

Lecture 2

Ethics and the Profession

Learning Objectives:

After the completion of the chapter, the students will be able to:

- identify the ethical issues that influence professional decision making;
- analyze global computing issues that influence professional decision making;
- describe the mechanisms that typically exist for day-to-day ethical decision making;
- identify the progressive stages in whistle-blowing incident; and
- specify the strengths and weaknesses of relevant professional codes as expressions of professionalism and guides to decision making.

Profession

What is a **profession**? It is a trade, a business, or an occupation of which one professes to have extensive knowledge acquired through long years of experience and formal education and the autonomy of and responsibility to make independent decisions in carrying out the duties of the profession. To profess is to make a public declaration, a claim of something. In the case of a professional, that something is knowledge in the knowledge domain of that which makes up that occupation or trade. Webster's dictionary similarly defines *profession* as "a: a calling requiring specialized knowledge and often long and intensive academic preparation b: a principal calling, vocation, or employment c: the whole body of persons engaged in a calling". Well-known professions are law, medicine, and engineering.

In our study of professions and the people who profess the deep knowledge of the profession, we focus on four themes: **(1)** evolution of professions, **(2)** the making of an ethical professional, **(3)** the professional decision-making process, and **(4)** professionalism and ethical responsibilities. These four themes cover all the activities of a professional life. *First*, we look at the beginnings of professions, describe the characteristics of professionals, and discuss how these characteristics are supported by commitment, integrity, responsibility, and accountability. We then describe the ways professionals are made through both formal education and informal unstructured in-service. When professionals enter the workforce, their duties involve decision making. We therefore look at the process of decision making, the problems involved, and the guilt felt about what are perceived as wrong decisions and how to avoid them. Professionals in their working environment encounter problems everyday that require

them to check in with their moral code. We focus on professionalism and ethical responsibilities as one of those areas that requires continual consultation with individual morality and discuss how these affect professions.

Evolution of Professions

Origins of Professions

The concept of a profession is actually not new; however, the word profession today carries a far different connotation than it did during the Middle Ages. According to the Code of Ethics in the Professions, the word ***profession*** referred to a commitment formally *professed* by a person to become a member of a religious order, and a *professional* was the person who has professed the commitment. By the sixteenth century, a profession was a commitment to “learned pursuits (divinity law, medicine and the military), being an authority on a body of knowledge, belonging to an occupation, being skilled or being a fractioned, not an amateur.” And by the nineteenth century, more new professions had come into existence.

Sizer states that professions started in medieval times with the craftsmen’s guild and in inns. These guilds were responsible for apprenticeship standards, competence, and performance of their members. Little distinction was made between manual labor and intellectual groups. But as small intellectual groups developed like those of clerics, the first requirements of achievements and maintenance of professional criteria started to emerge. The emphasis on intellectual capabilities for membership in a group became increasingly important as time passed. Sizer states that professions in eighteenth-century were regarded a “occupations for the ‘gentlemen,’ offering a safe social niche but not large material rewards.” The Industrial Revolution is credited with establishing professions in engineering, accounting, and banking. Over the years, however, material rewards for being a professional have increased, and a set of requirements has evolved.

Over the years, the term profession and its requirements for membership evolved into two categories: the learned professions, which required individuals with a deep knowledge of the profession acquired through years of formal education, and common professions, which required the individuals to be noblemen who in theory did not really need to work for a living: They were liberated from the need to work, but ought to learn the profession anyway. The first liberal profession was the military career. When the life of nobility became less influential, especially after the revolution, the common

distinction of professions came to be known as trades, probably as we know them today. However, trades, as today, still required one to hold a higher ethical standard.

Requirements of a Professional

There are three basic professional requirements, and over the years as the professions evolved, these three elements have taken different forms. They are as follows:

1. *A set of highly developed skills and deep knowledge of the domain.* Although professional skills are developed through long years of experience, such skills must be backed up by a very well-developed knowledge base acquired through long years of formal schooling. Acquiring a sophisticated level of knowledge is crucial because skills based on shallow knowledge of the domain could be damaging to the profession in cases involving decisions that require understanding, analysis, and adoption of concepts to suit the environment or the problem. This requirement alone is enough to differentiate between professionals and skilled laborers who acquire considerable skills from long years of working in the same domain such as auto mechanics and landscape designers.
2. *Autonomy.* Because professionals provide either products or services, there is always a relationship between the provider of the service and the receiver of the service or the provider of the product and the receiver of the product. In this relationship, we are concerned with the power balance. In the case of a professional, the power is in favor of the professional. Take the relationship between a lawyer and a client or a physician and a patient, for example. In either case, there is a power play in favor of the provider of the service. If we consider the example of an auto mechanic, however, there is also a power play in the equation, but this time the power is in favor of the customer, not the provider of the service. There are also marked differences in the way the service is provided by professionals and nonprofessionals. In the case of a professional, there is more room to vary the way a service or a product is provided without consulting the receiver of the service or the product, meaning that professionals have autonomy to vary the way the service is provided without asking the receiver for confirmation or consent. However, in the case of nonprofessionals, the provider of the service cannot vary the way the service is to be delivered without checking with the customer. For example, when you take a car for repair, the mechanic cannot vary from what you agreed on without formally asking you.

3. *Observance of a code of conduct.* A working professional usually observes these four types of codes:

- *The professional code:* A set of guidelines provided to the professional by the profession spelling out what a professional ought to do and not do. A professional code protects both the image of the profession and that of the individual members. Thus, it is a requirement for the profession that members adhere to the code.
- *A personal code:* A set of individual moral guidelines on which professionals operate. In many ways, these guidelines are acquired by professionals from the cultural environment in which they grow up or live in and the religious beliefs they may practice. Whatever the case, a personal code supplements the professional code significantly.
- *The institutional code:* A code imposed by the institution for which the professional is working. This code is meant to build and maintain the public's confidence in the institution and its employees.
- *The community code:* A community standard code developed over a period of time based on either the religion or culture of the indigenous people in the area. It may be imposed by law or the culture of the community in which the professional works.

The interaction between the four codes can be explained as follows: Consider each code as a circle inside another circle with the community code at the center of these concentric circles. Outside the community code is the institutional code enclosed by the personal code, which is enclosed by the professional code (Figure 2.1)

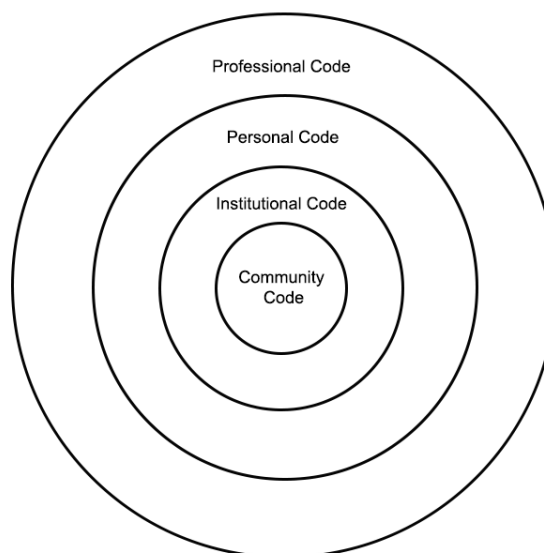


Figure 2.1 Codes Governing Human Actions

Any action performed by a professional working at a local institution is contained in the outermost circle. Therefore, for such action to be ethical, moral, and legal, it must be in conformity with all the codes and intersect all codes.

Let us consider an example, suppose a physician is working in a community hospital where the hospital and the community do not support euthanasia. If the doctor is asked by his or her patients to assist them in taking their own life, the doctor must examine all four codes before coming to a decision. First, the professional code may not support euthanasia whether his or her individual moral code does or does not. Because the institutional, community, and the professional codes do not support euthanasia, the doctor may not find it in his or her best interest to grant the patients their wishes even if he or she agrees with the patient. The requirement that any action taken by a professional must fall within the intersection of the four sets of codes may present moral dilemmas for the professional in the decision-making process and consequently tarnish the professionalism of the individual.

Pillars of Professionalism

Professionalism is supported by four pillars: *commitment, integrity, responsibility, and accountability.*

Commitment

Commitment, according to Humphreys, has these six characteristics:

1. *The person making the commitment must do so willingly without pressure.* The person executing the commitment must like what he or she is doing. If commitments are in the form of assignments with little autonomy, it is more likely the commitment may not be there.
2. *The person responsible must try to meet the commitment, even if help is needed.* Because commitments are not assignments, the person who has made the commitment is assumed to have the know-how, the autonomy to vary steps, and the skills to do the job. Professionals possess these characteristics, plus they have the ability to seek the necessary skills from others to circumvent obstacles that may arise, so more commitment is expected of them.
3. *There must be agreement on what is to be done, by whom, and when.* Professionals entering into a commitment must have advance knowledge of what is to be done and who is likely to do what part. Entering into a commitment without adequate advance knowledge is highly unprofessional. When the work

is divided among other professionals, they themselves must make the same commitment for their respective parts and, in this case, commitment for those smaller parts is as important as the commitment for the whole job. If the smaller parts are assigned to nonprofessionals, they are considered assignments, and the commitment must lie with the professional assigning the parts. Such commitment is carried out through supervision of the nonprofessional members of the team.

4. *The commitment must be openly and publicly stated.* Open commitments are transparent and easily correctable if there are problems. Professional commitments must fall within the allocated resources of time, material, and money. If a commitment is public, there are more chances that most of the sourcing, acquisition, distribution, and use of the resources will be transparent, and thus, the job is likely to be done more smoothly.
5. *The commitment must not be made easily.* Before entering into a commitment, professionals should do research to make sure that what they are entering into is not a Trojan horse (something or someone intended to defeat or subvert from within).
6. *Prior to the committed date, if it is clear, it cannot be met, advance notice must be given, and a new commitment negotiated.* It is a sign of responsibility and commitment to have the courage to tell others of shortfalls in parts of the agreement, so if there is anything to be done to meet the deadlines, it is done without hostility.

Integrity

Integrity means a state of undivided loyalty to self-belief. It is honesty, uncompromising self-value, and incorruptible. The word *integrity* comes from the Latin word *integratus*, which means entire, undivided, or whole. To stay undivided in one's beliefs professionally requires three maxims of integrity, namely, vision, love of what one is doing, and commitment to what one has to do.

- ✓ *Vision.* Having vision is the capacity to anticipate and make a plan of action that will circumvent obstacles and maximize benefits. Vision is a sign of good leadership, and professionals who have the initiative, the autonomy, and the authority in the provider–client relationship exemplify leadership.
- ✓ *Love.* Numerous studies have shown that people who love what they do, do it better than those who do it because they have to. In school, children who have a love for a subject perform far better than those who do it because it is a

requirement. When people choose professions, they should do so because they have a love for the work. The amount of love put in helps maintain morality in one's actions because what is being done is no longer a chore but a creation, and we all know people love their own creations.

- ✓ *Commitment.* The vision and love applied to the work bonds the individual to whatever he or she is doing until it is done.

Responsibility

Responsibility deals with roles, tasks, and actions and their ensuing consequences. For example, as parents, we have an obligation and a duty to bring up our offspring. That is parental responsibility. But responsibility also depends on a person's value system, which is based on his or her environment and culture. There are various types of responsibilities, including personal, communal, parental, and professional, and these responsibilities vary depending on the age of the individual and his or her position in society. For example, the responsibilities of a 5-year-old are far different from those of a 40-year-old. Clearly, the responsibilities of a politician are different from those of a janitor. When individuals choose a lifestyle implied in a career or a vocation, they choose and must accept the package of responsibilities that go with that lifestyle.

Responsibilities of a Professional as a Provider. A professional in either a provider–client or provider–customer relationship plays the role of provider of either a service or a product. This relationship, as we pointed out earlier, is a contract between the two parties. The relationship consists of three major types of responsibilities: service, product, and consequential.

Service Responsibilities. In order for a professional to provide a service to a client, there must be a contract binding the professional and the client. In this contract, as in any other contract, the professional has specific responsibilities regarding the time of delivery of the service, the quality of the service, and the consequences after the service has been rendered. For example, in the time-constraint responsibility, the service must be rendered within an agreed time frame; if not, a new time must be negotiated. In the quality of service responsibility, the service must meet its desired goal as far as the client is concerned, and it must have the expected value. The consequence responsibility involves the safety of the client from harm, both physical and financial, after receiving the service. The provider must take all these responsibilities seriously.

Product Responsibilities. If the contract between the provider and the client involves a product, the provider has the responsibility to deliver the product agreed upon on time, in good shape and of quality, and to provide documentation for safe use of the product. The provider of the product is responsible for all liabilities that might arise as a result of use of the product. In liability cases, the provider responsibility depends on the contract and the degree of harm.

Consequential Responsibilities. In one television medical drama episode, an operating room scene showed a female doctor dancing to a reggae tune while operating on a patient and unknowingly sewing the patient up with a surgical metal clip still in the patient's chest. In the next scene, the patient has died, and the autopsy shows the metal clip is still in his chest. Before the results of the autopsy, the doctor remembers her error and naturally becomes remorseful, not knowing whether to tell the family right away or wait until the medical report is issued. She knows full well that whatever the case, the family is going to sue her and the hospital, and probably her job at that hospital and her medical career are over. There is regret on the part of the doctor and anger on the part of the patient's family, all because one person did not fulfill her responsibilities.

Regret and anger are aftereffects of an action gone wrong, in this case a professional service. Whether a professional has provided a service or a product, there are always aftereffects of that action. Oftentimes, one is praised for a service well done and the best product ever provided, but there are also times when one is regretful because a service did not produce what it was intended to or a product did not live up to expectations. In the worst-case scenario, the service or product may cause physical or financial harm to the client. In such cases, one expects liabilities for the service or product, and the professional must accept those consequential responsibilities. In the case of the doctor, the service she provided fell short of what was expected, and she had to face the consequential responsibilities of her actions, which at times not only include the parties involved but may also involve innocent bystanders.

Accountability

One way we can define accountability is the obligation to answer for the execution of one's assigned responsibilities. This process involves a cycle of setting measurable outcomes and achievable goals, planning what needs to be done to meet those goals, reporting progress toward goals, evaluating the reports, and using that feedback to make improvements. Accountability involves these three key elements:

1. *A set of outcome measures that reliably and objectively evaluate performance:*
In every profession, there is a minimum set of measures that every individual in that profession must meet. This set must be carefully selected, and those measures must be attainable. However, these measures vary according to the profession and the individual activity to be performed by the professional. For example, in the teaching profession, one of the measures might be the success rate of students when they take standardized examinations.
2. *A set of performance standards defined in terms of these outcome measures:*
Like outcome measures, performance standards must be carefully chosen and attainable. These standards are also very dependent on the profession, but each profession must have a set of common performance standards for all its members for every type of service or product provided by that profession. For the teaching profession, the standard of output measures may be the passing of standardized examinations at a certain predetermined level. In the law profession, it might be the ability of a judgment to stand on subsequent appeals. Whatever standard measure is chosen, it must be plausible and measurable.
3. *A set of incentives for meeting the standards and/or penalties for failing to meet them:* The incentives chosen must be good enough so as not to create undesirable motives. For example, if the incentives are too good, they may force professionals to put the interest of their customers and clients below the interest of attaining the measures. If the incentives are monetary, they may force professionals to put the interest of making money ahead of the services they are supposed to offer. Similarly, the penalties prescribed must not be so harsh that they drive away those who intend to enter the profession. Harsh penalties also tend to make people in the wrong hide their actions and dig in deeper for fear of being discovered.

The Making of an Ethical Professional: Education and Licensing

In our discussion of the evolution of the professions, we have noticed the never-ending requirements of an individual seeking membership in the chosen profession or trade either to have a deep knowledge of the profession acquired through formal education or to be intrinsically of a *gentleman's calling*, willing to hold a higher ethical standard. In order to continue to uphold these essential requirements in both professions and trades, let us now discuss three items that encourage, maintain, and improve that higher ethical standard. These are as follows: formal education, licensing, and professional codes of conduct. Professionals must follow a specific process to meet and maintain those professional requirements.

Formal Education

For formal education to be effective in teaching and enforcing the pillars of professionalism, it must be targeted and incremental. Let us walk through the making of an information technology professional as an example. In elementary school, as students are introduced to information technology, they should be told not to use machines to destroy other people's property or to hurt others. But these cautions should be explained in an age-appropriate way. For example, children should be taught responsible ways of using computers and the Internet.

They should be told not to visit certain Web pages, to avoid getting involved in relationships online, not to give personal and family information online, and not to arrange for a rendezvous on or off-line. In addition, they should be told to respect others' work and property, whether they are online or off. There are already reported cases of children as young as 14 years old breaking into computer systems and destroying records. In fact, many of the computer network attacks, and a good number of the headline-making incidents, have been perpetuated by young people, sometimes as young as 10 years old. For example, in a certain county, several ninth graders broke into their school computer system and infected it with a virus that wiped out most of the school records. It is believed the students got the virus off the Internet. The content of what is taught must be relevant and sensitive to different age groups and professionals.

As students go through high school, content should become progressively more sophisticated. The message on responsible use of computers should be stressed more. The teen years are years of curiosity and discovery, and a lot of young people find themselves spending long hours on computers and other online devices. Those long hours should be spent responsibly. While a good portion of the message should come from parents, schools should also be part of this partnership by offering courses in responsible use of computers. The teaching could focus on ethics; students should be given reasons why they cannot create and distribute viruses, download copyrighted materials off the Internet, and use the Internet to send bad messages to others. These are ethical reasons that go beyond "do it and you will be expelled from school" type of threats.

In college, of course, the message is more direct. There are several approaches to bring the message across:

1. Students take formal courses in professional ethics in a number of professional programs in their respective colleges.
2. Without taking formal courses in their curriculum, students are taught a good amount of the information ethics sprinkled throughout their courses, either in general education or in their major.
3. Using a capstone course in the general education requirements and in that course adds information ethics content. Many colleges now require computer literacy as a graduation requirement. Use that course to add ethics content.
4. Require an exit information ethics course which can be taken online.

Once they join the workplace environment, these professionals should be required to attend informal refresher sessions, seminars, and in-service workshops periodically.

Licensing Authorities

Licensing grants individuals formal or legal permission to practice their profession, which tips the balance of power in the giver–receiver equation in favor of the giver. Before a license is issued, certain formalities must be taken care of, for example, testing the competence of the aspirant for the specific knowledge and skills required. If such a test is not passed, the licensing authority may deny issuing the license. Besides testing for competence, the licensing authority also provides the licensee with a set of rules to follow to keep the license. If the rules are violated, the authority may have the prerogative of either sanctioning the licensee or recalling the license. Clearly, a license is a privilege not a right, and if licensees want to maintain that right, they must follow the prescribed code. Licenses can be (and have been) used as both control and educating instruments to enforce rules, laws, and certain group or society norms.

Many professions license members and most of these professions require the potential licensee to take and pass examinations that sometimes test both knowledge and skills. Many professions, in order to keep members updated and compliant with their codes, limit the validity of their licenses to specific time periods so members have to renew their licenses. They then tie license renewal to passing of continuing examinations, which helps ensure that members stay knowledgeable in the profession. Professions also use periodic licensing examinations to check on members' compliance with codes. If members have in the past violated a code and been reported, such members may not have their licenses renewed even if they pass all examinations.

It is quite evident that in those professions with no licensing requirements, discipline has been and continues to be a problem, whereas in those maintaining vigorous

licensing requirements, relatively few disciplinary problems have emerged. Because every profession strives for a good image, many legitimate professions require licensing for membership. Licensing enables professions to enforce their rules by law. For example, physicians can lose their license to practice if they do anything unlawful or unethical. Once such a license is withdrawn, a physician cannot practice medicine. Although there are many professions with licensing requirements but with no enforcement mechanism, an increasing number of professions are opting to require enforceable licensing to keep their image undamaged.

Professional Codes of Conduct

The primary purpose of professional codes of conduct is to promote the public image of the profession by specifying and enforcing the ethical behavior expected from its members. Accordingly, and in most cases, professional codes consist of standards, norms, and rules of conduct that address the following areas:

- Moral and legal standards
- Professional–client relationship
- Client advocacy
- Professional–public relationships
- Sanction mechanics
- Confidentiality
- Assessment
- Compliance
- Competence
- Certified professional credentials for those professions that use certification

In order for professional codes of conduct to be effective, a profession must institute a system of enforcement, reporting, hearing procedures, sanctions, and appeals. Codes without such systems in place are completely ineffective.

Enforcement

Experience and studies have shown that professions with enforceable codes have fewer discipline problems among their members than those with no codes or those with codes but without enforcement mechanisms. Those professions with fewer disciplinary problems naturally have better images. Because the purpose of codes for any profession is to create and maintain a good image, those professions without codes should come up not only with codes, norms, and guidelines but also with

enforcement mechanisms, and those with codes but with no enforcement system should add them. It is common knowledge that laws, codes, norms, and/or guidelines are not obeyed until and unless some type of enforcement machinery is in place. There are various techniques of enforcement, most of them with no civil authority. The most widely used are professional ethics boards, standing committees, or review boards charged with the following:

- Drawing up the codes of ethics for the profession if none exist
- Revising codes if and when necessary
- Conducting education campaigns at the membership level
- Distributing copies of the codes to every member
- Developing disciplinary procedures
- Receiving complaints, conducting hearings, counseling members, and sanctioning members found guilty
- Promoting the image of the profession

Reporting of Grievances

There are two main reporting procedures. The first is the typical organizational route in which a complaint is reported first to the local chapters if it exists. The complaint then makes its way to the top, usually to the national ethics committee. The second is the short-circuit procedure in which reporting can be done at any level, and then from there a complaint is forwarded all the way to the top. Professions may vary these two types of reporting mainly in the area of who is supposed to report a professional in violation. In some professions, the reporting must be done by a member of the profession in good standing and nobody else. This means that concerned members of the public must report their complaint to a member of the profession, who then forwards the complaints to the committee. In other professions, any member of the public can initiate a complaint with the local professional board. Whichever way the reporting of a complaint is done, there should be a way to inform members of the profession and the public on the procedures of reporting and who can and cannot file a complaint, and there must be established channels of communication.

Hearing Procedures

Hearing proceedings are difficult to generalize about because of the many factors the hearing depends on, for example, the nature, the financial standing, and the structure of the profession; the kind of enforcement procedures being used; and the penalty to be imposed. If there is no enforcement procedure or if the penalty is not significant, the

accused member may not even appear for the scheduled hearing. Professions should consider all these factors when drawing up the hearing procedures. For example, hearings should be held at the profession's nearest field office to save members from traveling long distances. If there is no field office, arrangements should be made to find a location convenient to both the accused and the hearing committee members, and the hearing process itself should be short if possible.

Sanctions

If a hearing committee decides that a member is guilty of the offenses charged, then the committee must come up with sanctions to fit the violations committed by the member. The committee may decide to recommend any one or a combination of the following: probation, revocation of certification, request for resignation, and suspension from the profession at the member's expense. If a probation option is taken, the committee must clearly specify the nature, duration, and conditions of the probation. Also, there must be a person to whom the professional is to report for all requirements of the probation including supervision. After the sanctioned member fulfills the requirements of the penalty, a recommendation can be made to reinstate the member in good standing.

Appeals

A profession must have an appeal process on the books for the sanctioned professional who is not satisfied with either the ruling of the committee or the penalty imposed. Such guidelines should state clearly the procedure for appeals, how the appeal instrument is to be handled, who deals with the appeals, and the maximum amount of time an individual has between the time he or she receives a judgment and the filing of the appeal. The time allotted for a judgment on the appeal should also be stipulated. The profession must also state whether an appealing member should remain executing his or her duties or be prohibited from doing so until the appeal is complete. In certain professions, appealing members are either put on administrative leave, suspended, or allowed to carry on with their duties pending the decision of the appeal.

Professional Decision Making and Ethics

Now, we come to our third theme on professionalism and ethics: the process of professional decision making. Here, we focus on professional dilemmas and guilt associated with decision making.

Professional Dilemma in Decision Making

Dilemmas in decision making are quite common in the everyday activities of a professional. The process of decision making resembles a mapping with input parameters and an output decision. The input parameters in the decision-making process are premises. To each premise is an attached value. The mapping uses these values along with the premises to create an output, which is the decision. For example, if I have to make the decision whether to walk to church or take the car, the set of premises might include, among others, time, parking, safety, and gas. The values attached to these premises are that if I go by car, I save time, I need a parking space, walking is good exercise, and I need money to buy gas. If I decide to walk, my decision might be based on a set of premises including health and money to which I may attach the following values: Walking to church 1 day a month is good exercise, and it saves me money for gas. The mapping function takes these premises together with the values and outputs a logical decision. This mapping function is similar to the one we used in the ethics definition. Dilemmas in decision making are caused by questioning the values attached to one's premises as inputs to the decision being made. One's input values may be clouded by conflicting codes of conduct, advances in technology, and/or incomplete or misleading information.

Advances in Technology

Dilemmas in decision making may also be caused by advances in technology. Computer technology in particular has created more muddles in the decision-making process than any other technology. Advances in computer technology create a multitude of possibilities that never existed before.

Incomplete or Misleading Information

Not having all the information, one needs before making a decision can be problematic. Consider the famous prisoners' dilemma. Two people are caught committing a crime, and they are taken to different interrogation rooms before they have a chance to coordinate their stories. During the interrogation, each prisoner is told that the other prisoner has agreed to plead guilty on all charges. Authorities inform the prisoner that agreeing to plead guilty on the charges as the other prisoner has done will bring him or her a reduced sentence. But rejecting the plea will of course mean that the accused is not cooperating with the investigation, which may result in he or she receiving the maximum punishment allowable. Each prisoner has four recourses:

- Plead guilty without the friend pleading guilty, which would mean deserting a friend
- Refuse to plead guilty and the friend pleads guilty, which would mean betrayal and probably a maximum sentence
- Plead guilty and the friend pleads guilty, which means light sentences for both of them
- Both refusing to plead guilty and probably both receiving a light sentence or a maximum sentence

Whatever option the prisoners take is risky because they do not have enough information to enable them to make a wise decision. There are similar situations in professional life when a decision has to be made without enough information available and within time constraints. In such a situation, the professional must take extra care to weigh all possibilities in the input set of premises and their corresponding values.

Taking all these into account and using the ethical framework we developed can help the professional in making decisions that are just, fair, and plain ethical.

Guilt and Making Ethical Decisions

In an ethical decision-making process, decisions are made based on, and reflect, consequences, individual liberties, and justice. To achieve this, individuals can use any other ethical theories to frame or make ethical choices that reflect the selected criteria. However, whatever theory used, the outcome falls into one of the following three criteria:

- *Utilitarian criterion* —where decisions are made solely on the basis of their intended outcomes or consequences.
- *Rights criterion*—where decisions are made based on the set of liberties the society enforces such as the Magna Carta.
- *Justice criterion*—which reflect justice. Decisions are made so that they are fair, impartial, and equitable to all.

Guilt is our natural internal judgment system, punishing ourselves based on our moral standards or the group's standards. So, guilt therefore, plays a crucial part in ethical decision making. In the decision-making process, guilt normally sets in right after the decision or a choice is made. And because guilt stays with the individual over a period of time, sometimes becoming cumulative, as we pointed out earlier, it may affect that individual's future decisions. Its effects on future decision-making processes center

round new values being attached to the premises of the input set to the decision function. A guilty person re-examines his or her value set attached to all premises that come into play in the decision-making process. Sometimes guilt produces doubts about the present values attached to the premises without producing new and better values. Guilt causes decision makers to agonize over decisions. An excess of guilt could cause an individual to withdraw from society, which could be more dangerous because a withdrawn person may start to challenge the values attached to the premises as he or she tries to justify the guilt, resulting in bad decisions being made.

Although decisions are based on the outcome of an individual's deliberations, considering all input parameters and attaching values to these premises calls for a thorough examination of each premise by the individual. This process is aided by the individual reflecting on these basic steps:

- Examining the ethically relevant issues, principles, standards, and practices
- Determining the different parties (and their special interests) who will be affected by the decision
- Deciding on an alternative course of action if and when the outcome of the decision is not what is expected
- Considering the probable consequences (short and long term) of each alternative on each of the different parties involved
- Thinking of consulting with a trusted colleague if the situation is complex, risky, or there is undue personal involvement
- Determining how personal values, biases, beliefs, or self-interests influenced the decision (either positively or negatively) and whether the consequences of the decision have been evaluated
- Being prepared to assume responsibility for the consequences of the action including correction of negative consequences.

Professionalism and Ethical Responsibilities

This is the last of our four themes in professionalism and ethics. We focus here on professionalism and ethical responsibilities that include whistle-blowing, harassment, and discrimination.

Whistle-Blowing

The term whistle-blowing gives the impression of an act of seeking public attention. This is what we see in a sports event whenever a foul is committed. The referee blows a whistle to call public attention, including that of the athlete, to the unsportsmanlike act committed. In some countries, law enforcement personnel use whistles to draw public attention to what they deem unlawful acts and to seek help.

The purpose of whistle-blowing in the workplace and the goal of a whistle-blower are the same as that in the sports arena—calling to public attention, including especially to that of a higher authority such as a government, what is considered an illegal or mismanaged act. Whistle-blowing can be internal, in which case the attention is sought internally and remains within organizational channels, or it can be public, in which case it alerts everyone.

Everyday people, especially employees, witness wrongdoing on the job. What they witness usually can jeopardize not only their health, safety, or lives but also the well-being of others. Quite often many witness such illegal acts but choose to remain silent in the face of such misconduct because they think it is not their thing or they think it will not make a difference. Yet others fear to cause problems on the job. A few brave it out to save lives. However, quite often, instead of receiving praise for their brave actions and high integrity, they are often targeted for retaliatory acts such as investigations, ridicule, blacklisting (especially in their trade), harassment, intimidation, demotion, and sometimes outright dismissal.

So in light of these threats, the most important aspect of whistle-blowing is to remain anonymous. Revealing the identity of a whistle-blower could be dangerous. Besides the obvious risks of potential job loss and poor or inadequate legal protection, there is also a psychological and sometime emotional price to pay for whistle-blowing. Personal and family friends may turn against you. At work you may be labeled a troublemaker, leading people with whom you work to treat you as an outcast. So care must be taken before whistle-blowing to ensure anonymity. The most difficult decision may involve finding a good medium that will insure that confidentiality and anonymity. It is difficult and almost impossible to expect total anonymity, though, for a whistle-blower because there will be a need for sufficient information to support allegations which may result in giving away one's identifying details.

Different whistle-blowing methods have been used for years, ranging from traditional

ones to more modern computer-aided ones.

Computer Aided Methods

Most common methods are anonymous including anonymous remailers that use a software program to take an original e-mail and strip its header and all other identifying data before forwarding it to its destination. Because the remailer does not include any return address on the e-mail, it attaches a pseudonymous address in case you need a reply. Before using anonymous remailers, however, exercise caution because the authorities can force the server administrator to reveal the owner of the pseudonymous name and address in cases of emergencies and other coercion.

Traditional Methods

There is a cross section of traditional methods used in whistle-blowing. Historically, whistle-blowing has used spy-like methods to pass on information to either the public or a higher authority. All methods that ensure anonymity can be used; the most common methods include face-to-face communication with a public person that will ensure your anonymity; talking with the news media, which can keep your identity a secret; hotlines that alert the caller identity; and writing letters.

Whistle-blowing has been praised by many as courageous actions taken by a few good people with a moral conscience who risk everything to call public attention to illegitimate business practices and illegal and immoral actions. Others have condemned whistle-blowing as acts of vendetta, revenge, and greed that should not be encouraged. In fact, most whistle-blowers are either fired employees or unhappy ones. The following situations can complicate whistle-blowing:

- *Fear of reprisals:* Many illegal and immoral acts go unreported because would-be whistle-blowers fear reprisals such as physical harm, job loss, reassignment to less desirable, sometimes demeaning jobs, suspension from work, and denial of promotions or training. Many organizations are still willing to protect the whistle-blower.
- *Suspicion surrounding whistle-blowing:* Not every whistle-blower should be taken seriously because not all of them are sincere. Some whistle-blowers are driven by greed, vendettas, anger, or revenge. In fact, many known cases of whistle-blowing were provoked when management and the employee disagreed. In other cases, whistle-blowing is caused by booty promises,

especially by governments, to reward anybody with a certain percentage of the proceeds coming out of whistle-blowing.

- *Membership in organizational channels:* Sometimes a whistle-blower act may be ignored because the whistle-blower is a member of the company or business organizational channel. Vivian Weil cites two whistle-blowers who are not considered as such because they called public attention to a serious ethical and moral problem but remained within the lines of command and, therefore, were not taken seriously. Both Roger Boisjoly and colleague Allan MacDonald of Morton Thiokol in Utah are known to have opposed the launch of the fated Challenger but were overwhelmed by management, and they then blew the whistle in the hearings of the Presidential Commission set by President Ronald Reagan.

Harassment and Discrimination

Harassment is to verbally or physically create an environment that is hostile, intimidating, offensive, severe, pervasive, or abusive based on a number of parameters including one's race, religion, sex, sexual orientation, national origin, age, disability, political affiliation, marital status, citizenship, or physical appearance. Discrimination on the other hand is a process of making decisions that negatively affect an individual, such as denial of a service, based wholly, or partly, upon the real or perceived facts of one's race, religion, sex, sexual orientation, national origin, age, disability, political affiliation, marital status, or physical appearance. Harassment and discrimination are serious breaches of human rights. In fact, harassment is a form of discrimination. If not attended to, harassment does not only affect a few individuals, but it eventually grows to affect everyone in the organization. The following steps are needed in fight against harassment and discrimination:

1. *Awareness.* There are no clear signs of harassment, but in most cases, harassment is manifested in the following signs: unhappiness, anxiety, discomfort, stress, and lifestyle changes. If some or all of these signs start to appear in the environment where an individual is, then there is harassment. Discrimination is even harder to detect than harassment. However, there is discrimination if the decisions made are based upon the discriminatory factors above.
2. *Prevention.* The main tool for the prevention of harassment and discrimination is for an organization to have a clear and simple written policy framework setting out the procedures that must be taken if harassment and discrimination

occur. The procedures must include the following: awareness/education, complaint process, sanctions, and redress.

Ethical and Moral Implications

The act of whistle-blowing is meant to alert and call the public to be witnesses to illegal acts that may be hazardous to their health and well-being or to waste of public resources. Of course, as we pointed out earlier, there are many other reasons for whistle-blowing. Are whistle-blowers living saints who fight evil to bring serious problems to light, thus contributing to the protection of the public's welfare? Does this explain the small numbers of whistle-blowers, although it is known that there are organizations in which a high potential for catastrophe can develop and somehow remain unexposed despite many people being aware of the problems?

Even people with high moral standards can be prevented from doing what is morally right because of the privileges, rights, and freedoms they stand to lose within the organization if they become known. People who feel accused and those allied to them tend to hit back to deflect attention from the accused. Retaliation is very damaging. So a would-be whistle-blower either decides to stay in line and live with a moral dilemma, but survive, or resign and live with a clear conscience. For a professional, a decision like this presents a complex moral conundrum because if he or she stays within the organization, retaliation is almost predictable. Staying with the organization also presents other problems both to the whistle-blower and colleagues. For example, collegial relationships and networks are disrupted. However, whistle-blowing is morally justifiable when the activities involved pose serious danger and harm to human life. The moral concept of whistle-blowing is good; it helps those who dare not speak out and all others who are affected.

Harassment and discrimination are both evil acts that challenge not only the conscious of an individual doing the acts, but also, they create a situation that brings discomfort and inferiority to the targeted individual. It is, however, unfortunate that most individuals perpetuating the acts of discrimination and harassment lack the moral conviction and conscience.