

Ethics Theories

Ethical theories provide part of the decision-making (foundation for Decision Making) when Ethics are In Play because these theories represent the viewpoints from which individuals seek guidance as they make decisions.

Each theory emphasizes different points – a different decision-making style or a decision rule—such as predicting the outcome and following one's duties to others in order to reach what the individual considers an ethically correct decision.

In order to understand ethical decision making, it is important for us to realize that not everyone makes decisions in the same way, using the same information, employing the same decision rules. In order to further understand ethical theory, there must be some understanding of a common set of goals that decision makers seek to achieve in order to be successful.

Four of these goals include beneficence, least harm, respect for autonomy, and justice.

ETHICAL PRINCIPLES

Beneficence

The principle of beneficence guides the decision maker to do what is right and good. This priority to “do good” makes an ethical perspective and possible solution to an ethical dilemma acceptable. This principle is also related to the principle of utility, which states that we should attempt to generate the largest ratio of good over evil possible in the world. This principle stipulates that ethical theories should strive to achieve the greatest amount of good because people benefit from the most good. This principle is mainly associated with the utilitarian ethical theory.

ETHICAL PRINCIPLES

Least Harm

Similar to beneficence, least harm deals with situations in which no choice appears beneficial. In such cases, decision makers seek to choose to do the least harm possible and to do harm to the fewest people. We might argue that people have a greater responsibility to “do no harm” than to take steps to benefit others.

For example, a student has a larger responsibility to simply walk past a lecturer in the hallway rather than to make derogatory remarks about that teacher as he/she walks past even though the student had failed that lecturer's class.

ETHICAL PRINCIPLES

Respect for Autonomy This principle states that decision making should focus on allowing people to be autonomous—to be able to make decisions that apply to their lives. Thus, people should have control over their lives as much as possible because they are the only people who completely understand their chosen type of lifestyle.

Do you agree that there are limits to autonomy? Each individual deserves respect because only he/she has had those exact life experiences and understands his emotions, motivations, and physical capabilities in such an intimate manner. In essence, this ethical principle is an extension of the ethical principle of beneficence because a person who is independent usually prefers to have control over his life experiences in order to obtain the lifestyle that he/she enjoys.

Justice

The justice ethical principle states that decision makers should focus on actions that are fair to those involved. This means that ethical decisions should be consistent with the ethical theory unless extenuating (justifying) circumstances that can be justified exist in the case. This also means that cases with extenuating circumstances must contain a significant and vital difference from similar cases that justify the inconsistent decision. Can you describe what extenuating circumstances might be?

FORMS OF ETHICAL THEORIES

Four broad categories of ethical theory include deontology, utilitarianism, rights, and virtues.

Deontology

The deontological class of ethical theories states that people should adhere to their obligations and duties when engaged in decision making when ethics are in play. This means that a person will follow his or her obligations to another individual or society because upholding one's duty is what is considered ethically correct. For instance, a deontologist will always keep his promises to a friend and will follow the law. A person who adheres to deontological theory will produce very consistent decisions since they will be based on the individual's set duties. Deontology contains many positive attributes, but it also contains flaws. One flaw is that there is no rationale or logical basis for deciding an individual's duties. For instance, a businessperson may decide that it is his/her duty to always be on time to meetings. Although this appears to be something good, we do not know why the person chose to make this his duty.

Utilitarianism

Utilitarian ethical theories are based on one's ability to predict the consequences of an action. To a utilitarian, the choice that yields the greatest benefit to the most people is the one that is ethically correct. There are two types of utilitarianism, **act utilitarianism** and **rule utilitarianism**. Act utilitarianism subscribes precisely to the definition of utilitarianism—a person performs the acts that benefit the most people, regardless of personal feelings or the societal constraints such as laws. Rule utilitarianism takes into account the law and is concerned with fairness. A rule utilitarian seeks to benefit the most people but through the fairest and most just means available. Therefore, added benefits of rule utilitarianism are that it values justice and includes beneficence at the same time. Both act and rule utilitarianism have disadvantages. Although people can use their life experiences to attempt to predict outcomes, no one can be certain that his/her predictions will be accurate. Uncertainty can lead to unexpected results making the utilitarian decision maker appear unethical as time passes, as the choice made did not benefit the most people as predicted. Another assumption that a utilitarian decision maker must make concerns his/her ability to compare the various types of consequences against each other on a similar scale. But, comparing material gains, such as money, against intangible gains, such as happiness, is very difficult since their qualities differ to such a large extent. An act utilitarian decision maker is concerned with achieving the maximum good. Thus, one individual's rights may be infringed upon in order to benefit a greater number of people. In other words, act utilitarianism is not always concerned with justice, beneficence or autonomy for an individual if oppressing the individual leads to the solution that benefits a majority of people.

Still another source of challenge with act utilitarian decision makers occurs when an individual faces one set of variable conditions and then suddenly experiences changes in those conditions. The change in conditions may lead to a change in the original decision—being nice to someone one moment and then dislike them the next moment because the situation has changed, and liking the person is no longer beneficial to the most people. In rule utilitarianism, there is the possibility of conflicting rules.

Example; A business person running late for a meeting. Suppose the business person happens to be the CEO, who may believe that it is ethically correct to arrive at important meetings on time as the members of the company will benefit from this decision. The CEO may encounter conflicting ideas about what is ethically correct if he/she is running late.

Yet, the CEO believes that he/she should follow the law because this benefits society. Simultaneously, he/she believes that it is ethically correct to be on time for his meeting because it is a meeting that also benefits the society. There appears to be no ethically correct answer for this scenario.

Rights

In ethical theories based on rights, the rights established by a society are protected and given the highest priority. Rights are considered to be ethically correct and valid since a large population endorses them. Individuals may also bestow rights upon others if they have the ability and resources to do so. For example, a person may say that her friend may borrow her laptop for the afternoon. The friend who was given the ability to borrow the laptop now has a right to the laptop in the afternoon. A major complication of this theory on a larger scale is that one must decipher what the characteristics of a right are in a society. The society has to determine what rights it wants to uphold and give to its citizens. In order for a society to determine what rights it wants to enact, it must decide what the society's goals and ethical priorities are. Therefore, in order for the rights theory to be useful, it must be used in conjunction with another ethical theory that will consistently explain the goals of the society.

For example in America people have the right to choose their religion because this right is upheld in the Constitution. One of the goals of the Founding Fathers' of America was to uphold this right to freedom of religion. **Is it the case in Kenya?**

Virtue

The virtue ethical theory judges a person by his/her character rather than by an action that may deviate from his/her normal behavior. It takes the person's morals, reputation, and motivation into account when rating an unusual and irregular behavior that is considered unethical.

For instance, if a person plagiarized a passage that was later detected by a peer, the peer who knows the person well will understand the person's character and will judge the friend accordingly. If the plagiarizer normally follows the rules and has good standing amongst his colleagues, the peer who encounters the plagiarized passage may be able to judge his friend more leniently. Perhaps the researcher had a late night and simply forgot to credit his or her source appropriately. Conversely, a person who has a reputation for academic misconduct is more likely to be judged harshly for plagiarizing because of his/her consistent past of unethical behavior. One weakness of virtue ethical theory is that it does not take into consideration a person's change in moral character. For example, a scientist who may have made mistakes in the past may honestly have the same late night story as the scientist in good standing. Neither of these scientists intentionally plagiarized, but the act was still committed. On the other hand, a researcher may have a sudden change from moral to immoral character may go unnoticed until a significant amount of evidence mounts up against him/her.

Often we have to make decisions when all the facts cannot be known with certainty. In such cases we have no choice but to rely on the best information we have, and when we are not experts ourselves, this means deciding which experts to trust. (The Elements of Moral Philosophy, p. 9)

- Etymology of Ethics
- Ethics Definition
- Two Morality Definitions
- Morality Paradox
- Ethics & Technology
 - Subjective Relativism
 - Cultural Relativism
 - Divine Command Theory
 - Ethical Egoism
 - Kantianism
 - Act Utilitarianism
 - Rule Utilitarianism
 - Social Contract

Etymology of Ethics

- Ethos, old Greek:
 - meaning: “character”, “habit”, “custom”
 - In Greek rhetoric, “*ethos*” is one of three artistic proofs, AKA modes of persuasion; the others being *logos* and *pathos*. Discussed by Aristotle in his *Rhetoric*: Speakers must establish ethos from the start
- Ethicos, old Greek:
 - Adjective, derived from *ethos*; meaning: “moral”, or “of moral character”
- Ethics, as used today:
 - A rational, voluntary, and moral code of conduct intended to maximize the good for people and minimize harm. Principles are based on facts and reasonable, acceptable values

Ethics Definition

- Ethics definition 1:
 - Branch of philosophy that addresses questions about morals, i.e. questions about what is good or bad, right or wrong, just or unjust
 - Scenario : *Georgina snatched user ID and password to get computer access for her studies*
- Ethics definition 2:
 - Rational examination into people' s moral beliefs and behaviours
 - Scenario : *State police introduction of cameras to catch speeders reduces violations by 80%*

Two Morality Definitions

- Morality definition 1:
 - Set of guidelines for a society indicating what people are supposed to do in certain circumstances
 - Example: preserve other persons' lives. I.e. do not kill
 - Example: treat genders equal before the laws. E.g. do not favour an African American female over a Caucasian male, given all else being equal
 - Counterexample: Imprison someone who is Jewish. E.g. in Nazi Germany you were supposed to report a Jew hiding from the authorities/Gestapo
 - Counterexample: Buy slaves, if you need labour! I.e. holding slaves and trading of slaves like merchandise was legal in much of the world including the history of the US. Doing this was viewed as morally acceptable! Doing strange things to slaves was morally OK

Two Morality Definitions

- Morality definition 2:
 - Set of rules, governing how people should treat one another, acceptable to rational people; meant for their mutual benefit; provided all follow them
 - Example: I have my religion! No one may force me to adopt another religion
 - Postulating equality of right is a “rational” thought; yet the basis for holding any particular religion may be faith-based, not rational
 - There are pseudo-religions whose mission is to convert non-believers or else to tax them and even kill them; that is not a rational position
 - Example: I am an agnostic, and no one should be allowed to force me to become a muslim or a protestant
 - Counterexample: In early medieval Europe you had to be a member of the Catholic Church. Non-Catholics (i.e. heretics) were prosecuted, sometimes killed. It was sufficient to be deemed heretic if only some church rules were disputed by an individual

Morality Paradox

- Following the laws is moral --assuming the code of law was generated using rational, fair, widely acceptable principles
- Can there be multiple laws, such that some action causes one law to be kept yet the other broken? E.g following God's law, meant breaking the king's law
- Can there be actions that break the law, yet are moral?
See the actions of Alabama black activists in the 1960, not leaving the Woolworth cafeteria counter when being denied service in the "whites-only" section! Can you think of any in Kenya?
- Breaking the law can be moral. However, then this is strong evidence that the laws are flawed
- Are any codes of law "perfect", i.e. without flaw?
- If not, does this mean, we can break all laws, and still act morally at the same time?

Terms

- **Society**
 - Association of people organized under one system of rules designed to advance the good of its members over time
 - Cooperation promotes the common good
 - People in society compete with each other to divide limited benefits among themselves
- **Morality**
 - Rules of right conduct describing how people should behave in various situations
 - Moral dilemma – When a person belongs to multiple societies with conflicting rules
 - A pacifist living by the rules of her religion may live in a country with a mandatory draft law
 - What **moral dilemmas have you encountered, as students?**

Terms

- Egotist

- An egotist is a person interested in 'I' and only talks about herself. Generally tries to see to it that all conversation revolves around her.

- Egoist

- While an egotist talks only about herself and perhaps talks a lot, an egoist is a person who may not talk much about herself but who thinks –often incorrectly– she is superior to everyone else. Synonym: **snob?**

Ethics & Technology

- Technology forces us to update our moral guidelines constantly!
 - Any major societal evolution causes moral guideline changes
 - We must decide if problems are morally bad, good, or neutral based on our recent, current, new moral guidelines
- Exercise #1: E-mail spam
 - Consider e-mail spam problem from your view, vs. the view of a spammer, making \$100k a week who believes it is a 1st amendment right
 - How would you craft moral guidelines to govern spam?
 - Sample scenario: blacklisting some East Asian mail servers
- Exercise #2: P2P networks
 - Consider P2P file sharing from your view
 - Consider P2P file sharing from the content producer's view
 - How would you craft moral guidelines to govern P2P networks?
- How were you consistent in generating rules between these examples? How were you inconsistent?

8

Plausible Ethics Theories

Theories on Ethics

Ethics theories provide a framework for moral decision-making within the current law, intended to be acceptable to all members of some society

- Applied consistently to determine whether an action is *right or wrong*
- *Right or wrong* must be interpreted legally and morally
- Allow a person to present a persuasive, logical argument as to why certain actions should or should not be allowed
- Allow an executive branch to enforce conduct, i.e. to penalize persons for actions that are not allowed

Theories on Ethics

- ❖ Subjective Relativism
- ❖ Cultural Relativism
- ❖ Divine Command Theory
- ❖ Ethical Egoism
- ❖ Kantianism
- ❖ Act Utilitarianism
- ❖ Rule Utilitarianism
- ❖ Social Contract

Subjective Relativism

- Definition:
 - Subjective Relativism postulates that there are no universal moral norms for *Right & Wrong* for an individual
 - In Subjective Relativism *a person* decides *Right & Wrong*
- Case For:
 - Intelligent people can have opposite opinions about moral issues, and live [sometimes] happily together
 - Ethical debates are inherently disagreeable and pointless anyway! So: Why bother?
 - Morality is relative, so you don't have to reconcile opposing views

Subjective Relativism

Case Against:

- What is right and what you do, are not always clearly drawn
 - People are good at rationalizing wrong behaviour
 - E.g. taking home the pencil and paper at work
- No moral distinction between actions of different people
 - Crossing streets in the middle by others; others cross only at designated cross-walks; both right?
 - Stopping your car in the middle of traffic; you have a sudden need
 - Telling a lie for a good cause
- Subjective relativism and tolerance are quite different
 - Nothing is really bad in Subjective Relativism

Cultural Relativism

- Definition:
 - Relativism postulates there are no universal moral norms for *Right & Wrong* for society and hence its members
 - In Cultural Relativism *Right & Wrong* rest with a society's actual moral guidelines
 - Guidelines for *Right & Wrong* vary from place to place, and from time to time; e.g. slavery is OK in one and not OK in another society, or at another time
 - In Cultural Relativism we can believe that today slavery would be wrong in the US, but 150 years ago it was right
- Case For:
 - Different social contexts demand different moral guidelines
 - It would be arrogant for one society to judge another! And we do not want to be arrogant
 - Is judging inherently arrogant?

2 Cultural Relativism

- Case Against:
 - Does not explain how an individual discovers moral guidelines
 - Does poor job of explaining how moral guidelines evolve
 - Provides no logical framework for reconciliation between cultures in conflict
 - Both societies appear right in their views, yet conflict with one another
 - E.g. death penalty is right response of society for certain crimes; vs. death penalty is a crime of society
 - Denies existence of universal guidelines
 - Only societies have them, each sharing core values among its members
 - Denies á-priory existence of good and bad
 - E.g. killing people is relative: Khmer Rouge killed ~2 million, Soviet Union ~25 million, Nazis ~6 million, Mao China many millions; this is not necessarily a bad thing in Cultural Relativism; may have been required to further a particular goal

Divine Command Theory

- Definition:
 - Good actions are those aligned with the will of God!
 - Bad actions are contrary to the will of God!
 - Several major religious traditions originated in the Middle East
 - Judaism ~3500 years ago
 - Christianity ~2000 years ago
 - Islam ~1400 years ago
 - Others in Far East: Taoism, Buddhism, Confucianism, Caodaism
- Case For:
 - Owing “obedience to our Creator” makes things simple and clear
 - Knowing the will of God (through prophets) enables us to live in peace and certainty
 - God is all-good, all-knowing and the ultimate authority
 - Many people are religious and submit to God’s law
 - Society can create rules that align with God’s will

Divine Command Theory

- Case Against:
 - There are many holy books.
 - Unrealistic to assume a multi-cultural society can agree on any religion-based morality
 - Some moral problems are not addressed directly in Scripture
 - Example: What can the Bible tell us about Internet conflicts?
 - Usually draws conclusion based on analogy
 - How can I trust that prophets really know God's will?
 - Based on obedience, not reason
 - Is it a powerful weapon for ethical debate in a secular society?

Ethical Egoism

- **Definition:**
 - Each person should focus exclusively on one's self-interest
 - Man is a heroic maverick (individualist) with happiness as the moral purpose of life
 - Help and include others, but only if it also helps you!
- **Case For:**
 - Acknowledges focus on our own well-being
 - Compared to other theories that focus on the good of others
 - Community can benefit
 - Entrepreneur looking out for herself brings jobs to community
 - Moral principles rooted in idea of self-interest
 - Lying and cheating is not in your long-term self-interest; therefore reject as acceptable behaviour; but the reason for rejection is not that lying and cheating are inherently bad!!

Ethical Egoism

- Case Against:
 - Injustice can occur when powerful individuals put their own interests first
 - Slavery is great for those who aren't slaves!
 - Other moral principles seem superior
 - Is the principle of preserving an individual's life or a society's survival greater than my own self-interest?
 - Form of bigotry
 - Puts you and your interests above others
 - How do I know that I am more important, valuable, precious than others?

Kantianism

- Definition:
 - A method of reasoning to determine universal morals, based on Categorical Imperative, CI, i.e. the bonafide *will* behind actions
 - Postulated by Immanuel Kant (1724-1804)
 - Generally aligned with principles expressed in the Bible, but derived via reasoning, not faith. i.e. an atheist adheres to CI
- Some Background:
 - What is acceptably good for all people, good without qualification?
 - Intelligence, courage may be good, but applied to rob a bank is not good
 - Good will, e.g. “noble intentions” may be good, but person x in his/her actions had good intentions for their country, yet tens of millions of this country were murdered to implement his good intentions!
 - Kant argues for dutifulness
 - Doing what we ought to do be based on moral rule, vs. what we want to do
 - But how do we know if an action is grounded in a moral rule?

Kantianism

Example:

- Chip plant manager embarks on hiring new employees to finish a major project. Manager knows the plant will close within a year. Some of the best candidates are from out-of-state, and will have to move their household to start work
- Should manager inform the candidates of the pending closure?
 - No disclosure: you treat candidates as a means to an end
 - With disclosure: you treat them as the ends in themselves
 - From Categorical Imperative, the answer is to disclose!
- Manager has option to offer future relocation after plant closure, or financial incentives

Kantianism

Case For:

- Categorical Imperative yields a **rational principle**
 - Logical reasoning can explain solutions to ethical problems
- Offers **universal** moral guidelines
 - Clear moral judgments can result from accepting CI
 - Can be acceptable in all cultures: universal
 - Can be accepted at all times: universal
 - Counter-example: sacrificing living humans to appease the gods would be viewed as wrong in the CI
- All **persons are treated as moral equals**

Kantianism

- Case Against:
 - No single rule fully characterizes all actions
 - Stealing food to feed starving children?
 - Saving the lives of innocent people by lying?
 - No way to resolve all conflicts between rules
 - Perfect duties: rules you clearly obey
 - Imperfect duties: rules you fulfil in general, but not in every instance

Not stealing as a perfect duty that overrules helping others
 - No exceptions to perfect duties
 - White lies? Do I look good?

Act Utilitarianism

- Definition:
 - An *action* is right or wrong to the extent that it **increases or decreases the total happiness** of affected members of society
 - Based on the principle of utility, AKA greatest happiness principle
 - Focus is on consequences, i.e. it is a consequentialist theory
 - Motive is irrelevant (note by contrast the “will” focus in Kantianism)
 - Yet agreeing on affected parties can become a tough issue
 - A rational ethical theory for determining right or wrong, based on resulting net benefit; assess the overall benefit to make a decision
- Case For:
 - Focuses on happiness for measuring moral behaviour
 - Down-to-earth and easily applied, assuming due diligence
 - Comprehensive
 - Takes into account all elements of a particular situation (e.g. white lies)

Act Utilitarianism

- Case Against:
 - Hard to define boundaries to draw the line
 - Who is included? How far into the future do you consider the consequences?
 - A new highway cutting through an old neighbourhood (SGR through the National Park)
 - Not all consequences are measurable (measured in units of: dollars, sadness, anger, joy, divorce rate, added suicide occurrence, etc.)
 - Not practical to calculate for every moral decision
 - “Rule of thumb” to mitigate
 - Ignores our innate sense of duty (e.g. good will)
 - Breaking a promise to person A costs 1000 units of badness (measured in some objective unit), but gives person B 1001 units of goodness: So it is OK to break a promise!
 - Cannot always accurately predict consequences to measure utilities
 - Susceptible to moral luck
 - Unforeseen negative consequences can judge your actions to be bad!
 - Is sending someone flowers good or bad?

Rule Utilitarianism

- Definition:
 - Adopt *moral rules* which, if followed by everyone, will lead to the greatest total happiness of society
 - Principle of utility applied to moral *rules*, not *individual actions*
 - A workable theory for evaluating moral problems
- Case For:
 - Not every moral decision requires a utility calculation; rule can be used
 - Exceptional situations do not overthrow moral *rules*
 - person A must keep promise of repaying person B \$1000, even if it would be of \$1001 advantage to A to break it; keeping promises is a *rule* with high utility
 - Solves the problem of moral luck
 - Interested in typical results of actions
 - Avoids problem of egocentrism
 - Personal view influences utility analysis in Act Utilitarianism; not in Rule Utilitarianism
 - Appeals to a wide cross-section of society
 - Many people exist, who claim no moral theory will fit

Rule Utilitarianism

- Case Against:
 - Ignores apparent unjust distribution of good consequences among wide spectrum of society members
 - US congress and president are exempt from US health care reform, but US population is required to adopt it; inconsistent distribution of goodness
 - Hyper-taxation of the rich to redistribute wealth?
 - Perhaps these rich people didn't deserve their wealth in the first place? And who is to say?
 - Forces a single scale or measure to evaluate different kinds of consequences
 - Highway example: what if condemning 150 homes leads to 15 divorces? How does an easier, safer commute stack up against the impact of displacing families?
 - When fetus is aborted, no one really gets hurt?

Social Contract

- Definition:

- Morality consists of **rules how people treat one another**, rules that rational people accept for **mutual benefit**, on the condition all **others follow** those rules
- By Hobbes (1603-1679)
- Requires two things:
 1. **Legislating** moral rules to gain benefits of social living; as opposed to living in a “state of nature”, AKA chaos
 2. Government must be capable of **enforcing** these rules
- Arrangement of granting rights to rational people with defined obligations, AKA duties, is the “social contract”
- Note: Rights and Duties!
- Modified by Rawls’ “Principles of Justice”
 - Each person has basic rights and liberties, e.g. **freedom of speech, association, safety, property**
 - Social and economic inequalities are accepted, but must satisfy two conditions;
 1. That everyone had equal opportunity; some chose to abandon them
 2. That overall affect provides greatest benefit to the least-advantaged members of society; e.g. graduated income tax

Social Contract

Case For:

- Framed in the spirit and language of individual rights
- Benefits under capitalist freedom: When all members are allowed to act like vultures, but under guidance of social contract, all end up acting like doves ☺
- Provides clear ethical boundaries and analysis of important issues between people and government
 - Penalty for crime takes away some individual right
 - » Must occur in order to enforce social contract
 - » Will equally apply to everyone; e.g. government officials not exempted: police officer caught by another cop driving drunk should be treated like other drunk citizens
 - Explains how civil disobedience can be moral
 - » Segregation laws put greater burden on disadvantaged

Social Contract

- Case Against:
 - None of us signed the contract
 - Some actions can be characterized in multiple ways
 - Does not address moral problems with conflicting rights
 - Mother's right to privacy vs. foetus' right to life
 - Can be unjust to those who are unable uphold their side of the contract
 - What to do for people who don't understand the moral rule?
 - E.g. drug addicts, or mentally handicapped?