

3rd NMMU CM Conference
2nd December, 2014

ASPECTS OF ETHICS

GAYE LE ROUX

ASPECTS OF ETHICS

- Where does ethical behaviour strike root in human beings? How do ‘ethics’ originate?
- Are we born ethical?
- Do we learn ethics as little children growing up within our families and communities?
- Are we exposed to ethics at school?
- Is an ethical disposition genetic?
- Are some people born ethical...and others not?

ASPECTS OF ETHICS

There seem to be no firm answers to questions about the root source of ethical behaviour

Are we the product of our environment?

Are parents to be held responsible and liable for ethical behaviour (or not) of their children?

What about school teachers? Staff at tertiary institutions? Community leaders? Politicians?

ASPECTS OF ETHICS

- What are possible REASONS for personal UNETHICAL CONDUCT?
- A wish to gain an advantage in some or other way?
- Peer pressure ('follow-my-leader')?
- Hero worship of an unethical role model?

ASPECTS OF ETHICS

What is EVIDENCE of unethical practice or behaviour?

- Dishonesty (a choice...and a decision)
 - habitual?
 - opportunistic?

ASPECTS OF ETHICS

Can unethical behaviour be ‘converted’?

Conversion requires the WILL to be ethical

ASPECTS OF ETHICS

Is ethical conduct

- clear-cut for all,
- difficult for some
- and
- impossible for others?

READING / SOURCES

- **Blum, Lawrence A. (1994) Moral Perception and Particularity.** Cambridge University Press
- **Kant, Emmanuel (1787). Lectures on Ethics.**
Editor: J B Schneewind. Editor and translator: P Heath. The Cambridge University Series 2010
- **Norval, G. (2005) Unpublished lecture notes**
Professional Practice, University of KwaZulu-Natal
- **Other (specified) references**
- **Personal experience**

HOW IS ‘ETHICS’ PRACTISED?

- More questions than answers?
- In different ways by different people?
- “Do as I say...not as I do”?
- Do role models practice what they preach?
- Being ‘a law unto myself’ regardless of anything or anyone else?
- Taking chances as occasions arise?

WHAT IS ‘ETHICAL’ BEHAVIOUR?

What does ethical practice mean?

- Doing the ‘*right thing*’ always
- When in doubt...doing the ‘*brave thing*’
- Behaviour that will withstand full scrutiny, from all angles at any time
- Is there a fail-safe universal Guide to Ethics? Where is it found?

AREAS OF NON-ETHICAL BEHAVIOUR

- Awarding tenders for government, provincial and local authority projects and services
- Quality of products delivered in RDP housing projects
- Management within Supply Chain Divisions and Treasuries at various levels
- Cronyism, nepotism, unfair business practice

AREAS OF NON-ETHICAL BEHAVIOUR

- Bribery (“*incentives*”)
- Tax evasion
- Fraudulent VAT transactions
- Theft / fraud / embezzlement
- Non-declaration of unauthorised expenditure
- Falsified audits / reports / information

AREAS OF NON-ETHICAL BEHAVIOUR

- Cutting corners to increase profit

(On construction projects, examples are reducing cement content; “special mixes for test cubes; using inferior products; using “seconds” - tiling, sanitary fittings; hollowcore instead of solid core doors; using internal- quality veneered doors externally; using “brassed” ironmongery and fittings instead of brass; fudging information for payment certificates

AREAS OF NON-ETHICAL BEHAVIOUR

- Creating non-existent “accredited” virtual research journals with colluding Editorial Boards (all submissions “accepted”)
- Marketing and organising never-to-occur “accredited” congresses / conferences with colluding Organising Committees and Panels of Referees (these events never actually take place)
- Continuing Professional Development events

POSSIBLE ORIGINS OF ETHICS

Utilitarianism; Morality; Justice

Respect; Virtue; Courage

Religion; Divine command; Race

Relativism and Absolutism

Ethical or Psychological Egoism

WHY DO WE NEED

Laws...Oaths...Codes... Contracts...Terms of
Agreement...Constitutions...Bills of Rights...
Acts of Parliament...Guidelines... Records of
Discussions...Agreements.....Memoranda of
Understanding...Rules...Regulations?
Tribunals...Enquiries...Commissions?
Disciplinary Hearings... Expulsions... Public
Protectors...Protocols... Penalties...
Ombudsmen... Prosecuting Authorities ?

A DICTIONARY DEFINITION OF ‘ETHICS’

- According to the *Shorter Oxford English Dictionary on Historical Principles* (1933, p. 685), ethics means the science of human duty in its widest extent
- What is duty? What is owed - a debt of any kind (*Ibid*, p. 621)

DOES ‘ETHICAL’ = ‘MORAL’?

- What is **morality**? Pertaining to the distinction between right and wrong, or good and evil, in relation to actions, volitions or character... concerned with the rules of right conduct... (*Ibid*, p. 1354)
- What are **values**? Attributes (characteristics or qualities) that have intrinsic worth (*Ibid*, p. 2449)

VALUES

Many moral issues have INSTRUMENTAL value as means to an end, ie having something in order to get something else

Some moral issues are not instrumental, but have value in themselves - INTRINSIC value - eg excellent health

Four principal examples of intrinsic value (cited by George Nozick) are

- Pleasure Jeremy Bentham - increases the overall amount of pleasure in the world
- Happiness John Stuart Mill - happiness, not pleasure, should be the standard of well-being
- Ideals George Edward Moore - freedom, knowledge, justice and beauty
- Preferences Kenneth Arrow - preference satisfaction (BY CHOICE - A DECISION)

UTILITARIANISM & MORALITY

The emphasis in utilitarianism is on consequences, not intentions

The purpose of morality is to guide people's actions in such a way as to produce a better world

Utilitarianism is *morally demanding* for two reasons:
It always requires us to

- do the most, to “maximise”, not to do the minimum...and
- set aside personal interest (is “good enough” *REALLY ‘enough’?*)

“Act and Rule” Utilitarianism

Imagine the following scenario. A prominent and much-loved leader has been rushed to the hospital, wounded by an assassin's bullet. He needs a heart and lung transplant immediately to survive. No suitable donors are available, but there is a homeless person in the emergency room who is being kept alive on a respirator, with only a few days to live - a perfect donor. Without the transplant, the leader will die; the homeless person will die in a few days anyway. Security at the hospital is very tight. The transplant team could hasten the (inevitable) death of the homeless person and carry out the transplant without the public ever knowing that they killed the homeless person for his organs. What should they do? For RULE UTILITARIANS, this is an easy choice. No one could approve a general rule that lets hospitals kill patients for their organs when they are going to die anyway. The consequences of adopting such a general rule would be highly negative and would certainly undermine public trust in the medical establishment.

For ACT UTILITARIANS, the situation is more complex. If secrecy were guaranteed, the overall consequences might be such that in this particular instance greater utility is produced by hastening the death of the homeless person and using his organs for the transplant.

“Act and Rule” Utilitarianism

- “Rule” utilitarianism

The consequences of acting in terms of
moral principles

- “Act” utilitarianism

The **calculated consequences**, under specific
conditions, arising from **specific actions**

Calculations based on the **answers** to a series of **questions**: :
What if...? What then...? - “What now...?” will be too late!

“Act and Rule” Utilitarianism

UTILITARIANISM

appears to be
most appropriate for policy
decisions, as long as inclusion of
fundamental human rights in any
policy will guarantee that rights of
small minorities and the helpless
are not violated

Some familiar (Utilitarian) compliance issues

Project procurement processes

Contractual undertakings

Debt management

Ownership of intellectual material

Health, Safety & First Aid

Driving licences

Registration & Certification

Membership v Registration

Moral, Legal & Regulatory issues

Responsibility, Reliability, Liability

RESPECT, VIRTUE and COURAGE

Respect is surely a fundamental moral concept

Because there are rituals of respect in almost all cultures, two central questions arise:

- 1. What is respect?**
- 2. Who or what is the proper object of respect?**

RESPECT

- The Crusaders made war in the name of God, and the Moguls in the name of Allah...did they respect those they conquered?
- Colonial Powers made war in the name of their respective sovereigns and did not respect the citizens of the sovereign nations they annexed
- Slave Traders abused the human rights of their captives
- What about early European Missionaries representing Christendom?

RESPECT

The Consumer Protection Act No 68 of 2008 is necessary because of the lack of respect between

- Service providers and their customers
- Suppliers and consumers
- Consultants and their employers
- Contractors and co-contractors and their clients

RESPECT

Consider “MISSION STATEMENTS”

Prominently displayed...unachievable...
meaningless in terms of validated
outcomes...misleading...and laying their
“authors” open to charges of contravening
the Consumer Protection Act (2008)

RESPECT, VIRTUE, COURAGE

“Act in such a way that you always treat living creatures and their property, whether in your own person or in the person of any other, never simply as a means, but **ALWAYS** at the same time as an end.”

(an adaptation of Emmanuel Kant's philosophy)

RESPECT; VIRTUE; COURAGE

What does “*treating people as ends in themselves*” mean?

They are

1. provided with all the information they require
2. allowed freedom of choice
3. respected and protected

Emmanuel Kant taught that the direct focus of respect is the WILL - respect involves the WILL - KNOWLEDGE AND FREEDOM

Directions of respect:

- Subordinates...colleagues...employees...students and their families
- Feelings and emotions of others
- Animals and family pets
- The Natural World

RESPECT; VIRTUE; COURAGE

Respect for others and their property (not using them as a means to an end) is a key concept in contemporary **moral** philosophy

- What does it mean to **respect** clients, co-contractors, colleagues, employees, lecturers, students, family members...?
- Are there any common practices that are **disrespectful** - but shoulders are shrugged because “*that's the way it is*”?
-

RESPECT; VIRTUE; COURAGE

What is VIRTUE? Is this just an archaic, old-fashioned English word for “goodness”? No. It is embedded in

- character (a kind of person)
and
- wisdom (a person’s thoughts and actions - with or without past experience)

RESPECT; VIRTUE; COURAGE

- Nations place their trust for justice in
 - Laws, which provide necessary **rules**
 - Judges and their assessors who apply rules with **wisdom**
- Ethics is centred in
 - Theory: providing **rules** for conduct
 - Virtue: the **character** and **wisdom** of the authority which applies rules in particular instances

RESPECT; VIRTUE; COURAGE

- Does ‘courage’ = ‘ethics’?
- *“My grandfather used to be some kind of petty official in one of the law courts near the town of Tanjore. He was respected by people for his honesty and courage. Courage in the sense that if something wrong happened, or if someone asked him to do something his heart wouldn’t let him do, he would turn violent or resist it in any form he thought fit”* (Interview with Rajad, an extract from INDIA (page 121) by V. S. Naipaul, for which the author was awarded the Nobel Prize for Literature, published in 1998 by William Heinemann Ltd, Great Britain)

RESPECT; VIRTUE; COURAGE

COURAGE without

- **good judgment** is blind, e.g. taking a chance without knowing the extent of risk involved
- **perseverance** is weak, a fruitless exercise
- **a clear sense of one's own ability (limitations?)** is foolish

RESPECT; VIRTUE; COURAGE

**COURAGE with character and wisdom,
within rules for action is**

- intelligent and the best means to any possible end, and
- effective because ends that are worth striving for are identified

(This begs the question: Why are whistle-blowers penalised / despised / vilified / crucified by the “authorities” whose interests they serve?)

RELIGION; DIVINE COMMAND

- Christendom: One God; two principal precepts
- Islam: One God; Islamic Law according to the Muslim faith, interpreted from the Qur-ān
- Navajo: Many Gods, harmony in terms of the Law of the Navajo Nation (Dine’)
- Hinduism: Amongst many deities, there is one true God (Brahmin), truth, dharma and karma
- Buddhism: No personal, individual God; karma, reincarnation, and compassion

RELIGION; DIVINE COMMAND

- Is religion necessary to ensure ethical practice?
- Do religious beliefs support ethical behaviour?
- Is religion necessary to insure ultimate justice?
- Is Divine Command the foundation of ethics?

RACE

- What place do race, ethnicity, and culture have in moral theory?
- What - exactly - do race, ethnicity and culture mean?

An earlier reference to RESPECT refers: Colonial Powers, Missionaries, Slave Traders)

RACE

- **Race**
 - Initially: biological
 - Eventually: socially constructed
- **Ethnicity**
 - Individual identification with a particular cultural group (usually biologically related)
- **Culture**
 - The set of beliefs, values and practices that defines a cultural group's identity

RACE

To paraphrase Lawrence Blum**, there are three principal **virtues** necessary for living well in a diverse society

- Opposition to racism
- Adoption of multiculturalism
- Practising community and inter-connective humanity

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RACE

“LIVING WELL” IN A DIVERSE SOCIETY REQUIRES

- understanding of other cultures before passing judgment on them
- tolerance, because there are important areas in which intelligent people of good will, inevitably will differ
- taking a stand against evil no matter where or when it occurs
- recognising that even with the best intentions, judgment may be flawed and mistaken

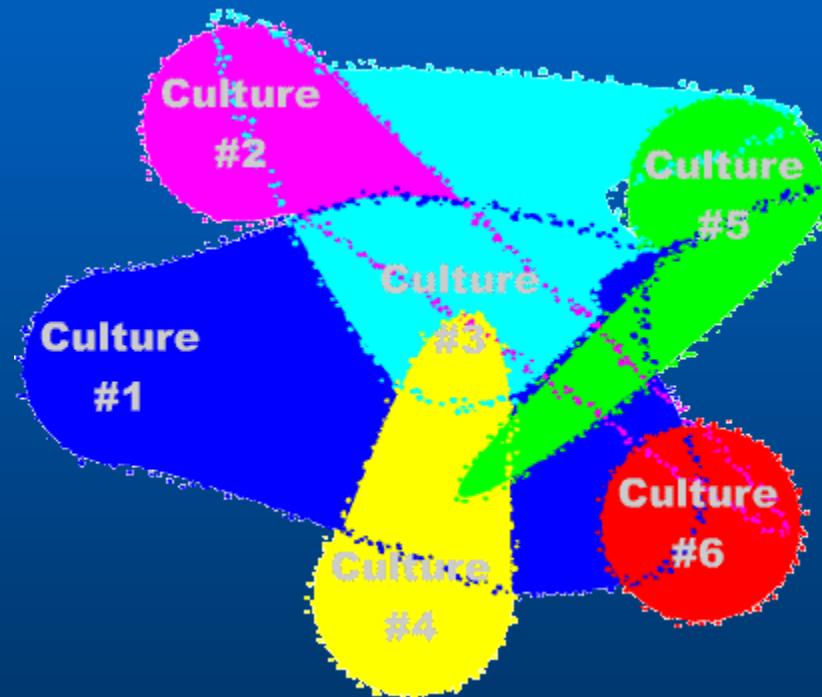
RELAVITISM AND ABSOLUTISM

- Ethical relativism suggests that each culture should live as it sees fit
- This is only feasible when cultures are not forced to interact with one another



RELAVITISM AND ABSOLUTISM

Inter-culture interaction in today's world



RELAVITISM AND ABSLOUTISM



Ethical relativism has several important insights:

- The need for tolerance and understanding
- Recognising “moral diversity”
- If practices in other cultures are not understood, judgment on those practices should be withheld
- Awareness (if acceptance is not possible) that sometimes usually reasonable people may differ widely on standards of moral acceptability

RELAVITISM AND ABSLOUTISM

- Where do you and I stand?

Absolutism

Middle
Ground?

Relativism

RELATIVISM AND ABSOLUTISM

**How much of
morality is
relative?**

- All?
- Most?
- Some?

**Relative to what /
whom?**

- Individuals?
- Cultures?
- Nations?
- Groups?

**What part of
morality is relative?**

- Behaviour?
- Peripheral values?
- Fundamental values?

RELAVITISM AND ABSOLUTISM

- **Core values**

- ❖ Are there “central” values found in all cultures?

- **Peripheral values**

- ❖ What about culturally-specific values?

- **Behaviour patterns**

- ❖ Do different behaviours stem from the same “central” values?

- ❖ Do similar behaviours stem from different “central” values in different cultures?

RELATIVISM AND ABSOLUTISM

Ethical relativism

- is self-defensive - “*judge not that ye be not judged...*” - not judging others means that they cannot be judgmental in return
- is unhelpful in dealing with overlaps of cultures – precisely where difficulties occur, for example in commerce and trade, the Media, and the World Wide Web
- presupposes a philosophical viewpoint that nothing can be proven beyond the existence of the self**

**(an epistemological solipsism)

RELATIVISM AND ABSOLUTISM

In effect, is ethical relativism “too middle ground” insofar as it

- maintains that no moral judgments may be about other cultures?
- in principle, provides protection against the judgments made by other cultures?

Strangely, it shares these characteristics with
ABSOLUTISM

RELATIVISM AND ABSOLUTISM

In a measure of opposition to ethical
RELATIVISM, in some ways ethical
ABSOLUTISM is **CORRECT**, because

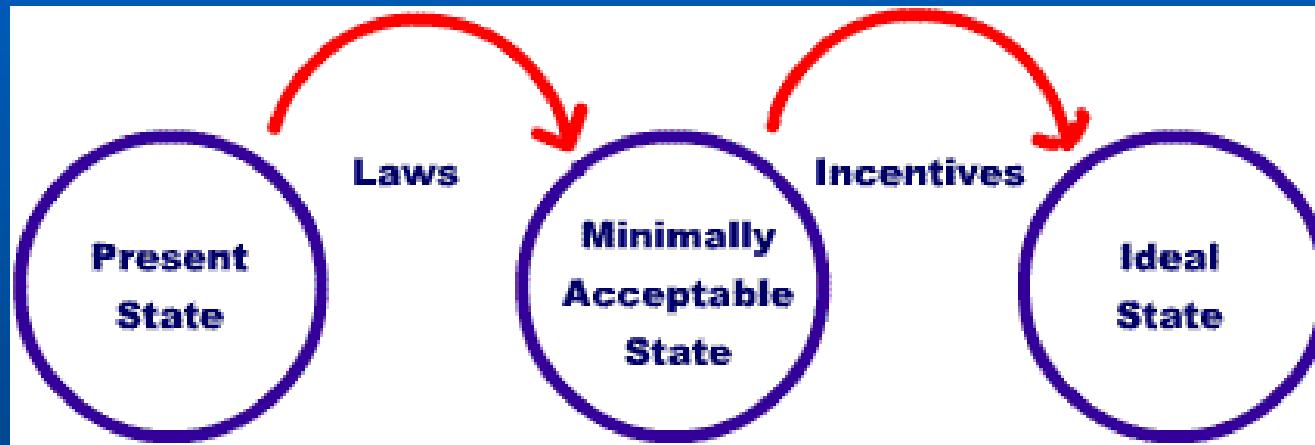
- at least (sometimes) judgment **is** necessary
- certain behaviour **is** intolerable

However, ethical **ABSOLUTISM** can also be
WRONG, because its adherents practise

- “Our truth is **the** (only) truth”
- “We **cannot** learn from others”

RELATIVISM AND ABSOLUTISM

The solution is to take a moral stand:



Oberlechner, T. (2007) The Psychology of Ethics in the Finance and Investment Industry. Research Foundation Publications <http://www.cfapubs.org> accessed on 22 November 2014 at 21:48pm

RELATIVISM AND ABSOLUTISM

Developing common ground:

- ✓ **agreement (if and where appropriate)**
- ✓ **living with some disagreements**
- ✓ **changing the situation**
- ✓ **understanding**
 - **ourselves**
 - **others**
 - **the issue**

PSYCHOLOGICAL EGOISM

Thomas Hobbes (1588-1679) held the opinion that psychological egotists always act selfishly or in their own self-interest (<http://www.britannica.com> accessed on 22 November 2014 at 21:53pm)

Psychological egoists often confuse motives and consequences

The fact that there may be a “return” as a result of a particular action does not mean that “getting something back” was the primary motive

Is there really such a sharp division between self-interest and the interests of others, especially the interests of those we love?

PSYCHOLOGICAL EGOISM

Any given action can be ranked according to

- Intentions
- Consequences

For each of these two issues, each act can be ranked according to

- concern / consequences for self and
- concern / consequences for others

PSYCHOLOGICAL EGOISM

So...is there more to human behaviour than pure selfishness?

Ayn Rand, author of two best sellers, *Atlas Shrugged* and *The Fountainhead*, amongst her many other works, also published *The Virtue of Selfishness*

CONCLUSION

Because practitioners continually complain that conference speakers discuss matters of interest to delegates, but never disclose their own “tricks of the trade” or offer answers to their own questions, I respectfully submit that...

CONCLUSION

Everyone is entitled to my opinion
**(with apologies to Gavin Sharples,
November 2014 News)**

CONCLUSION

Our

- values must be prioritised;
- decisions must unfailingly be to do the right, brave thing;
- promises must be kept;
- clients' interests must be treated as though they are our own and
- “noses must be kept scrupulously clean”

CONCLUSION

An adaptation of Emmanuel Kant's philosophy

Treat all living creatures as you would wish to be treated, promote their interests as you would wish yours to be promoted, and care for their property, as your own