist* is called *descriptive ethics* whereas the study of morals as they ought to be is *normative ethics*.

Descriptive Ethics. *Descriptive* (or *empirical*) *ethics* studies how people actually behave, what ethical values they actually hold, what they believe about these issues, etc. This is generally considered to be an empirical subject to be pursued following the usual canons of the psychological (and related) sciences. Psychologists study a great variety of questions and issues about the actual behavior and cognition of people as these relate to what we usually consider to

be ethics. This would include, for example, studies such as the unresponsive bystander, moral development, altruism, etc.

Normative Ethics. By contrast, the attempt to identify what moral values people *ought* to hold has been the domain of philosophy and has been called *normative ethics*. Unlike psychology, it does not ask what moral ideals people actually hold but what moral ideals are better than others and why they are better. In other words, normative ethics involves judgments about what values are worth holding or “pronouncing judgments of value upon human behavior, not just describing that behavior” (Hospers, 1961, p. 6). It confronts questions of moral responsibility, such as when people should be praised, blamed, or punished for their behavior.

Whereas descriptive ethics studies the “is” side of the is-ought distinction, normative ethics studies the “ought” side. Traditionally, different ethical positions have been divided on questions of normative ethics, of what normative ethical principles are best to follow. Of course, everyone has their own personal values and norms but the question is, “Which values or norms should be relied upon in making a decision?, Which personal moral norms and values are really good or adequate ones to hold?, Which ones are rationally defensible?”

Applied Ethics. *Applied ethics* is concerned with the application of these normative principles to concrete areas. It uses principles and insights from normative ethics to resolve specific moral issues in concrete and particular settings (e.g., abortion, animal rights, and capital punishment). In psychology, applied ethics would be concerned with the application of normative principles to issues such as the use of deception in psychological research, the violation of confidentiality in a counseling context, etc.

Professional Ethics. In recent years, the field of ethics has turned its attention to the ethical issues of the various professions, e.g., business ethics, medical ethics, nursing ethics, etc.

Professional ethics concerns the moral issues that arise because of the specialist knowledge that professionals attain, and how the use of this knowledge should be governed when providing a service to the public. What is Professional Ethics? The American Association for the Advancement of Science (AAAS) has offered the following definition: “Professional Ethics refers to those principles that are intended to define the rights and responsibilities of scientists in their relationship with each other and with other parties including employers, research subjects, clients, students, etc.” What is meant here could be called professional scientific ethics. A similar point could be made about any profession, namely, there is a set of ethical rules or guidelines governing the behavior of members of that profession. This would include: lawyers and judges, businessmen, professors, etc.; indeed one could also speak of the “ethics of the professional gangster or prostitute”. In the later cases, of course, there is no explicit, formally codified set of ethical rules but rather a tacit code of ethics. The same applies to the ethics of the university professor.

On the other hand, several professions have a formalized code of ethics and membership in that profession or professional organization is contingent on agreeing to abide by that code, e.g., American Medical Association, Law Enforcement, American Bar Association, and (yes) the Mafia.

Although this section focuses on the issues that arise for psychologists and counselors who assess and treat clients, teach, supervise, and do research, other professionals such as lawyers, nurses, physicians, and teachers face similar concerns. Professional ethics involves much more than the mechanical application of insights from other fields of philosophy to practical problems (Callahan, 1988). It often raises questions that require further elaboration of moral principles and generates a deeper understanding of what constitutes morality. Similarly,

information from descriptive ethics can inform normative values. For example, evidence that sexual relationships between therapists and clients caused harmful consequences led the American Psychological Association (APA) to define these kinds of relationships as unethical (APA, 1981).

Meta-ethics. The last area to be considered, *meta-ethics* is concerned with the theory of how one should do ethics: Are ethical propositions true or false? If so, are there objectively existing moral properties? If they are neither true nor false, what are they? What is the meaning of moral terms, e.g., ‘good’ or ‘right’? What kind of reasoning can be advanced in support of ethical arguments, e.g., can empirical evidence be used to support an ethical conclusion? Although psychologists may find discussion of meta-ethics abstract and sometimes arcane, these issues invariably arise in discussions of the ethical foundations of psychology. For example, if one subscribes to the tenets of logical positivism, ethical propositions would be neither true nor false but literally meaningless. What then is the cognitive status of the ethical propositions proposed in the APA code of ethics? Are they literally cognitively meaningless? If those principles are cognitively meaningful, are they true or false? Are they empirically verifiable or confirmable? In short, issues in meta-ethics will arise in discussions of the ethical foundations of psychology. In this chapter, we will explicitly address the meta-ethical status of fundamental ethical principles.

We also provide a framework for ethical decision making and describe how ethics codes fit within this framework. We attempt to answer the following questions, “Which ethical principles provide the foundation for ethical choices?” and “What kinds of values should psychologists or counselors hold?” Before we do this, however, we need to briefly discuss the

major theories of normative ethics, since this provides the normative basis for ethical principles and the grounding necessary to discuss the ethical foundations of psychology.

Normative Ethics

Introduction

Several basic issues divide normative theories of ethics: descriptive versus normative ethics, egoism versus altruism, naturalism versus conventionalism, relativism, skepticism, subjectivism, hedonism, and consequentialism versus formalism (deontology).

Since the very beginning of human culture, the interests of the individual have often conflicted with the interest of others and the group (society). Indeed, without society, it is questionable whether ethical principles would ever have arisen since there would have been little need for them. Ethics is fundamentally concerned with resolving disputes and debates between individual concerning conflict of interests. These debates arise when the desires and interests of one individual conflict with the desires and interests of others. Any society must have the means, social means, of controlling the behavior of individuals and adjudicating such disputes. This is where the law enters or originally entered. Indeed some have argued that with a better legal system, there would be no (or little) need for ethics.

Ethics is fundamentally concerned with normative questions of *how one ought to behave*. This assumes there are several courses of action open to the individual and that the individual could or can choose to do any one of these. If the individual is deliberating about which action to

perform, a norm indicates which action is permissible, preferred, obligatory, prohibited, etc.

There are various types of norms: legal norms, customs and etiquette, moral norms, etc. A society will typically set forth a set of expectations covering all of these. For example, in the United States, one ought to drive on the right side of the road, men ought to wear a dark suit to a funeral, women ought to be married before they have children, one ought to serve white wine with fish, etc. These norms specify what the culture takes to be the correct, right, or proper behavior and supposing individuals do not always follow this prescribed course of action, the norm indicates they did something wrong and it would have been better (or good) if they had done something else.

Descriptive versus the Normative

As these examples indicate, individuals deviate from these norms to varying degrees and in various ways: almost all people drive on the right side of the road, many men wear dark suits to funerals, most women are married before they give birth, etc. These facts are discovered empirically perhaps using the standard statistical techniques. But if it were discovered that the population abided by a particular norm to a certain degree, say, 10%, would this invalidate the norm? More and more men do not wear dark suits to a funeral. Is the underlying norm no longer existent? If most people cheat on their income tax return, does this invalidate the norm that one ought not to cheat on one's income tax?

The immediate reaction to many of these norms would be to question the legitimacy or validity of the norm: why, after all, should women get married before they have children? Why should one help others or keep their promises? These questions concern the justification of (ethical) norms.

If it is fairly clear why one should be honest on one's income tax return. There are important sanctions attached to breaking the law concerning this. But what are the sanctions attached to a lie or to not being married before bearing children? And even if there were such punitive sanctions, would this make the norm legitimate or justified? Clearly not. A justification of a norm would show that the norm was legitimate, correct, binding, worthy of respect, etc. So what would justify a norm? Is it even possible to provide such a justification?

There is a cluster of views regarding ethics that invariably arise in discussions of the nature of ethics. These are the positions known as egoism, hedonism, and subjectivity. A discussion of them may provide a convenient point of departure for discussing several more complicated normative ethical theories.

Egoism vs. Altruism

First, psychologists are familiar with a view known as egoism, of which there are two varieties: psychological egoism versus ethical egoism. *Psychological Egoism* is a theory of human motivation, it is the view that *every individual always pursues his or her own self-interest*. This is an empirical psychological claim about all people, one concerning the ultimate desires or motives underlying their behavior. It is often phrased as a deterministic thesis about the fundamental motivation of all individuals. In a moral conflict situation, therefore, the individual person will always choose his or her welfare over that of others. In fact, according to this view, it is not psychologically possible for an individual to act in a genuinely altruistic way. Opposed to this view is the thesis of several psychologists that individuals are able to act altruistically, that is to say, against their own self-interest and in the interest of others (Batson, 19). Psychological altruism can be formulated as the claim that: *individuals sometimes act in an unselfish manner*.

Ethical egoism is not a psychological thesis but a normative one. It is the view that *everyone individual ought to pursue his or her own self-interest*. On this view, therefore, it might or might not be possible for an individual to act selfishly or altruistically but the moral thing to do is for the individual to act selfishly, to pursue his or her own self-interest. By contrast *ethically altruism* is the view that *everyone ought always to act to benefit others instead of themselves*. Many religious thinkers appear to entertain such a view, which may appear to lie at the heart of Christian ethics.

In this context, a third view is *universalism*, which maintains that *one ought always to benefit everyone—others and oneself—to the greatest extent possible*. This is a view that utilitarians (see below) endorse, one in which one's own self is considered along with that of everyone else—no more, nor no less. Utilitarianism, therefore, is committed neither to egoism nor to altruism but to a combination of the two. In at least one of its forms, it is committed to maximizing the greater amount of utility, no matters who gets it.

Relativism

There is also a controversy between ethical relativism and ethical absolutism. These are not psychological views but ethical views. *Ethical Relativism* is the view that *what is morally right (or valuable) is relative to the individual (or ones social group)*. Hence, one and the same kind of act can be right for one individual but wrong for another one (or right for one group but wrong for another group). As such, ethical relativism denies there are universal and absolutely binding principles that everyone ought to follow. "It all depends on the person" is the mantra of the relativist.

The main argument supporting ethical relativism is that in order to decide what is morally right (valuable) and hence to make a moral judgment, it is necessary to have a standard

or criterion. A standard is a property or condition the presence of which allows one to decide, determine, or justify one's claim that a moral condition is present. For example, an individual might argue that "abortion is wrong" because of the standard that "taking any life is wrong" and abortion is taking a life. An individual person who employs such a standard can then decide what is morally right or wrong on the basis of this standard. But another individual might have a different moral standard, e.g., a woman has a free choice" to determine what is right in this case, resulting in a different moral judgment. So, moral standards differ between individuals and both individuals can justify their moral judgments by reference to their own particular moral standards. But a moment's reflection would reveal there is a multitude of moral standards individuals recognize. Because of this pluralism, it would seem to follow that what is morally correct is relative to the moral standard that the individual employs.

On the other hand, if there were only one moral standard, then everyone, in principle, would agree (or should agree) about what is morally right. An individual who believes in the existence of such an absolute or universal principle would be committed to ethical absolutism (universalism), the view that *there is/are an absolute (non relative) standard(s) binding on all individuals*. There are, of course, intermediate positions in which there are several universal moral standards, e.g., a belief in the universal validity of the ten commandments.

Skepticism

Suppose one believed there were no such moral standards or that, if there were such standards, that one could never know them. Then one would be an ethical sceptic, endorsing *ethical skepticism: there are no universal, absolutely binding moral principles or standards, and if there were, no one could ever know what they were*. The main argument supporting such a skepticism might be the following: in order for there to be a moral standard, there must be a way

of knowing that it is a moral standard and of justifying the claim that it is a moral standard. But, according to the sceptic, there is no such way of coming to know this. For how could one recognize such a standard; how could one prove there was such a standard?.

Popular support of the above argument was often proclaimed during the heyday of the logical empiricists: in order for a moral proposition or judgment to be cognitively significant, it either had to be a proposition of logic-mathematics or one for which there was empirical evidence. But an ethical standard is not a proposition of logic, nor is it something that could be empirically confirmed. Hence, believes there are no moral propositions.

A similar argument is often advanced by empirical scientists who see no way in which one can empirically verify, confirm, falsify, or disconfirm an ethical proposition such as abortion is wrong, or it is wrong to break confidentiality with a client. Ethical skepticism is thus a view that has had considerable support from individuals who believe one should have empirical evidence for what one says.

Opposed to this is the denial of ethical skepticism, the view that there are moral principles and that one can know or justifiably believe them. How this is possible has always been a difficult question but there have been several attempts to argue that such moral standards or principles can be justified and (perhaps) known. Unfortunately we do not have the space to discuss these.

Subjectivism

Closely related to ethical relativism (and often confused with it) is *ethical subjectivism*, the view that *what is morally right (or valuable) is not an objective matter but a subjective one; it is a matter of some property or state inside of the individual*. A very popular version of this maintains that morality is a matter of one's personal emotions, feelings, or sentiments and

nothing more. When an individual says something like “abortion is wrong” this is just saying that the individual has an emotional reaction (e.g., disgust) at the thought of abortion. Morality is just a matter of emotion. What sentiment individuals have seems to be at least partly a matter of their upbringing; hence individuals will differ in their subjective reactions to things, a kind of ethical relativism. Moral values and moral rightness are lodged inside the individual—in his or her feelings or sentiments. “If I feel something is right, then it is right,” is thus one way to express ethical subjectivism. Many psychologists appear to believe this.

By contrast *ethical objectivism* is the view that *what is morally right (or valuable) is independent of the individual and his or her personal or internal beliefs, feelings, and emotions*. Ethics is objective and is binding on people no matter how they might personally feel about something or their set of emotional responses.

Hedonism

One more term, hedonism, is usually introduced in discussions of ethics. It is a view about the nature of what is intrinsically valuable—what is morally good. According to *psychological hedonism, pleasure and only pleasure is what everyone ultimately seeks and it is intrinsically good and valuable in and of itself*. Psychological hedonism is thus a claim about the fundamental motivation of individuals. This is a view about motivation, a view championed in at least one form by Freud in his pleasure-principle and classical learning theory in some of their views of drive-reduction.

From both points of view, whether individuals pursue non-hedonistic states or not, they ought to pursue pleasure since it is the only really good and desirable property. Of course, a key question here concerns the nature of pleasure, whether for example it is just physical sensual pleasure or whether it might include the higher pleasures. Psychologists who have challenged

psychological hedonism often come from a humanist or existentialist tradition claiming there are higher motives than just sensual pleasure and that individuals sometimes are motivated by such things. like reading or writing. So, all in all, it is difficult to find anyone who has consistently maintained that individuals ought to pursue the ordinary sensual pleasures of “wine, women, and song”.

It is typical for the above views to be combined with each other in various ways. On one popular account, what one ought to do is the produce what is intrinsically good (*consequentialism*). Generally , psychological egoism and psychological hedonism have, for much of the history of psychology, been a major view: people *always seeks to produce the most pleasure for themselves*. The normative counterpart of this is: people *always ought to produce the most pleasure for themselves*. Similarly, ethical relativism and ethical skepticism have often been conflated since individuals have argued that “everything is relative” since “who is to say what is morally right?” However, ethical relativism would seem to be the denial of ethical skepticism, not supportive of it. Ethical subjectivism has a been a close ally of both ethical relativism and ethical skepticism (especially the latter) but again should be distinguished from them.

The above set of views—skepticism, relativism, subjectivism, egoism, hedonism—have constituted what can be called the initial moral stage of thinking about ethical issues. It is often one or more of these views that individuals are tempted to hold when they begin to reflect upon the nature of ethics. Such a cluster of views seems to be endemic to much theorizing in the sciences when scientists address ethical questions. This may in part be due to the emphasis psychologists naturally put on what is *inside* the individual—in a set of internal states such as belief, desire, emotion, etc. resident in a private and subjective realm known only to the

individual. It may also be due to a certain lack of appreciation of the normative nature of ethics as opposed to the factual, empirical realm they are used to investigating. But if one is going to construct a system of ethics, a set of ethical principles lying at the foundations of psychology, then, such an initial and natural view must be at least supplemented with a more complicated level of ethical reflection.

Egoism versus Altruism Again

Beginning with Socrates and Plato, philosophers have been concerned with the question of the nature of the good life and how one should attain it. It was the characteristic Greek view that individuals could reach this ultimate goal only as part of a larger social entity—the *polis*—of which they were an intimate part. There was, therefore, little if any conflict between the individual's real interests and the welfare of the larger community. In short, as Plato argued in *The Republic* (Plato, 199), *it pays to be moral* because an individual can be happy in life, and thus attain the ultimate state of well-being, only if the individual is just and lives in a just society.

This view was characteristically Greek, and widely shared among Greek thinkers. It was a fundamental part of Aristotle's ethics, for example, but other important Greek schools of ethics, such as Stoicism and Epicureanism, were also committed to the notion that the individual's attainment of well-being was tied up with his or her becoming a moral person, a view not uncommon to individuals theorizing about moral development. Although individuals appeared to differ about this process, ultimately they came to very similar conclusions—the good life was one of living rationally and controlling one's emotions. The Stoics also believed that a concern for the well-being of all human beings was developmentally built into human nature, and that even though humans begin their lives as self-centered animals, they mature to the point

where they are (and should be) concerned about all humankind; this constitutes a kind of *natural law theory*. With the rise of Christianity, the antithesis between egoism and altruism became much more pronounced. In modern time, especially in the Renaissance and Reformation, this issue became the focal point of ethical deliberation (see below.)

Naturalism vs. Conventionalism

Another issue concerns the question, Are ethical principles natural or are they human conventions? The particular words were: are ethical principles matters of *physis* (*objective nature*) or *nomos* (man-made laws, conventions, customs). Some principles are simply matters of custom, of how certain cultures organize themselves and the behavior of their members. These are variable and specific to different cultures, such as having one wife versus several wives. Other principles are “set in stone”, being reflections of an underlying and independent natural order, e.g., how procreation occurs biologically.

It was the Greeks who first raised the question of the status of ethical principles—are they relative to ones culture, a matter of customary regularity, or are there objectively valid ethical principles making up the structure of nature? This question formed the backdrop of much 17th century ethical thinking involving questions of natural law and natural rights (*physis*) versus the social contract theory (*nomos*). It is also at the basis of disputes about Aristotelian virtue ethics and contractarianism. Social constructivists naturally favor the *nomos* side.

Consequentialism vs. Deontology

A further contrast in ethical theory not present among the Greeks but emerging in modern thought is the fundamental contrast between two approaches to normative ethics. Consequentialism is the view that whether an action is morally right or wrong, obligatory or not, depends on the consequences of the action. Actions are thus good, instrumentally good, if they

produce good consequences. Hence, duty (obligation) is derivative from the good consequences it produces. Consequentialism, therefore, requires a theory of (intrinsic) goodness. Candidates for such an honor vary but common suggestions include pleasure, happiness, knowledge, beauty.

In post-Enlightenment thought, the philosophical debate about ethics has turned on the question of the adequacy of consequentialism in relation to its historical rival—*deontology* (sometimes called “formalism”). The term *deonto-logy* is the theory of obligation or duty—from the Greek word *deion*: what is the necessary or proper thing, what is required. Deontology is the view that there are fundamental human duties that are independent of their good or bad consequences; some actions are morally right or morally wrong by virtue of certain inherent properties in the actions themselves, for example, by virtue of their possessing or not possessing certain rational properties such as universalizability, reversibility, and so on.

An Overview of Normative Ethical Theories

Aristotelian Ethics

The ethical theory of Aristotle (1989). has been one of the perennial options for a normative theory of ethics. It was a major contender in the ancient world (especially influential on the Stoics) and with its Christian assimilation by St. Thomas Aquinas, it became perhaps the standard account of ethics in the Middle Ages. It provided the background for much of ethical theorizing in modern times and, after an eclipse, returned in the latter part of the 20th century to take its place as one of the major approaches to ethics—virtue ethics.

The fundamental assumption of Aristotle’s ethics is a claim about the nature of the world. Living beings are goal-directed systems: every being has a natural end-state or goal (*telos*) towards which it is moving. This goal is tied up with a thing’s *essence*—its essential nature. Although the essence of something is present throughout its life, it is present potentially,

but is actualized (realized) to different degrees. A thing's purpose is to attain its ultimate telos, thus actualizing its potentiality and realizing its essence. An acorn's goal is to become an oak-tree, a tadpole to become a frog, a child to become an adult.

Life can thus be characterized developmentally as a structured kind of movement or process of change towards one's ultimate purpose. In the case of humans, this ultimate purpose is built into our very biological being; hence our ultimate purpose (our *summum bonum* or "highest good") is biologically determined. It is not a matter of personal choice but is biologically fixed in a way similar to the way that the purpose of an acorn is biologically fixed. Humans, therefore, do have a choice: they can either choose to realize this one essential nature or choose not to realize it. But they cannot choose a different purpose any more than they can choose a different essence. Our more modernist notion—that our ultimate purpose is a matter of personal decision and varies with the individual—is an outgrowth of the Protestant Reformation and Enlightenment individualism (e.g., Kant) and was foreign to the thinking of Aristotle.

Every thing aims at reaching its final state; it is one's purpose in life. It is that for the sake of which everything else in life is done. It has ultimate intrinsic value, and it is the highest good of which humans are capable. It is what he called *eudaimonia*, which we standardly translate as *happiness* but which is a state of *well-being* (flourishing, prospering, living well). It is etymologically connected to living a "blessed life", one the gods favor.

Every natural kind of species has a distinctive essence, one not shared with other kinds of things; Aristotle thus has a ladder of being with the lowest being inorganic matter, then living things, then animals, then humans, etc. Each of these levels of life has a corresponding principle of life (or 'soul') tied to different kinds of essences or natures. Because of this, the highest good

of humans—our *eudaimonia*—must be something that is unique to the human species, not possessed by animals, plants, and stones.

Function. This account of Aristotle is tied up with the distinctive Greek concept of function. Everything (natural and man-made) has a function: the function of the physician is to cure sickness, the musician to play the lyre, the eye to see, the knife to cut, etc. Humans also, Aristotle thinks, have a function, something they *do*. Knives cut, teachers teach, but the function of humans is to engage in a certain kind of activity unique to humans, an activity that is higher than the rest of the natural world. When something is functioning according to its design and functioning well, it has excellence, which we translate as *virtue*. When we look at a beautiful mature healthy oak tree, it is *flourishing*. It has excellence and possesses well-being.

In the case of ethics, we need to be able to answer the question: what is human well-being? Such an answer cannot mention things that are good just instrumentally. It must be an answer that involves the highest good of humans, a unique function of the human species. Standard answers to the question, What is human well-being?, are ruled out, such as: pleasure, financial success, being a statesman. It can only be a certain kind of *rationality living according to right reason*. This is a kind of combination of practical rationality (knowing how to get along in the world) but especially theoretical rationality (intellectual contemplation).

Rationality. *Theoretical rationality* is the state of pure intellectual contemplation where one intellectually thinks about certain kinds of theoretical subjects: mathematics, theology, philosophy. *Practical rationality* is a kind of day-to-day activity of living rationally, not in a speculative sense but in a pragmatic sense; this is because action (praxis) involves knowing how to live well.

To know how to live well involves the development of one's *character* (ethos). Aristotle's account here is what one could call a developmental type of theory of learning. Character consists of a set of stable, internal traits or dispositions (similar to personality traits). These dispositions (e.g., honesty or courage) are manifested in a certain kind of action that is rational, emotionally appropriate, and sensitive to the social setting. It involves a practical knowledge or wisdom (*phronesis*) about how to act in a particular occasion—a know-how or skill. The skillful archer knows how to adjust his grip, the amount of strength to employ, his aim, to judge distance and wind conditions so as to best shoot the arrow at the target. Likewise with the courageous person, the loyal person, the mother, the dedicated teacher, or the skilled raiser of children. This involves wisdom and judgment, something that cannot be pulled out of a book or encapsulated in a set of rules for child rearing. In a similar way, an individual who is wise learns their wisdom from others, from actions coupled with correction and feedback.

For Aristotle, therefore, the isolated individual cannot learn to be a good person without the benefit of others. This includes being a member of a good family and living in a good society. In short, Aristotle is no individualist since it is a fundamental assumption of this view that “man is by nature a political animal”

The underlying virtues are excellences that any morally mature person can be expected to possess, traits such as wisdom, temperance, courage, generosity, magnificence, self-respect, friendliness, justice, etc. His list is rather long and puzzling to a 21st century. Our list of moral virtues would certainly be different from his but Aristotelian ethics is the ethics of common sense, proposing rules of good conduct for living in society. Although some people may disagree with much of this, the core Aristotelian notion of virtue ethics has become an

increasingly popular theory of ethics (including psychology), providing some inspiration for feminist ethics and the ethics of care.

Thomas Hobbes and the Social Contract Tradition

In his immensely influential work *The Leviathan* (1651/1994), Hobbes set forth an influential version of the social contract theory. Let us assume, Hobbes suggested, that before there was any society at all (and hence no laws or social prohibitions), people existed in what he called a *state of nature*. Hobbes believed that psychologically individuals had natural desires and always acted to achieve these. Individuals have a *natural right*, Hobbes claimed, to preserve their life and liberty and to satisfy their personal desires. In such a state of nature, individuals would act in certain natural ways in pursuing these desires: they would seek to maximize the satisfaction of their personal desires. They would use certain means in order to obtain certain goals, which is a perfectly rational thing to do if these means do indeed result in the attainment of these goals. But what about ethics? Would such individuals behave ethically?

There are, Hobbes claimed, a set of natural laws which provided the rational basis for ethics. Such laws were really moral laws about matters, e.g., individuals ought to keep promises they have made to others. It is rational to obey such laws because following them would lead to the satisfaction of one's desires. Hobbes thus apparently believed that "morality pays": overall individuals satisfy their desires more by following ethical norms than by violating them. Hence, it is rational to be ethical.

The role of government, therefore, was to create a societal or conventional moral order and to enforce it. According to Hobbes, one behaves morally because of the benefits one receives from doing so; in short, because it is rational. However, if one could benefit oneself by disobeying a moral convention without getting caught, it would be rationally defensible to do so.

The kind of rationality present here is the economic rationality present in rational choice theory—pursuing those behavioral means that are most likely to result in the ends one desires.

In such a state of nature, therefore, the result is an unbridled egoism in which life was “poor, nasty, brutish and short” (Hobbes, 1651/1994, p. x). Since such a state is undesirable and intolerable, people come together, Hobbes said, and agree to a social contract whereby they gave up some of their liberties and rights in exchange for the security lodged in a larger system of law and order. Such a social order would enforce these moral laws. The role of government (in the case of psychology, the APA) therefore, is to explicitly formulate moral rules and laws and to enforce them. According to Hobbes, therefore, one actually behaves morally because of social sanctions (reward and punishment) one expects to occur as a result of certain kinds of behavior. Individuals will calculate the expected costs and benefits from following versus breaking a moral norm and act accordingly. In a certain sense, therefore, Hobbes believed that moral and legal norms are “constructed” by individuals as a result of their social interaction. This is the root notion of contractarianism: moral norms are constructed as a result of a social contract between individuals either explicitly or implicating.

David Hume and Sentimentalism

As opposed to the views of Hobbes and Locke, other individuals argued that the basis of ethics was not reason but rather feeling. The most famous champion of this view was David Hume, who argued against both the natural law tradition and the orthodox interpretation of the social contract tradition.

Hume [1739–1740/1978; 1777/1975) argued that ethical judgments are based not upon reason but upon sentiment (feeling, emotions). I (the spectator) observe an individual (the moral agent) and his actions in relation to another individual, the recipient of the action. This

observation causes in me a particular type of sentiment, e.g., approval, which is pleasurable. This feeling I express as an ethical judgment, e.g., the action was a noble or virtuous one.

This sentiment of, say, approval is based upon the view that there is a kind of inborn sympathy present in each individual. As I observe the effect of the moral agent's action on the recipient, I am able to empathize or sympathize with that individual and hence to experience or imagine what the corresponding experiential or behavioral effect was. I can, for example, sympathize with the recipient's pain and hence disprove of the moral agent's behavior that caused this pain.

In the realm of ethics, therefore, feelings reign, not reason. But Hume also argued against a naïve kind of subjectivism and egoism since he also believed that one of these innate sentiments was sympathy for others. We might be egoists to a large extent but there are instances of altruism or benevolence. Such altruism is based upon feelings of sympathy for others.

Utilitarianism

For subsequent thinkers, the conflict between natural law and social contract theory gave way to what is one of the major central moral philosophies of modern times, utilitarianism. The ethical theory of utilitarianism is the major version of consequentialism. The obligatory nature of an action is therefore derivative from its good or bad results. It is best known by the statement, *"One should always act so as to produce the greatest benefit for the greatest number of people"*.

Consequentialism distinguishes two kinds or senses of 'good': instrumentally good (bad) and intrinsic good (bad). Something is instrumentally good if it has good consequences. But ultimately, there must be something that is intrinsically good—good in and of itself, inherently good. The major contenders usually have been pleasure and happiness. So, if pleasure is intrinsically good, then money is instrumentally good if it leads to pleasure.

Some consequentialists have been individualistic, claiming that an action is good (hence something one ought to do) if it leads to, say, pleasure for the individual. This would be a version of hedonism and egoism. But another version of consequentialism would not be egoistic but rather consider the good of others. This view is usually associated with utilitarianism.

Utilitarianism has had several proponents but the most famous ones were Jeremy Bentham and John Stuart Mill. Bentham was primarily a legal and political theorist, concerned with the need to revise society's legal norms involving, e.g., the issue of penal punishment.

Jeremy Bentham.

According to Bentham (1789/1996), individuals naturally seek pleasure. In addition, hedonism is the principle of obligation.

Nature has placed mankind under the governance of two sovereign masters, *pain* and *pleasure*. It is for them alone to point out what we ought to do, as well as to determine what we shall do. On the one hand the standard of right and wrong, on the other the chain all we think; every effort we can make to throw off our subjection, will serve but to demonstrate and confirm it. In words a man may pretend to abjure their empire; but in reality he will remain subject to it all the while (1789/1996, p. 11).

This is psychological hedonism and Bentham thought it was a fundamental law of human motivation. But Bentham also believed that individuals ought to seek pleasure since pleasure is what is good—intrinsically good. But, and this is where Bentham marks a break with the past, since pleasure is good in itself, it doesn't matter whose pleasure is involved. Consequently, individuals ought to seek to bring pleasure—the *most* pleasure—about when they act since, other things being equal, the greater the amount of pleasure produced, the better; it doesn't matter

whose pleasure it is. So, theoretically, if I could produce the most pleasure by acting against my interests, I ought to.

Bentham was thus concerned with maximizing utility, which he equated with happiness (pleasure). In fact, he proposed several rules (calculating algorithms) to consider in measuring how much pleasure would be produced by an action: *intensity* of pleasure, *the duration* of the pleasure, *the certainty* of the pleasure, *the remoteness* of the pleasure, *the fecundity* (fruitfulness) of the pleasure, *the purity* of the pleasure, and *the extent* of the pleasure (the number of persons affected by it). Bentham's above *calculus of pleasure* was supposed to be a quantitative way of measuring the total amount of pleasure produced by an action; the respective numerical values would automatically determine what action was the one to be performed.

John Stuart Mill

John Stuart Mill (1806/1873) agreed with many of the tenets of Bentham's theory of utilitarianism. But a key difference concerned the nature of utility. Utility was equivalent to happiness for both of them, which in turn was identified with pleasure. But Mill thought that Bentham failed to distinguish various kinds of pleasure. There is not just one kind of pleasure but what we can call higher and lower pleasures. An animal experiences sensual pleasure and so do humans, but humans are apparently unique in being able to experience higher kinds of pleasure, the kinds of pleasure coming from intellectual pursuit, esthetic enjoyment, and friendship. So Mill didn't believe that one can quantify one kind of pleasure and hence determine the outcome of an action by numerically calculating its overall quantity.

Act versus Rule Utilitarianism

Until the 20th century, the standard interpretation of Bentham and Mill's utilitarianism is called *act utilitarianism*. According to it, a particular action is the action one ought to perform if

it produces more pleasure (better consequences) than any other particular action one might have performed. Such an account has little room for general principles or rules. This is different from a later variety of utilitarianism—rule utilitarianism—which maintains that an action is the action one ought to perform if it is an instance of a rule and the following of the rule produces or would produce more good consequences than any other rule that would be relevant to that situation. For example, telling a lie in a particular situation might produce a certain amount of good (bad) consequences. But there is also the general rule (policy) of lying and the good or bad consequences of following such a general norm. So the issue shifts from particular actions to general rules and the question becomes one of which rule has greater utility.

On a rule-utilitarian model, professional codes of ethics contain a set of general rules prohibiting, prescribing, and being permissive about certain kinds of behavior. The justification for following a particular rule in a professional code of ethics would be that doing so produces better consequences than following any alternative rule; the justification for an entire professional code of ethics would be that it produces better consequences than any competing professional code of ethics. The justification of a particular action would involve an appeal to the consequences of the rule in a professional code of ethics of which the action is an instance. It is the basis for the principle of beneficence and non-maleficence to be found in the recently revised APA code of ethics.

Kantianism

Utilitarianism is the paradigm-case of consequentialism. It is fundamentally opposed by the school of ethical deontology, which denies that consequences are what determine whether an action is obligatory or not. Kantian ethics is concerned with advocating absolute, unconditional duties (prohibitions) against lying, killing, and so on. The basis of such absolute duties derives,

Kant thought, from the moral agent's rational nature pure and simple, by virtue of one's unique nature as a universal lawgiver (prescriber).

Kant's Formalistic Ethics

Kantian deontological theory of ethics claims that, in order to decide whether an action is ethical, one need not consider the actual consequences of the action but rather one need only to reflect on the proposed action and rationally evaluate its moral correctness by seeing if it possesses certain formal properties. Because of Kant's commitment to the centrality of *rationalism* in determining what one ought to do (as opposed to *empiricism*), it is the inherent rational properties of action that are crucial. Logic deals with the *formal* aspects of thought and judgment, whereas the empirical aspects concerns its *matter* or *content*. Kant theory of ethics is thus primarily a rationalistic or formalistic theory of ethics (although, in order to apply it to actual human affairs, the empirical aspects of it must also be considered).

The fundamental ethical question is: how should I *act*? This question is to be answered by pure reason itself—practical reason. But how can reason, simply by mentally inspecting a contemplated action, and come to a decision about whether the action is morally right or wrong—a duty or obligation? Kant's answer is that an action is morally right or wrong if it possesses or lacks a certain kind of *logical consistency* and *coherence*. Whenever I act, Kant says, my action falls under what he calls a *maxim*, which is a description: of the action, the circumstances of the action, and my purpose in acting. For example, suppose a psychologist has committed herself to maintaining the confidentiality of a client but who is also a research psychologist and is contemplating breaking confidentiality in order to be able to publish an empirical study. The maxim of the action would be: a psychologist, who has committed to maintaining confidentiality, may violate confidentiality if it results in research leading to a

scientific publication. Kant's theory then asks the person to reflect upon this maxim and to determine if it is possible for such a personal maxim to be a universal law that everyone would follow. This is sometimes called the test of *universalizability*. The other correlative concept is *reversibility*: could I will that the respective roles be reversed? It would seem to most people that the action was wrong because its maxim cannot be universalized. If it were to become a universal practice, the very concept of confidentiality would cease to be. The psychologist couldn't consistently will it because she couldn't will her therapist to break confidentiality with her if the roles were reversed. In short, the maxim fails certain rational tests and hence the action is impermissible.

The Good Will

What does it mean to say the maxim is not universalizable or reversible? Kant's answer to this question is complex, but it hinges on his claim that the moral worth of an action is crucially tied up with one's *will*—with what it is *possible* to will (this is the formalistic part of his ethics). Kant's fundamental claim is that *nothing is morally good except a good will*. One can do what is morally right, Kant says, but the question of moral worth depends on the underlying reason. *Acting in accordance with duty* is doing what is right but this is different from *acting from duty*, where one does what is right because it is right, one's motive being to do one's duty because it is one's duty.

To determine what one's moral duty is, one must apply Kant's the test of the Categorical Imperative. Is it possible for an individual to *will* that one's maxim become a universal law of human nature. The moral agent must be able to answer this test in a certain way in order for the action to be of moral worth. A Categorical Imperative is to be distinguished from a Hypothetical Imperative, which specifies how one should act *if* one has a certain desire. It ordinarily has an

if—then form, e.g., if one wants to live a long life, then one ought to quit smoking. Kant is insistent that moral worth and moral correctness is not tied up with an individual's personal desires, wants, feelings, or interests and hence with the satisfying consequences of an action. These internal psychological, emotional states are not what makes something ethical. Such psychological states vary from individual to individual and change so often that they cannot be the basis of the objectivity, rationality, and necessity of a moral principle. Moral principles must have a kind of universality, necessity, force, and constraint that a law has, in this case not a law of science but an underlying moral law.

The Moral Law-Giver

Our legal norms are given by law-givers and are enforced by society. They are objective, universal and necessary. They constrain our behavior, forcing us to behave in certain ways; good laws can evoke respect in us. By analogy, moral laws have similar features. However, in this case the law-giver is a moral agent who prescribes laws to himself. The moral agent, Kant says, is *autonomous*, in this case an autonomous law-giver. But this is not a personal, subjective matter. This is because Reason, which is the basis of the moral law, is universally present in everyone and operates according to universal and necessary laws. This is not to say that everyone always acts rationally; it is to say that acting rationally is an ideal state of which normal adults are capable.

Reason follows a set of rational principles, rules or laws. A subset of these rational laws are moral laws. Moral agents can become aware of these moral laws and come to see their nature and validity and hence respect them. These moral laws *constrain* our more animalistic inclinations and natural passions and lead us to live moral lives. For Kant, therefore, a moral agent obeys such a self-given law because it is the moral thing to do.

The Categorical Imperatives

A Categorical Imperative is an unconditional command or imperative. It says “do so and so”. Kant gave several versions of the Categorical Imperative CI. The first one commands: “*Act only in accordance with that maxim through which you can at the same time will that it become a universal law*” (Kant, 1785/1996, p. 73) This is sometimes called the test of universalizability: can you universalize your maxim? Whether you can or cannot does not depend on any of the consequences of doing so, but rather on the question of whether you *can* do so consistently. Failing such a test means it is not permissible. There are two ways in which a maxim can fail the test: it can be conceptually inconsistent and volitionally inconsistent. For example, Kant claims you can’t universalize telling a lie because such a universal practice would destroy the entire concept of a lie. Similarly, you can’t will the maxim that no one help others in need if you would sometimes need help from them—this kind of inconsistency (making an exception for yourself) fails the test of reversibility.

Kant gave two other formulations of the Categorical Imperative: “*Act in such a way that you treat humanity, whether in your own person or in the person of another, always at the same time as an end and never simply as a means*”.(Kant, 1785/1996, p. 80) In short, one should never treat any person *merely* as a means to some future, desired state. Unlike objects, people are intrinsically valuable, possessing dignity and worthy of respect (because they are free rational agents). So, one can’t treat research subjects as mere “subjects” the way some people would treat laboratory animals; you can’t just use them, you have to treat them as an end-in-themselves.

The final version of the Categorical Imperative states: “*Act in accordance with the maxims of a member legislating universal laws for a merely possible kingdom of ends*”(Kant, 1785/1996, p. 88). By a ‘kingdom’ here Kant says he means “a systematic union of different

rational beings through common laws” (Kant, 1785/1996, p. 39). This would be a community (commonwealth) of rational beings, who are intrinsically valuable and who as free rational agents choose their own ultimate end or purpose in life. So, such a commonwealth would be a community in which everyone was free to choose and follow their ultimate purpose in life. Hence, the question is: what could I legislate as a set of universal laws governing all of these rational agents in such a hypothetical kingdom or moral community? For one thing, I couldn’t be paternalistic to them, I couldn’t interfere with their choosing their own ends (given certain moral constraints) and interfere with their pursuit of such ends, I would assist them in this pursuit, etc.

We can summarize Kant’s views in the following way: we should always act in a way that, if everyone did so, this would result in a community of free and equal members, each of whom would be in the process of realizing his or her own purposes as well as furthering the aims of his or her fellow humans.

From the principle of the Categorical Imperative, Kant derived two basic duties—to perfect oneself and to further the happiness of others. From each of these in turn he derived a set of more particular duties, and from these in turn an account of how one applies these to concrete situation. This is represented in the following figure (Kant, 1797/1996).

[Insert Figure 2 here]

Kant’s theory thus involves 4 levels, proceeding from the most general (at the top) to the most particular (at the bottom). We will employ a similar model in our account of the ethical principles of psychology.

Kant and Psychology

Kant's ethical theory involves a set of purely normative principles and a set of principles concerning how these principles relate to human beings. The first set, Kant thought could be established in a purely philosophical way, with no empirical, psychological information playing a decisive role. This was pure normativity. Psychological information would enter with the second set of principles, which concerned how these purely rational principles were brought to bear on human beings. Psychology was concerned with the application of these normative principles. One might naturally expect that such a psychology would be an empirical discipline and Kant sometimes talks this way. But when he advanced his theory of psychology it is largely a purely speculative one, in fact, a rationalistic psychology or at least a psychology that was to be constructed philosophically. There was little that we would call empirical psychology in Kant's day, virtually all of it coming from the method of first-person introspection or common sense psychology. Kant wrote no book on such a psychology but he did write a book on what he called *Anthropology* (1798/1974), which is a kind of behavioral psychology combined with social psychology. Kant did not envision the possibility of an independent science of psychology, arguing in fact against its very possibility.

Kant had a rather controversial picture of the psyche—his dual world account. Part of the human mind could be seen as following the natural causal order and was determined by antecedent states and events. But, Kant said, ethics would not be possible if this were the complete picture of human beings. For ethics to be possible, humans must possess autonomous freedom of choice. Hence, Kant suggested, we must suppose there is a super-sensible world in which a part of the human soul resided—the autonomous part. Human beings were thus dualistic in nature or could be viewed from two perspectives. Kant thus insisted that both of these perspectives were correct: man is a part of the natural world and he is part of the supersensible

world. Neither perspective could be avoided; in particular, ethics is only possible on the assumption of such a dual perspective view. Such an account has not met with very positive acceptance; in fact most scholars seem to find the entire account somewhat incoherent and archaic. Nevertheless, if psychology is to be viewed as a naturalistic science and as committed to the thesis of determinism, and if ethical decision making is committed to the radically incompatible view of indeterminism, then the age-old question of freedom versus determinism must be satisfactorily answered.

Ross' Theory of Prima Facie Duties

A deontologist believes we have duties that do not depend only on consequences. Although Kant's theory is the prime example of such a theory, there are other kinds of deontological theories that disagree with Kant. The main example of such an approach is that of W. D. Ross (1930), whose ethical theory has been particularly influential (especially in applied ethics). It provides much of the foundation for our model of ethical decision making.

Ross believed there were ethical principles governing our moral duties but unlike many other philosophers, he believed there were several of them and that they could not be reduced to a simpler list. These moral principles specified what our duties were but since there were several of them, we had several fundamental duties. He thought it was obvious that we had such duties—he referred to this as intuition—and that common-sense morality recognized that there were such duties.

Ross (1930) distinguished two kinds of duties, what he called *prima facie* duties and our *actual* (unconditional) duty. Common-sense morality recognizes that there are *prima facie* duties. The term 'prima facie' means "on initial view" or "first appearance". It is legal term, referring to making a case against an individual in a court of law. An attorney has to make a case, but then

the other attorney can rebut the case by presenting contrary evidence. If this rebuttal is successful, the initial case has been shown to be invalid. It has been defeated by an additional consideration. Ross believed there were moral duties that had the characteristic of being *prima facie* binding on us. Such duties were determined by features present in our moral situation (e.g., a man promises to take his son to the airport). But there were sometimes additional considerations, other features of the moral situation that might be brought to bear on our decision that would undercut, defeat or nullify the *prima facie* duty, e.g., his wife is very sick and he has to tend to her.⁵ An actual duty is an act “which would be a duty proper if it were not at the same time of another kind which is morally significant” (Ross, 1930. p. 19)

Ross set forth a list of basic *prima facie* duties: to keep promises and not lie (fidelity), reparation, gratitude, justice, beneficence, self-improvement, and non-maleficence. Most of these are self-explanatory. We have *prima facie* duties to be non-maleficent to others (not to cause them pain or harm), to be beneficent (to produce good for them), to be just towards them, to express gratitude for actions they have performed, to repay debts we have incurred towards them, etc.

Ross believed that some of these *prima facie* duties were generated by past interactions between individuals: fidelity rests on a previous act on mine (e.g., making a promise), reparation on a previous wrongful act (e.g., taking someone’s property), gratitude for an act of another individual towards me (e.g., a service of some kind). Other *prima facie* duties rest on certain kinds of general facts or situations: the possibility of a distribution of happiness according to merit (justice), facts about the existence of other beings in the world whose condition involves pleasure, happiness or intelligence, that we can improve (beneficence) or we can worsen (non-maleficence), facts about my own present virtue or intelligence.

We have, therefore, a long list of *prima facie* duties generated by virtue of a variety of features present in current circumstances. If there is only one *prima facie* duty evoked by our current moral situation, then presumably it becomes our real (unconditional) or actual duty. But typically there are complex features present in our moral situation that generate not one but many *prima facie* duties. And these can conflict as noted in the earlier example of a promise to a son and a sick wife. Each generates a different *prima facie* duty. In a situation of conflict between *prima facie* duties, we have to weigh the importance of these conflicting duties and decide what to do. Most likely then the man's actual duty would be to take his wife to the hospital since this would seem a more important *prima facie* duty.

In such a situation of conflict of *prima facie* duties, how should the decision be made? No higher-order principle would seem to be available, one which could be consulted to receive an answer. Here, Ross' answer is that one has to carefully contemplate the total situation (along with all of the complex duty-making characteristics) and then form a *judgment* of what one should do, a judgment about which *prima facie* duty seems more binding. In a famous passage he says:

When I am in a situation. . . in which more than one of these *prima facie* duties is incumbent on me, what I have to do is to study the situation as fully as I can until I form the considered opinion (it is never more) that in the circumstances one of them is more incumbent on me than any other; then I am bound to think that to do this *prima facie* duty is my duty *sans phrase* in the situation" (p. 19).

This "all things considered" judgment is not something that is the outcome of consulting a principle; it is the result of a kind of perception or immediate cognition of the total moral situation. It is at this point that Ross' study of Aristotle seems to come into play, for it was

Aristotle's view that in acting, one had to make moral judgments about the concrete situation, judgments that issued from practical wisdom (*phronesis*). Such an Aristotelian view about practical reasoning lies at the basis of much of the recent discussions of *particularist* approaches to ethical decision-making (sometimes called *situationism* or *contextualism*). These approaches are often characterized as being anti-theory or anti-principlism, meaning that consulting and following abstract ethical principles is not sufficient (or necessary) to making good ethical decisions.

Contractarianism

Contractarianism is a descendant of the social contract theory of Hobbes and has two versions: Hobbesian contractarianism and Kantian contractarianism. John Rawls (1971) is the best-known Kantian contractarian, who attempts to establish a set of normative principles involving justice on the basis of what individuals would agree to in an original state of nature (*the original position*). However, this position begins with normativity already built in (because individuals are under "a veil of ignorance") and thus must choose without being influenced by the particulars of the people involved.

The other view is Hobbesian contractarianism, in which the goal is to derive normative principles involving justice from an original position in which nothing normative is presupposed, except the notion that the agents are rational agents attempting to maximize their utilities (preferences, desires). The main philosophical representative of this theory is David Gauthier (1986), although there are social scientists who also advocate a similar position.

Beginning with the prisoner's dilemma⁶, Gauthier attempted to show that certain kinds of prisoners' dilemmas will necessarily result in cooperation, promise keeping, and justice. In short, according to this model, it is possible to show that it is rational to engage in moral

behavior—understanding “rationality” in something like an economic sense. If such a proposal were plausible, and many doubt that it is, one would have a naturalistic ethics for the social sciences. An alternative account, one going back to Hume, would be to argue that altruism is innate in humans, that we are born with feelings of sympathy, and that such feelings are a sufficient grounds to justify moral principles.

Neo-Feminist Ethics

Unlike the prior theories, feminism has not been dominated by a single philosopher. Rather, until recently, it was a loosely connected series of articles and books ranging from the ethics of lesbianism to the ethics of care and influenced both by philosophers (Noddings, 1984), and psychologists (Gilligan, 1982).

According to Tong (1993) feminist ethics includes much of what traditional ethics includes questions such as: are certain actions required, forbidden, or permitted; are the consequences of actions good or bad; are the motives behind actions other-directed, self-directed or both (p. 15). Although feminist ethics proposes that it covers all of the questions of major moral philosophy, it also claims to go beyond it—a kind of meta-ethical critique of the way moral philosophy has been done.

Based on the work of a group of feminists, psychologists recently met over four days at a working conference in an attempt to summarize and explicate the basic assumptions of feminist ethics. They arrived at nine tenets of feminist theory of psychological practice (Worrall & Johnson, 1997). Brabeck & Ting (2000, pp. 5-6) summarize these into five broad themes: (1) the assumption that women in their experience have moral significance; (2) the assertion that attentiveness, affective response and subjective knowledge can solve moral issues; (3) the belief that feminist ethics is engaged in the power dynamics inherent in context; (4) the view that a

feminist critique of male oppression must be accompanied by a critique of racist, classist, and homophobic distortions; and (5) the injunction that action directed at achieving systematic social justice is required.

Feminism can be divided into an early and late period. The early era was dominated by the ethics of care. Strongly influenced by the work of Gilligan in psychology and Noddings in philosophy, the focus was on the virtue of care. Noddings specifically suggested that being ethical requires being in a caring relationship with others. Caring, she suggested, is a special of love, which requires a commitment from the one caring to act on behalf of the other person. Acting out of care is not the same as responding to fixed rules and principles. Rather, it means acting out of regard for another, who is in a particular circumstance. Beauchamp & Childress (2001) labeled this *compassion* and suggested that compassion includes an active concern for another person's situation or suffering. In essence, it goes beyond codes of ethics, since it is not difficult to identify individuals who satisfy the minimum standards of the code but never treat students or research participants with compassion and care (Kitchener, 2000). However, other feminists maintain that, although Gilligan, Noddings, and virtue ethics are important, their theories remains fundamentally individualistic and a-political because they do not consider personal relationships within families and the institutions and structure that create them as being morally important.

The second era in feminist ethics moved beyond Noddings and Gilligan; for example, Jaggar (1991) argued that any feminist approach must include action to achieve equity for women within existing political, social, and economic structures. If these structures cannot allow for equity, they must be changed to be made more just. Furthermore, this second generation of feminist ethics focused on a concern for all oppressed people, not just women, and asserted that

feminists should work to empower those who are oppressed and strive to reduce the effects of racism, sexism, classicism, and homophobia as well as ageism and anti-semitism (Brabeck & Ting, 2000; Lerman & Porter, 1990).

More recently neo-feminist ethics as well as multi-culturalism has led to a general concern for an ethics of social justice. The concept of social justice has seen a renaissance in recent years, called *advocacy counseling* by the American Counseling Association. They endorsed 18 domains that represented skills that counselors need to develop in order to become social change agents. This led to a document developed by Sue, et al (1991) that proposed competency in three areas: awareness of biases and assumptions, awareness of the client's world view, and awareness of intervention strategies that were culturally appropriate. Although advocacy counseling was a term used by ACA, the term *social justice* may be preferable, because it has broader implications for inventions that involve research, supervision, and teaching. Vera & Speight (2003) suggest that "a social justice perspective emphasizes societal concerns, including issues of equity, self-determination, and social responsibility" (p. 254). It includes how advantages and disadvantages are distributed in society and stresses how a commitment to social justice means expanding professional roles beyond individual counseling. Clearly, these ideas spring from the work of feminist scholars who have strongly advocated for a more political analysis of oppressed groups. In fact, Brabeck & Ting (2000) wrote that feminist ethics required action directed at achieving social justice, extending the responsibility of psychologists and others beyond merely work to advocacy and intervention at the community or political level. It involves taking action and educating individuals to opening possibilities, and to act with value and respect for individuals and their group identities in all aspects of their work (Fouad, 2004).

Clearly, neo-feminist ethics and social justice theory go beyond the APA code of ethics. They are based on the principles of beneficence and justice since acting in a socially responsible way would include a duty to challenge an injustice when it exists. It would require opposing community standards when they are unjust. In addition, if some people do not receive a fair share of life's benefits, not because of their own actions but because of the social environment, then the social system is an unjust one and ethical individuals who are committed to contributing to others' welfare have a social responsibility to change it. As Prillentsky (1999) argued:

Psychological problems do not exist on their own, nor do they come out of the air, they are connected to people's social support, employment status, housing conditions, history of discrimination, and overall personal and political power. . . promoting complete health means promoting social justice for there cannot be health in the absence of justice (p. 99).

From this perspective, the target of intervention in social justice work is the social context.

Clearly stemming from the work of neo-feminists, it requires mental health professionals to be considered about the welfare of others and takes an expansive view of ethics. It is not enough to do no harm but to remove the harm that has already been done. One must work to benefit others by refusing to accept human suffering and exploitation and it requires working for the liberation of oppressed people.

Conclusion

We have presented a short and succinct overview of what we consider to be the major theories of normative ethics. There are other approaches, e.g., Nietzsche, but we believe the theories discussed are the major contenders for an adequate theory of normative ethics. Such a theory would provide an answer to the question of what one ought to do, what things are

(morally) good, etc. The traditional view sees the task as consisting of proposing and rationally defending a set of principles—a theory—that provides an answer to all the moral questions concerning one’s behavior, attitudes, and character.

Normative theories of ethics belong to the realm of common-sense or public morality: they purport to be principles that apply to any ethical situation, universal in scope and application. Presumably, therefore, they could be applied to various professional organizations, providing a foundation for indicating morally appropriate behavior for members of that profession. This, of course, would be true of the profession of psychology. What then is the rationale for having professional codes of ethics?

Although we have written of ethics as being concerned with principles concerning the normative appropriateness of certain kinds of actions, we need to distinguish two different functions of ethical principle: as decision-making procedures and as a criterion of normative correctness.

Ethical norms can function as guidelines or rule for acting in the future, prescriptions concerning what one ought or ought not to do where the action in question is a concrete, particular action such as: never lie, always pay your taxes, drink in moderation, etc. When ethical principles function this way, they constitute a decision procedure for determining an outcome. Professional codes of ethics such as the APA can be viewed in this way. A professional organization may prescribe fairly concrete actions one may (or may not) perform: one must not violate confidentiality, one must always have subject consent to participate in an experimental study, etc. These are concrete duties constituting a set of “commandments” analogous to the Ten Commandments.

On the other hand, normative principles may function in a somewhat different role: they specify what it is that makes an action obligatory, good, dutiful, just, etc. A utilitarian maintains this is precisely what the principle of utility is: it is a principle or criterion specifying what makes an action normative, e.g., benefitting others. When someone questions the ethicality of a particular entry in a professional code, one may appeal to a normative principle to justify the inclusion of this code rule: it is what makes the rule ethically justified like forbidding sexual relations with clients because of the principle of non-maleficence to the client. It is to be expected that most professionals will consult and follow the professional code of ethics without question. But when a question arises about what warrants its inclusion in the code, or when two items of a code conflict or when a code is silent about the particular ethical area, that is when ethical principles may be brought to bear upon these questions. Therefore, ethical generalizations of various kinds constitute a hierarchy, one involving various levels of generality with ethical rules rationalized by normative ethical principles. Consequently, ordinary run of the mill ethical questions can be handled by consulting a professional code of ethics.

A Model of Ethical Decision Making

Introduction

We (Kitchener & Kitchener, 2009) have proposed a multi-level model of ethical decision-making where professional codes of ethics have an important, initial part to play in the decision-making process. The core of professional codes of ethics, at least the APA code of ethics, is its normativity. This involves positive, negative, and neutral norms (*standards*): prescriptions, proscriptions, and permissions. In the case of the first two, especially prohibitions,

there is little room for variance and deviance or the Association will take action affecting the person's place in the organization.

The code also recognizes five ethical *principles*—beneficence and non-maleficence, fidelity and responsibility, integrity, justice, and respect, etc.—which it characterizes as aspirations or ideals (and not as obligations). We think of these as higher-level generalizations that (may) justify the lower-level rules or standards. They may be interpreted as justifying these by virtue of the fact that ethical standards or rules are consequences of these ethical principles; in short, ethical principles provide the rationale for these ethical standards.

But these ethical principles, in turn, are justified by even more general ethical considerations found at the level of normative ethical theory, e.g., utilitarianism, deontology, etc. There are several different ethical theories and they can also be interpreted as providing a justificatory rationale for ethical principles.

This model derives from a fundamental principle of *pragmatism*, found in individuals such as Peirce, Dewey, Claparede, and Jean Piaget, which derives in part from Aristotelian virtue theory. It claims that ordinarily, in the customary ebb and flow of acting in the world, there is no need for reflection upon and justification of our behavior. The need for critical discussion and decision occurs only when there is a disruption of behavior due to an obstacle or barrier or conflict of some kind. At this point, a problem or question has arisen that requires a solution or answer. Thinking—reflective thinking—now occurs. The ability to engage in such reflective thinking develops over time (King & Kitchener, 1994). Hence, there are fundamentally two levels: ordinary behavior and reflective thought

In the context of ethics or morals, the model claims that through education, both at home and in school, individuals have acquired a set of moral dispositions (character traits) that lead rather directly into moral or immoral behavior. These are acquired *virtues*. At this non-reflective point, individuals typically do not think about what they ought to do, they just do it. A child is hurt and cries, we automatically respond to his or her pain. I promise to keep the identity of my client secret and I do it. This is the level of *non-reflective morality*—concrete moral behavior (Level I).

But sometimes a moral conflict will arise or a moral situation occur when we are perplexed or uncertain about what to do. My commitment to confidentiality is questioned when I discover the possible harmful consequences my client's behavior might have on others. What should I do? Here I have to reflect and think. In my reflection, I have to weigh various options, calculate likely consequences, consult codes of ethics, consult with others, etc. It is here that moral norms (standards, principles) become important (Level II).

As Aristotle pointed out, this initial stage of learning, of initially acquiring our earliest moral virtues, begins by learning what actions to do and then by generalization acquiring more permanent dispositions. This initial stage is superseded by a later stage in which we can reflect and think about our behavior and act in a more rational manner. As we mature and acquire wisdom (*phronesis*), our options increase and our decision-making takes on a more complex form. We have developed more sophisticated virtues and we can now exercise *good judgment* about complex cases. This, in turn, involves using moral generalizations acquired from past experience and perception of the current moral situation, leading to decisions about how to act. (See Figure 3). So, ethical

principles have an important role to play in ethical decision-making but these are rooted in the ground-floor of concrete moral experience.

[Insert Figure 3 about here]

Up until now, our discussion has remained on a fairly general and abstract level but this will provide the ultimate foundations for an account of the ethical foundations of psychology. Little has been said about the everyday business of making ethical decisions and the role that the APA code of ethics plays and should play in this enterprise.

To provide a basis for ethical decision making, the material that follows, first, distinguishes between the two levels of moral thinking: the immediate plane and the critical-evaluative plane. Secondly, it will suggest that the ethics codes and more general ethical principles such as “do no harm” constitute the foundations for the critical evaluative level of reasoning. Last, it will offer suggestions for decision making when normative ethical principles themselves conflict.

The model has two levels and four sub-levels in the higher level. The first level is that of *particular concrete moral behavior*. The critical-evaluative level begins with *moral rules*, which can be used to make conscious decisions and to evaluate the behavior occurring at the immediate level. This is the level of the APA code of ethics.

The next sub-level is *ethical principles*. These are more general than moral rules and provide guidelines for resolving conflicts involving moral rules and providing the justification for the rules. The next sub-level is that of *ethical theory*. Here are the traditional theories of normative ethics, theories of obligation that propose a general account of how one ought to act and what things are worthwhile: utilitarianism, deontology, virtue theory, contractarianism,

natural law theory, natural rights theory, perfectionism, the ethics of care, and so forth. Finally, at a last sub-level is *meta-ethics*

Figure 3 diagrams this model. At the lowest level, judgments and actions are immediately based on information about the moral situation and our ordinary moral sensibilities and virtues. Our ordinary moral sense is based on a combination of what we have learned about being moral over a lifetime and the development of our moral character (much in the way Aristotle suggested). In ideal circumstances, it predisposes us to act in morally appropriate ways and leads to sound ethical choices, but in ambiguous or confusing cases, it may not. When ordinary moral values fail to provide guidance or when called upon to evaluate or justify ordinary moral judgments, the components of the critical evaluative level can be called upon to help in decision making and justification.

The *critical-evaluative level* is composed of four tiers of increasingly general and abstract forms of justification. If the first tier does not provide insight for the issue at hand, the second can be consulted, and so on.

Ethical rules, such as those stated in the ethical codes comprise the first tier. These ethical codes are grounded in foundational ethical principles, which comprise the second tier. The problems stemming from the inadequacy of professional codes (e.g., ambiguities, contradictions) may sometimes be resolved by reference to these higher level principles. Principles are more general and fundamental than moral rules or cases; foundational ethical principles may thus provide a more consistent framework within which cases may be considered. In other words, they may help psychologists think about what to do when ethics codes are silent. Further, they can provide a rationale for the choice of items in the code itself.

While slightly different sets of foundational principles have been suggested, K. Kitchener (1984, 2000) has argued that those that seem central to thinking about ethical problems in psychology are: *beneficence* (do good), *non-maleficence* (do no harm), *respect* for persons (individuals should be treated as autonomous agents and those with diminished autonomy need protection), *justice* (be fair), and *fidelity* (keep promises, don't lie, be faithful). These five principles articulate distinctions that are used in ordinary moral discourse and articulate core ethical norms that are central for psychology. Although these five principles are often attributed to Beauchamp & Childress, they do not have the principle of *fidelity*, which comes from K. Kitchener (1984,2000)

Foundational principles may themselves conflict and offer contradictory moral advice. Psychologists might be faced with deciding whether to break the confidence of a participant to protect the physical well-being of someone affected by their behavior. The facts of the case may be clear but the psychologist's ordinary moral sense might fail them. At the first step at the critical evaluative level, the decision may be grounded in the ethical codes which may give her permission to break confidence in order to protect others from harm. If asked, this rule might be justified by the principle of allowing no harm to come to others.

If someone challenges this judgment and points out that breaking confidence destroys trust and forces the psychologist to break a promise such as to keep information confidential, psychologists must be prepared to reason further about the problem. Ethical theory could be consulted and a decision might be justified on the basis of something like the principle of Golden Rule or the Principle of Universalizability; in other words, act in such a way toward others as you would wish them to act towards you. The decision might also be made from a utilitarian perspective of doing the least amount of avoidable harm.

Finally, conflicts about ethical principles and ethical theory may require a higher-order reflection on the meta-ethical plane. Here considerations may be brought to bear to assist in the clarification of which ethical theory seems more relevant and plausible in this context.

Level 1: The Immediate Level of Moral Reasoning (Particular Cases)

People have ethical beliefs and emotional responses to problems, which result from what they have learned about what they ought and ought not to do from their parents, teachers and society. In other words, individuals have an immediate, pre reflective response to an ethical situation based on the sum of their prior ethical knowledge, experience, and habits. In addition, as they grow older and become more educated, they begin to develop the capacity to reason about their moral beliefs. As that capacity matures, their ability to understand moral problems becomes more complex (Rest, 1983). Thus, prior learning and the complexity of their reasoning provide the foundation for their ordinary moral sense. We have suggested that much of Aristotle's account of acquiring virtue can be employed to understand moral learning.

However, there is a second component of the immediate level of morality often ignored in discussions of ethical decision making—the incorporation of the relevant information available and its assessment. An erroneous understanding or misperception of the events that are occurring and their consequences for the people involved can and often do lead to poor moral choices.

Ordinary Moral Sense. As already noted, under ideal circumstances people's moral character and virtue provides the foundation for their ordinary moral sense and moral behavior. Later, this includes beliefs about one's ethical responsibilities. These immediate moral cognitions are critical to everyday ethical actions. In fact, as therapists work with clients, their moral character may be more important than a particular set of ethical rules or principles. Under

most circumstances, for example, a therapist does not need to be told that she should not lie to a client about the results of a test. It is an ethical assumption that is an intrinsic part of what it means to do therapy and her immediate behavior does not typically require conscious reflection about what to do.

It is to our ordinary moral sense (common morality) that, we believe, some are referring when they suggest that in the face of difficult ethical decisions, people should fall back on their own moral values or conscience. However, it is not difficult to establish that our conscience may not be sufficient. As already noted, in some cases the situation may be so unusual or contain a situation of such conflicting moral inclinations, that someone might have no sense of what direction to take. In addition, the ordinary moral sense of some people cannot be trusted to lead to good ethical decisions. In other words, not everyone has good moral intuitions leading to defensible ethical choices.

As professionals mature, consider the ethical problems that they encounter in their professional positions, and critically reflect upon them, their ordinary moral sense, common morality and underlying virtues ought to become more sophisticated. Those moral values they learned as they were growing up and through their professional education will be supplemented by a deeper understanding of both their professional roles and obligations. However, for this to occur they must engage in thoughtful reflection on the ethical problems they face and on the underlying moral values that can enlighten their decision-making. Some of this will occur by reading and understanding the professional code of ethics and using the code as a way to expand their ordinary moral standards. In this way, their moral virtues and character may develop in ways demonstrating moral wisdom.

Information about the Situation. In order to act ethically, psychologists also need clear information about the current moral situation. Relevant information may range on a continuum from some that is quite clear cut to some that is open to interpretation. Sometimes psychologists make ethical errors because of their misunderstanding of specific circumstances, or details about the issue is incomplete or erroneous.

In a therapeutic situation that information may include the client's background, age, ethnicity, gender and so on. Each may play a different role in how the therapist perceives the situation. Similarly, in research, it would include the effects of the situation on the participant, how critical the information is that the participant could provide as well as the background of the client.

Level 2. The Critical Evaluative Level

As long as professional psychologists routinely solve day to day ethical issues successfully, they are behaving largely on a pre-cognitive, pre-reflective level. A client asks the therapist if they could have dinner together to discuss the client's problem in greater depth and intimacy and the therapist immediately answers "no" virtually without thinking and without consciously contemplating the code of ethics. Of course, this does not always happen. Some therapists will behave in a morally questionable way or they encounter problematic situations calling for an appropriate moral response and it may be unclear what that is. When this occurs, when the individual no longer responds in an immediate way but rather stops to think about the situation, the individual will be engaged in a reflection about ethically appropriate behavior. This occurs at the level of critical evaluation.

The critical evaluative level is composed of four tiers or plateaus: ethical rules, principles, theory, and a meta level. It provides a way to reflect on and make decisions when

faced with a conflict situation; it also provides the material for a justification of a decision made concerning the lower tier.

Tier 1: Ethical Rules. For psychologists, the first resource in evaluating tough ethical decisions ought to be their ethics code(s). These attempt to bring together the cumulative wisdom of the profession about acting morally when doing research and engaging in psychotherapy. Basically, they formulate a set of action guides—almost 150 of them—psychologists must follow and ideals which they should strive to follow. These rules should provide answers to many of the everyday ethical questions that psychologists have and provide a standard against which others both in the profession and outside of it can judge their actions. For some, the code also helps socialize and educate new individuals into the field. For others, the codes are also used to adjudicate claims of unethical behavior. Generally, the rules establish a threshold of behavior below which the conduct of research should not fall.

While one might wish that an ethics codes embodied a “moral point of view”, other forces may act to shape it. For example, the development of ethics codes in psychology was partially driven by the need to protect professions from federal regulation.

Typically, codes address issues like the standards of confidentiality, the nature of informed consent, privacy of information, the limits on deceiving participants, risk-benefit evaluation, and multiple role relationships. On the other hand, the APA code fail to address important ethical concerns like issues of truth telling and promise keeping.

Despite the criticisms, the co/de continues to make an important contribution to psychologists when they are struggling to identify how to be ethical when doing research and psychotherapy. They provide one level of ethical justification for taking or not taking certain actions, allowing the profession to reprimand those who transgress beyond its guidelines, and

can promote a sense of professional trust and loyalty. To return to a point made earlier, firm moral rules such as those explicated in the professional codes are particularly important when psychologists are tempted by their own weakness or by the weakness of others.

Tier 2: Ethical Principles. We have argued that when researchers' ordinary moral sense fails them, they may need to critically evaluate their decisions. The first step in this critical evaluation involves ethical rules embodied in professional codes. But when rules are inadequate or unclear, researchers ought to turn to normative principles such as non-maleficence and beneficence to help them frame the issue from a moral point of view. The principles suggest that each person and each problem which the psychologist is evaluating ought to be considered from a perspective that would offer respect for people's rights and dignity (including their privacy, confidentiality, and autonomy) and that each relationship into which a psychologist enters should be characterized by integrity including being honest and fair. Similarly, they suggest that when psychologists enter professional relationships, a high priority should be placed on contributing to the welfare of those whom might benefit from their work and avoid harming others.

Ethical principles act as general norms that provide a rationale for the moral rules in the ethics codes. Ethical theorists differ about how many such principles are necessary; in fact, one can cite theorists who advocate one, two, four, five, six, seven, and 10 different principles. We believe there are five ethical principles it is important to emphasize: *non-maleficence*, *beneficence*, *autonomy*, *fidelity*, and *justice*.⁷ are derived from the common-morality that undergirds the practice of psychology and are implicit in the moral behavior of psychologists. They also appear to be the principles that tacitly guided the practice of ethical psychologists prior to the writing of the first ethical codes. In this sense they provide the foundation or

justification for all subsequent codes including the current ones. These basic ethical principles are what Ross calls *prima facie* duties.

Non-maleficence means *do not cause others harm*. It finds its roots in the history of medical practice; the sentiment of not harming patients can be traced back to ancient times, and has been recognized by modern ethicists as central to medical ethics, perhaps the most important of all the ethical principles and hence to be weighted the most (Beauchamp & Childress, 2001; Frankena, 1963; Ross, 1930)

In general, the duty to not inflict harm on others includes neither inflicting intentional harm, nor engaging in actions that risk harming them. In other words, it forbids certain kinds of activities, in contrast to the principle of beneficence, which concerns positive obligations, such as helping others.

The principle of non-maleficence is a *prima facie* duty and need not be considered absolutely binding or unconditional if it is in conflict with other moral principles. If the focus of psychology is to promote human welfare, harming another would not only prevent achieving this goal, it would thwart it. In other words, if social science researchers must choose between harming someone and benefiting them, the stronger obligation could be summarized as: "Help others, but at least do not harm them."

The problem with the standard "do no harm" is that the concept of harm is vague and ambiguous. What constitutes harm, for example, in distinguishing the discomfort and stress which are frequent temporary side effects of participating in research or therapy from the long-term harm that sometimes is an outcome. The principle of non-maleficence leads to ethical concerns such as how much discomfort is justifiable in research and whether it is justifiable to use high-risk research procedures.

Sometimes, however, harm may be justifiable although regrettable. The short term harm or discomfort that sometimes occurs can probably be justified, especially if the participant or client enters the study freely and was informed of the risks. The position taken here is that as the risk and magnitude of potential harm increases, ethical prohibitions and limits on the research procedure also increase. However, the risk of harm must also be balanced with other ethical principles.

Beneficence means to do good or benefit others. The purpose of both psychological research and therapy, for example, is to contribute to the health and welfare of others. In fact, most codes explicitly state that the goal is to promote the welfare, understanding and protection of the individuals and groups whom they study and work.

The principle of beneficence has two aspects (Beauchamp and Childress, 1989). The first requires acting in ways that further others' well being as, for example, indicated in the Preamble of the Ethical Principles of the Psychological Code of Conduct. The second characteristic of beneficence obligates researchers to balance the potentially beneficial consequences of an action against the potentially harmful ones, a procedure typically followed in the cost-benefit analysis undertaken when considering a particular research proposal.

As Kant argued, all persons should be treated as autonomous individuals. *Autonomy* means self-rule "while remaining free from both controlling interference by others and personal limitations, such as inadequate understanding, that prevent meaningful choice" (Beauchamp & Childress, 2001, p. 58). Generally, autonomy has been understood to include both freedom of action, doing what one wants to do with one's own life as long as it does not interfere with the similar actions of others, and freedom of choice, making one's own judgments. It has two aspects. First, it includes the right to act as an autonomous agent, to make decisions, to develop

values and so on. The second follows from a reciprocal responsibility. If people wish to be treated autonomously, they must treat others in the same way. This reciprocity presumes a fundamental respect for the rights of others to make choices even when their beliefs may appear to be mistaken, unless their choices infringe on the rights of others.

The commitment to informed consent in psychology derives from the concept of autonomy. For example, by requiring psychologists to inform research participants about aspects of research that may influence their willingness to participate, it safeguards their right to make choices about their own life. Autonomy and therefore informed consent assumes that individuals are competent to make decisions.

The principle of *fidelity* is at the core of the fiduciary relationship between psychologists and their research participants and clients. The Oxford English dictionary defines it as involving the qualities of faithfulness or loyalty, and honesty and trustworthiness. In psychology issues like honesty and promise keeping are basic to trust and while trust is vital to all human relationships, it is particularly vital to researcher-participant relationships and therapist-client relationships. These relationships involve an implicit contract that sets up certain role obligations for each. As an example, research may be invalidated if students believed that scientists made a practice of lying to them. Similarly, if research participants made a habit of falsifying the information that they gave to scientific investigators, psychological research would be for the most part impossible. Lying, deception and failure to be trustworthy have serious consequences for all professionals. They destroy faith in the researcher and/or therapist and in the benefits that psychology can offer to the public. If lying and deceit were perceived as the norm, research participants or clients would ultimately be suspicious of the professional's motives and would feel no obligation to be truthful in turn.

Although confidentiality and informed consent can be understood as deriving from the rights of autonomous persons, they can also be understood as obligations which psychologists incur when they enter into relationships with research participants or clients based on fidelity. Contracts between psychologists and consumers typically include the promise of confidentiality. Failure to keep that promise destroys the trust necessary for human, much less professional relationships.

The principle of *justice* has less to do with the individual relationship between the psychologist and a research participant or client and more to do with how to distribute goods and services in a human community.

Issues of justice arise because there are conflicts of interest over limited goods and services and because human benevolence is limited. As a result, in order to live together with minimal strife, people must develop rules and procedures for adjudicating claims and distributing goods and services in a fair manner. The problems associated with proportioning goods and services are called issues of distributive justice. For example, in psychology, they involve at minimum how the benefits and burdens associated with psychological research ought to be distributed. In this case the benefits would involve how the information derived from research is used and how the burden of participating in research is shared. It is based on the principle of justice that psychological research codes forbid psychologists to unfairly discriminate based on characteristics like age, gender, race, ethnicity, national origin, religion, and so on.

These five principles are *prima facie* duties. This means each is a binding obligation and is morally valid “as far it goes”. But there is also the “all things considered” final decision which occurs after these various *prima facie* duties, generated by a particular moral situation, are considered, evaluated, and weighed.

Tier 3: Ethical Theory. About the first three tiers there is considerable agreement in the standard model : moral rules (e.g., informed consent, confidentiality, privacy, dual relationships, conditional deception) ground particular moral decisions and action, and ethical principles (e.g., autonomy, beneficence, etc.) ground moral rules. Such a view is found in the Belmont Report (1978), Beauchamp & Childress (2001), K. Kitchener (2000) and many others. But it is at the next level—ethical theory—that advocates of the standard model disagree. Originally (Beauchamp & Childress, 1979, p. 5), it was suggested that ethical theories (e.g., utilitarianism, deontology) ground ethical principles both in the sense of justifying them and in providing guidelines when ethical principles conflict (although in their latest version [2001] they no longer hold this view). This view is also present in our model and in several other versions although, once again, it remains unclear precisely how ethical theory relates to ethical principles; one view is that ethical theory entails ethical principles but weaker relations are also possible.

Although individuals may disagree about the precise justificatory role ethical theories play, there is widespread agreement that higher-order theoretical principles are useful and sometimes necessary in moral reasoning. But which ethical theories are necessary and/or sufficient in relation to the lower-level ethical principles such as autonomy and beneficence? Here there is room for considerable disagreement. For reasons of space, certain views will be excluded from discussion: *ethical egoism* has not seemed to be a viable ethical principle to most ethical theorists. The same is true of theological ethics (one should act as God or scripture mandates). Several individuals have advanced “anti-ethical theory” views: Nietzsche’s perfectionism, Marx’s socio-economic account of class morality, and Freud’s psychoanalytic account of ethical principles. These accounts, although interesting, are not directly relevant to

psychology and have not been particularly influential in the field. The same can be said for post-modernist ethics.

Consider for example a conflict between the principles of beneficence and autonomy. According to the principle of autonomy, you should treat your research subjects and clients with autonomy, respecting their ability and right to make their own decisions about participating. But this principle can conflict with the principle of beneficence—of producing good consequences for others—important knowledge that might benefit large classes of people. How should such conflict be resolved?

Or suppose a female client is very dependent on her husband for every detail of her life and needs to become more independent, for the sake of her identity, she needs to develop her self-esteem and become a more independent person. She may report that she does not want to become more independent of her husband (autonomy) but for her welfare, she may need to be (beneficence). Which principle should be followed?

Feminist ethics may advise the option of beneficence at the cost of autonomy. An Aristotelian virtue ethics may have a model of what a fully self-actualized person should be, one in which the attainment of one's telos requires the temporary abandonment of a superficial autonomy. Utilitarianism perhaps gives a relatively straight-forward answer—do what will produce the most good for the client (and others?). A Kantian answer may seem obvious: treat your subjects and clients as autonomous, rational agents, with respect and dignity, not merely as a means but as an infinitely valuable human being. In the context of psychotherapy, the answer may be less clear if one's client does not want to be autonomous and actively resists efforts to promote it. In short, consulting and reflecting on the various ethical theories may be helpful in understanding the moral situation and coming to a decision about what to do.

So far we have mentioned four tiers of ethical decision making and how the norms present at each tier may justify the account present at lower tiers. As we proceeded up through these tiers, the discussion has become more and more abstract, apparently removed from the nitty-gritty of how one ought to act. However, our last level—the level of meta-ethics—is not explicitly present in other accounts. Nevertheless, we believe such a level is both necessary to add to the standard model and an important contribution to any discussion of the ethical foundations of psychology.

Tier 4: Meta-Ethics. Often questions arise about the very nature of ethical theory and about how one is to rationally choose between competing theories (e.g., Kant versus utilitarianism). When this occurs, the discussion must occur at a higher level of discussion, at a reflective level or meta-level of discourse. This is the level of *meta-ethics*.

Meta-ethics is fundamentally concerned about a variety of questions: about the *meaning* of ethical terms, concepts, and propositions; about the *justification* of ethical statements; about the kind of *reasoning* involved in giving arguments for a particular ethical theory; about the very existence of ethical theory, ethical properties, and ethical propositions. Meta-level discussions thus concern the *semantics*, the *epistemology*, and the *metaphysics* of ethics. Although this is not typically pointed out, discussions about the ethical foundations of psychology have often involved debates about meta-ethics.

Traditional Meta-ethical Questions

One question concerns the issue of whether there are objectively real moral properties (e.g., moral goodness), properties that exist independently of all minds and societal arrangements; or are all moral properties just mental states of the individual or cultural conventions? Indeed, are there any moral properties at all? If moral properties do exist, what is

their nature? Are they natural properties of the physical world (e.g., pleasure), or are they *sui generis* non-natural properties? Which account of the existence and nature of moral properties is most congenial?

If there are ethical properties and ethical propositions, how can they be *known*? E.g., can propositions about goodness be known by ordinary empirical observation and experimentation? Or are they known by a special non-naturalistic faculty (e.g., intuition, moral sense)? If the latter, how is this to be integrated into a proper conception about the nature of psychology and the nature of knowledge acquisition in psychology?

How, if at all, is it possible to give a *rational* defense and *justification* of a moral claim? When I say that one *ought* to maintain confidentiality, how can this claim be rationally supported and justified? Is empirical evidence relevant to evaluating the adequacy of such assertions? Can an ethical theory even be said to be confirmed by empirical evidence at all? On the other hand, can it be defended by purely rationalistic, *a priori* methods of argumentation? If so, what are such methods and how are they to be conceptualized in relation to the science of psychology?

What is the *meaning* of ethical statements such as “researchers *ought* to obtain subjects’ consent before they do research” or “one’s *duty* is to treat one’s clients with respect and trust”? What do these statements mean? Are they *cognitively* meaningful or meaningless (as opposed to emotionally meaningful)? Do they refer to objectively existing moral states of affairs? Are they true or false, or neither?

Meta-ethics and Psychology. Other meta-ethical issues arise in the context of constructing a code of ethics for professional psychologists. First, is there is a *single* ethical theory (e.g., utilitarianism) or a single ethical principle (e.g. non-maleficence) that is adequate

for the ethics of psychology, or are there many ethical stances that are valuable, all of which should be retained? Most individuals seem to assume a *pluralism*, in which all the various ethical approaches have something to offer when it comes to thinking about ethical matters. But if so, how can such ethical diversity be integrated into a conceptually adequate account of ethical theorizing? This is the issue of *monism versus pluralism*. Those individuals arguing for a pluralism of ethical principles are typically not thinking that these principles or theories are all *true*, but rather that they are *heuristically valuable* when it comes to reflecting on ethical issues. This is *instrumentalism versus realism*.

Secondly, since all of these ethical theories are not simultaneously compatible with each other but rather *conflict*, how should our ethical reflection and judgment be guided? If one is a pluralist about basic ethical principles, as Ross is, or if one thinks there is not just one correct ethical theory but several insightful ones is: how can one come to a rational decision after reflecting on them? A monist has an ultimate answer but a pluralist doesn't. So, another fundamental issue of meta-ethics is: Since different ethical theories conflict, how should one decide which one to follow? Currently, there are several approaches to this question.

A *rankings* approach suggests that the various ethical principles need to rank-ordered in importance and weighted so that, e.g., deontology is higher than utilitarianism. But is this just an arbitrary, personal choice? Arguably, non-maleficence should be more heavily weighted than beneficence. This seems consistent with the internal structure of the code of ethics (as we have argued): *it is more important not to harm others than it is to benefit them*. But how are the other principles to be rank-ordered?

A *balancing* approach claims that all of the approaches or principles are valuable and, in a given situation, must be balanced to get the best overall combination. What balancing involves

is not clear but the basic idea seems to be something like Rawls's (1971) method of *reflective equilibrium*. We are after the "best fit" with all of the theories, principles or rules being brought into a state of maximum coherence, consistency, or equilibrium. As we reflect upon this, we make appropriate adjustments and revisions until we have reached a state of (temporary) balance or consonance. But is this just a matter of personal choice?

An underlying issue here concerns the question of the appropriate *method* to use in applied ethics. If particular cases are at the bottom and abstract general principles are at the top, should one proceed in a top-down fashion or in a bottom-up fashion? In the top-down approach, one begins with abstract ethical theory (or principles) and then proceeds to apply these principles to concrete cases, most typically by a deductive process (*deductivism*). This goes with an *a priori* approach in which the most general principles are certain (or relatively certain), something established by intuition or self-evidence. This top-down approach was explicitly rejected by the founders of the original APA code of ethics in favor of what they called an empirical (a posteriori) approach (see below).

A somewhat related top-down approach is *specificationism* (Richardson, 1990), which proceeds by taking a general ethical norm and making it more and more specific by incorporating more and more details about the why, when, how, etc. until the specified norms lead to a directive about the particular case at hand.

At the opposite end is a bottom-up approach. One version of this is proceeding in an *inductive* manner. One begins with a number of judgments about particular cases, and then proceeds to a general summary statement covering these cases. In this approach, a general ethical principle or theory is just a convenient statistical summary of what has already been decided, e.g. x% of the sample judged action A to be wrong, hence A is wrong, or x% judged

principle P to be ethically binding, therefore P is morally right. Clearly, such a simple inductive approach will not do since the conclusion of such a survey can only be a descriptive generalization, not a moral norm. In fact, the founders of the APA code did not seem to be following such a model.

A better version of inductivism is: *reflective equilibrium*. According to Rawls (1971), the initial step in constructing an ethical theory is to collect *data* about our pre-analytic moral judgments concerning the morality or immorality of particular actions. Next, a hypothetical set of moral principles is inferred that would account for our “considered judgments” (I ignore the distinction between wide and narrow reflective equilibrium). We may then see what moral predictions follow as a consequence of these principles, rejecting some initial judgments, which are judged to be not reliable, and accepting new ones. Modifications or additions are added to bring the set of principles them into balance with each other and with our set of considered moral judgments. This is the process of reflective equilibrium. Initial moral judgments and moral principles are revised until a stage of equilibrium between them is reached.

With a few modifications, this appears to be the method followed in the original (1952) formation of the APA code. Rejecting deductivism and *a priori* moral theorizing, the committee opted for an empirical, *a posteriori* approach which involved collecting a large number of critical incidents involving ethical decisions and behavior. Respondents were asked to give their own moral judgments about this situation, which few individuals actually gave. The 1,000 statements about incidents were then grouped into 6 categories and in each category there were ethical principles set forth which were either “stated or implied in the incidents submitted by psychologists” and (presumably) stated or implied by the respondents own ethical judgments. The result: 162 ethical rules. Next, they obtained feedback from additional members of APA

and other ethics committees, leading to the revision of some of the ethical rules presumably resulting in some kind of reflective equilibrium.

Another version of inductivism is *particularism*. Being opposed to ethical theory and hence denying the existence and need for general ethical principles or theory, particularists argues that one makes an ethical judgment or decision after looking at all of the relevant details of a particular case. There is no reason to think another concrete case will have properties of sufficient ethical importance to warrant a general connection between such cases. Everything is decided on a case by case basis. Hence particularism denies the necessity of ethical rules, ethical principles, and ethical theory, likening the ability to make moral judgments to a skill such as chess-playing. Although the APA code contains rules (standards), the large number of them (close to 150) appears to be verging on a kind of particularism.

A position closely related to particularism is *casuistry* (Jonsen & Toulmin, 1988) : one engages in ethical reasoning by first looking at a particular case. These cases, if sufficiently important, are taken to be paradigm-cases. One can then classify these various paradigm-cases in a taxonomy and proceed to reason by analogy from them to new cases. Casuistry does not deny the importance of some ethical principles but insists that inferential principles will involve reasoning by analogy between particular cases. Again, the APA code is not a version of casuistry but seems to be inspired by something like the spirit of casuistry in setting forth standards instead of more general obligatory principles.

Principlism

The standard model in much thinking in applied ethics and professional ethics is *principlism*, according to which general ethical principles are necessary for a completely adequate system of professional ethics. This view was present in the Belmont Report (1978)

and explicitly advocated in Beauchamp & Childress (2001). It is also advocated by K. Kitchener (2000), Sales & Folkman (2000), Sieber (1992), and Steininger, Newell & Garcia (1984) among others. It is also explicitly present in the 2002 revision of the APA code (APA, 2002), a radical change from previous versions (although APA unfortunately views them as ideals and not normative obligations). (See Table 1).

[Insert Table 1 about here]

There are several versions of principlism. According to the influential account of Beauchamp & Childress (2001), there are several mid-range ethical principles that are “free-standing” and individually warranted, e.g., autonomy, beneficence, etc. This cluster of ethical principles is self-sufficient and not in need of justification by a higher-order ethical theory; however, these principles do justify lower-level ethical rules, e.g., confidentiality. When there is a conflict between such ethical principles, one may appeal to ethical theory as a useful *heuristic* aid in making an ethical decision about how to resolve such conflict, but according to these authors, ethical theory does not deductively support a univocal decision about which principle takes pre-eminence. In fact, these authors are opposed to a hierarchical or deductive model (top-down) model, favoring (instead) a version of *coherentism*, in which ethical considerations at all levels, including particular ethical judgments, ethical rules, ethical principles, virtues, etc., need to be brought into harmony with each other, reaching a state of Rawlsian “reflective equilibrium”.

A somewhat different approach would take a more top-down approach, with ethical theory justifying lower-order principles, which in turn justify ethical rules, etc. The higher-order ethical level plays a crucial role in the making of an ethical judgment and in providing a moral justification for such a judgment. If one adds the higher-level of meta-ethical, one could then

argue that meta-ethical considerations facilitate a resolution of a conflict between ethical theories (e.g., utilitarianism vs. Kantianism), leading to a judgment that one ethical theory has greater plausibility than another ethical theory. This would not be coherentism, but a kind of (moderate) foundationalism combined with a *contextualism* in a manner similar to Ross' theory, e.g., which ethical theory takes precedence would depend upon the particular contextual situation and this would, ultimately, be a matter of individual judgment, one concerning which ethical theory or ethical principle *fit* the situation better.

On this account, an individual judgment is not something that is determined by the consulting of rules (although that might be helpful). This personal judgment would constitute a kind of Aristotelian *phronesis*—practical wisdom—the result of acquiring the ability to make good judgments about particular situations. This is a kind of *know-how* or *skill* that is the result of long practice, leading to generation of a disposition (virtue). Analogies: the judgment of a judge, an umpire's call, the judgment of an art critic, the professor's grading of a term paper. All of these examples involve something more than just consulting a set of rules; they involve an immediate *perception* of the particular situation. This may invite the charge of subjectivity and relativity, but there is no more problem here than there is with the judge's verdict or an umpire's call. There are ways of cross-checking the validity and reliability of such judgment calls. The important point, however, is that this account presupposes a certain conception of learning, learning to make good judgments. Clearly, it is partially the responsibility of one's society to join in this moral endeavor since it is extremely difficult to become moral in an immoral society. This conception was operative at the initial level of our model and it enters again at this higher, reflective level.

Conclusion

No one has yet written a comprehensive account of the ethical foundations of psychology, one that is both sensitive to the empirical, scientific details of this area and one grounded in an adequate philosophical theory. Although we do not feel that our approach does these things in a final or complete way, we do hope we will have stimulated others to reflect upon these issues and to work on producing such an up-to-date and comprehensive account of the historical and philosophical issues surrounding the ethics foundations of psychology. Such a project, in our view, would involve a discussion of several collateral issues, ones that have yet to be thoroughly considered. One such issue is the importance of meta-ethical considerations in deliberations about ethical issues in psychology. Another way is the current work in “moral psychology” by several individuals (Sinnott-Armstrong, 2008), whose work promises to reshape the entire moral landscape of our thinking about ethics. How this work is to be integrated into such thinking remains to be seen but almost assuredly will result to a more radical, naturalistic foundation for moral philosophy.

While we wait for such an account, we must be content with something else much more restrictive—a sketchy and admittedly incomplete model of the ethical foundations of psychology. Although we recognize the inadequacies of our model and its shortcomings, we nevertheless believe that it provides the beginnings of a plausible account of such an ethics.

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Footnotes

¹Compare, for example, the conservative William Bennett's (1997) list: [self-discipline](#), [compassion](#), [responsibility](#), [friendship](#), [work](#), [courage](#), [perseverance](#), [honesty](#), [loyalty](#) and [faith](#). Except perhaps for faith, who could reasonably deny the importance of these?

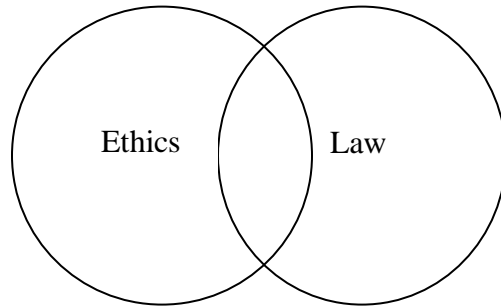
⁴In some cases, this is the way some people view a professional code of ethics because if they get caught, there are negative consequences; hence, the most reasonable option is to follow the code.

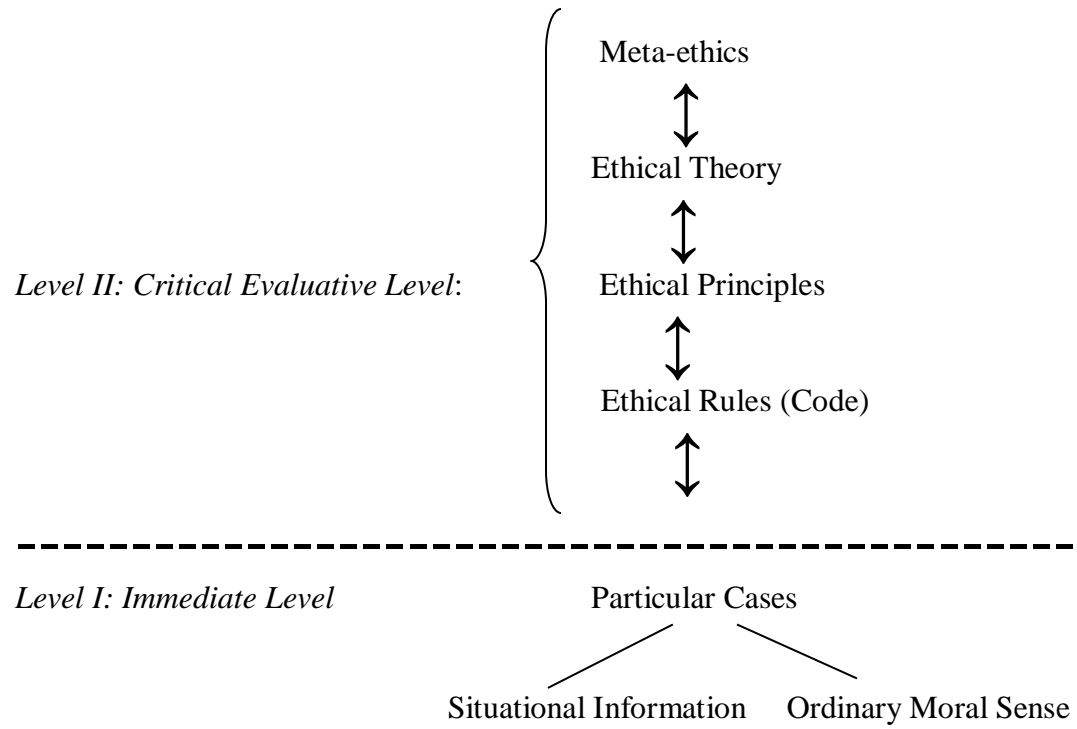
⁵The term '*prima facie*' is actually not a good choice of words since a *prima duty* is not something that "appears to be a duty but really is not"; it is a duty but a duty *only to a certain extent* (it is a *pro tanto* duty)

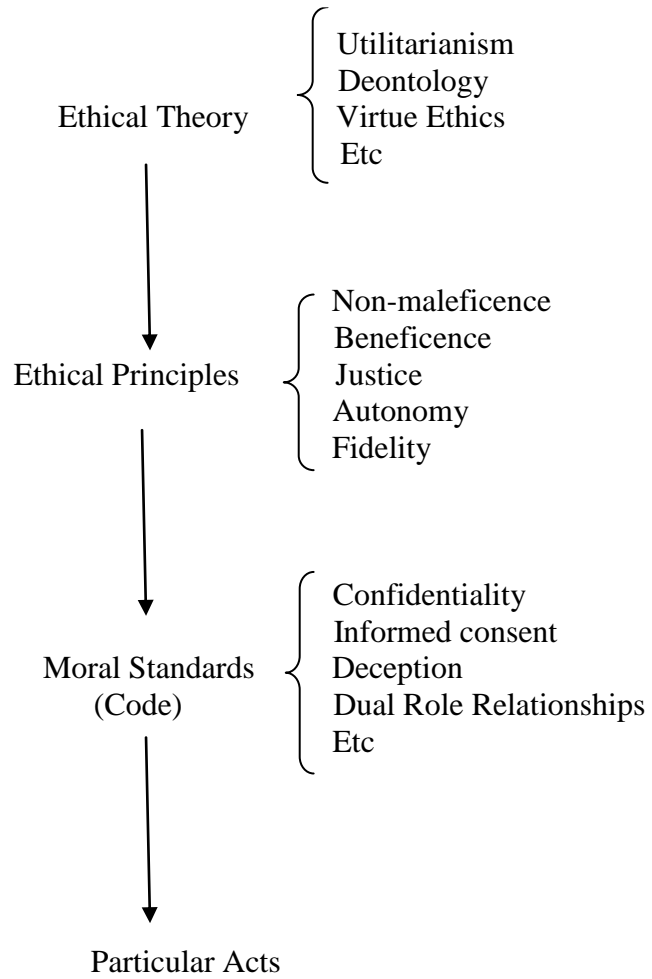
⁶ The prisoner's dilemma is a non-zero-sum game in which both players have the incentive not to cooperate independently, no matter what, but collectively they would be better off if they did cooperate. There is thus a tension between individual incentive and collective incentive.

⁷ The Belmont report's principles were: respect, beneficence, and justice; Beauchamp & Childress' principles were autonomy, nonmaleficence, beneficence, and justice. See Figure 2.

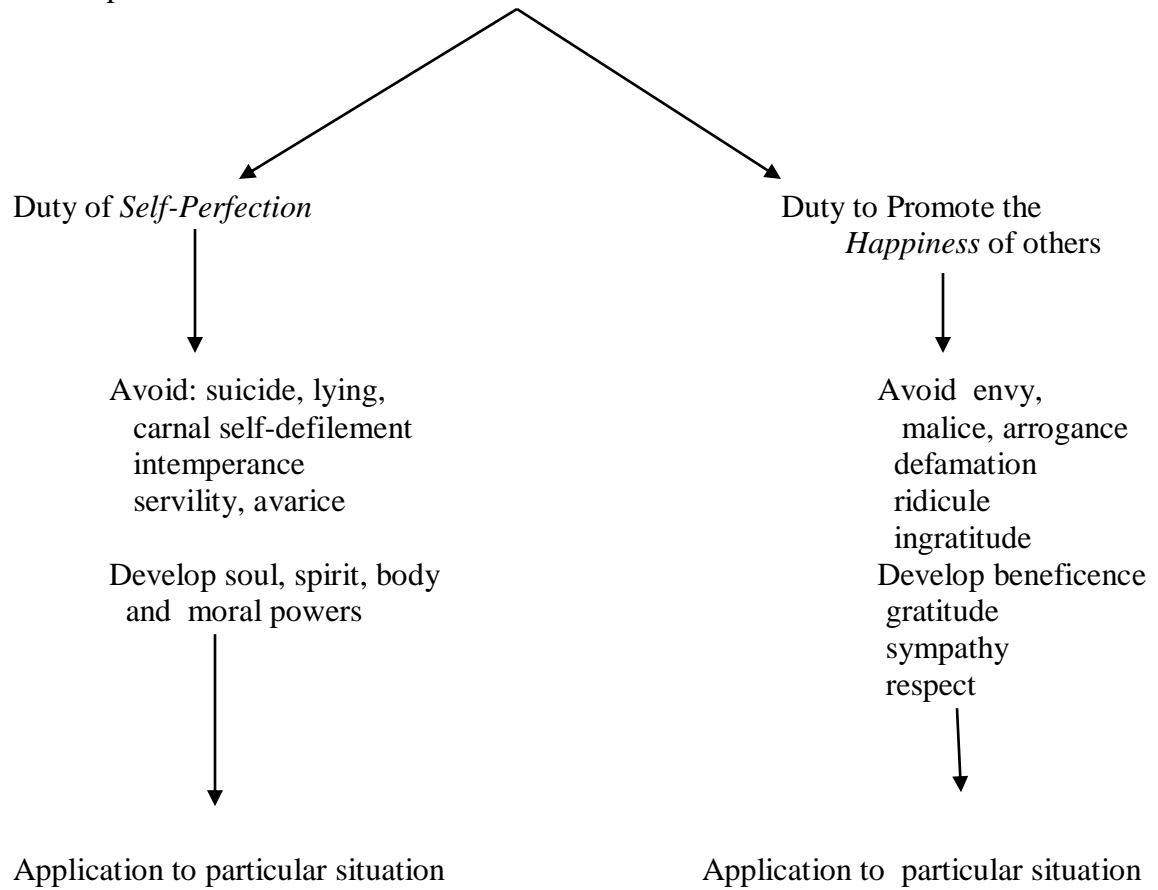
I.







Categorical Imperative



	Autonomy (respect)	Beneficence	Non- maleficence	Justice	Fidelity
Belmont	X	X		X	
B & C ¹	X	X	X	X	
APA	X	X	X	X	X
Kitchener	X	X	X	X	X

¹ Beauchamp & Childress

Figure 1. Ethics and the Law

Figure 2. Kant's Hierarchical Model.

Figure 3: A Model of Ethical Decision Making

Figure 4. The Relation of Justification

Table 1 Comparison of Ethical Principles in Different Models of Principlism