

## Chapter 6. Ethics

This chapter introduces you to ethical reasoning as it pertains to your studies now and to your future professional work. The chapter was largely developed by Santa Clara University's Markkula Center for Applied Ethics. For almost ten years the Center has worked with the local and national communities, as well as the University, in the search for ways to approach practical ethical dilemmas. The Center's website is an outstanding source for study materials in applied ethics. (<http://www.scu.edu/ethics/>)

The field of ethics is the study and practice of standards of moral conduct. As such, ethics is not something that only philosophers and theologians think about. Ethics is for everyone – all human beings including engineers! All of us think ethically whenever we face an issue of right and wrong. Moreover, ethics does not pertain alone to the more private realms of our lives – to such issues as whether to cheat on a test or lie to a friend. Rather, ethics pertain to all aspects of our lives – from the more private and personal to the professional and political. Accordingly, it is essential to consider the many ethical issues and questions that are always present in the study and work of an engineer.

One of the major contributions of the Markkula Center over the years has been to develop and evolve a way of addressing formally ethical problems. It is called A Framework for Thinking Ethically. We begin this chapter with some introductory ideas, then move on to a discussion of the Framework, and then finish with a more detailed look at a number of important concepts. Here is what we will look at.

- An introduction to ethics
- A Framework for Thinking Ethically
- Rights
- Fairness and Justice
- Utility
- The Common Good
- Virtue
- Compassion
- Conscience and Authority
- Some Websites

### 6.1 An Introduction to Ethics

This section is designed as an introduction to thinking ethically. We all have an image of our “better selves” – or of how we are when we are “at our best.” We probably also have an image of what an ethical community, an ethical business, or an ethical government is – and maybe even an ethical society as a whole. Ethics really has to do with all three levels – acting ethically as individuals, creating ethical organizations and governments, and making our society as a whole ethical. But, just what is ethics?

Simply stated, ethics gives us standards of behavior that tell us what human beings **ought** to do in the many situations in which we find ourselves – as friends, parents, children, citizens, businesspeople, teachers, professionals, and so on.

It is helpful to identify what ethics is NOT.

Ethics is not our feelings. Some people have highly developed habits that make them feel bad when they do something wrong, but many people feel good even though they are doing something wrong. And often our feelings will tell us it is uncomfortable to do the right thing if it is hard.

Ethics is not religion. Many people are not religious but ethics applies to everyone. Most religions do advocate high ethical standards but sometimes do not address all types of problems we face.

Ethics is not law. A good system of law does incorporate many ethical standards, but law can deviate from what is ethical. Law can become ethically corrupt, as some totalitarian regimes have made it. Law can be designed to serve the interests of narrow groups. Law may have a difficult time designing or enforcing standards in some important areas.

Ethics is not following socially accepted norms. Some societies are quite ethical, but others become corrupt - or blind to certain ethical concerns (as the United States was to slavery before the Civil War). “When in Rome, do as the Romans do” is not a sufficient ethical standard.

There are two fundamental questions that we face in identifying the ethical standards we are to follow:

- On what do we base our ethical standards?
- How do these standards get applied to specific situations that we face?

If ethics are not based on feelings, religion alone, law, or accepted social practice, what are they based on? Many philosophers and ethicists have helped us answer this critical question. They have suggested over the centuries at least six different sources of ethical standards we should use.

**The Rights Approach:** Some philosophers and ethicists suggest the ethical action is the one which best protects and respects the moral rights of those affected. This approach starts from the belief that humans have a dignity based on their ability to choose freely what they do with their lives, and have a right to be treated as ends and not merely as means to other ends. The list of “moral rights” – to makes one’s own choices about what kind of life we will lead, to be told the truth, not to be injured, to a degree of privacy, and so on – is widely debated. Also, it is often said that rights imply duties – in particular, the duty to respect others’ rights. And so we must ask, what if my rights and yours are in conflict?

**The Fairness or Justice Approach:** Aristotle and other Greek philosophers have contributed the idea that all equals should be treated equally. Today we use this idea to say that ethical actions treat all human beings equally – or if unequally, then fairly based on some inequality that is defensible. We pay people more based on their harder work or the greater amount that they contribute to an organization, and say that is “fair.” But there is a debate over CEO salaries that are hundreds of times larger than the pay of others; many ask whether the huge disparity is “unfair.” And what shall we do about situations in which fairness is not possible. Where shall we build that freeway, near your house or near mine?

**The Utilitarian Approach:** Some ethicists emphasize that the ethical action is the one that provides the greatest good for the greatest number, or produces the most good or does the least harm. The ethical corporate action, then, is the one that produces the greatest good for all who are affected – customers, employees, shareholders and the community. Ethical warfare is the one that balances the good achieved in ending terrorism, for example, with the harm done in such warfare in injuries and deaths to all parties, and to disrupted lives and destroyed property. The utilitarian approach tries to increase the good that is done, and at the same time reduce the harm.

**The Common Good Approach:** The Greek philosophers have also contributed the notion that every society needs “common conditions” which are important to the goodness of everyone. This may be a system of laws, effective police and fire departments, guaranteed health care, a public educational system, or even public recreational areas. The ethical action under this consideration is the one that serves the common good of creating these “common conditions” and enhancing these common relationships. This also involves the network of human relationships that run throughout every society.

**The Virtue Approach:** A very ancient approach to ethics is that ethical actions ought to be consistent with certain ideal virtues which provide for the full development of our humanity. These virtues are dispositions and character traits that enable us to be and to act with our highest potential, traits that are commonly admired by society. Honesty, courage, compassion, generosity, fidelity, integrity, fairness, self-control, and prudence are all examples of virtues. Virtue ethics asks of any action, “What kind of person will I become if I do this?”

**The Compassion Approach:** Some ethicists separate out one of the virtues, compassion, as a standard for ethical behavior of central importance. This approach suggests that relationships are the basis of all human society and that compassion and concern for others – especially the vulnerable -- are essential to relationships and to the functioning of society. Therefore, ethical actions should always serve the interests of others, and should serve to deepen the relationships one has with family, officemates, community, and people in all parts of our earth.

Each of these six approaches helps us determine what standards of behavior can be considered ethical. There are still problems to be solved, however. The first problem is

that we may not agree on the content of some of these specific approaches. We may not all agree to the same set of human and civil rights. We may not agree what constitutes the common good. We may not even agree what is a good and what is a harm.

The second problem is that the different approaches may not all answer the question “what is ethical” in the same way. Nonetheless, each approach gives us important information with which to determine what is ethical in a particular circumstance. And much more often than not, the different approaches do lead to similar answers.

Making good ethical decisions requires a trained sensitivity to ethical issues and a practiced method for exploring the ethical aspects of a decision and weighing the considerations which should impact our choice of a course of action. Having a method for ethical decision making is absolutely essential. When practiced regularly, the method becomes so familiar that we work through it automatically without consulting the specific steps. The more novel and difficult the ethical choice we face, the more we need to rely on discussion and dialogue with others about the dilemma. Only by careful exploration of the problem, aided by the insights and different perspectives of others, can we make good ethical choices in such situations. We have found the following framework for ethical decision making a useful method for exploring ethical dilemmas and identifying ethical courses of action.

## **6.2 A Framework for Thinking Ethically**

This sections introduces a formal process for addressing ethical issues, an approach developed by Santa Clara University’s Markkula Center for Applied Ethics. There are five steps in the process.

- Recognize an ethical issue.
- Get the facts.
- Evaluate alternative actions from various ethical perspectives.
- Make a decision.
- Act, then reflect on the decision later.

And so to the details.

### **RECOGNIZE AN ETHICAL ISSUE**

We need to recognize ethical problems as such. If we don’t notice the ethical content to the situation then we cannot proceed.

1. Is there something wrong personally, interpersonally, or socially? Could the conflict, the situation or the decision be damaging to people or to the community?

2. Does the issue go deeper than legal or institutional concerns? What does it do to people as persons who have dignity, rights, and hopes for a better life together?

### **GET THE FACTS**

3. What are the relevant facts of the case?

4. What individuals and groups have an important stake in the outcome? Do some have a greater stake because they have a special need or because we have special obligations to them?

5. What are the options for acting? Have all the relevant persons and groups been consulted? If you showed your list of options to someone you respect, what would that person say?

### **EVALUATE ALTERNATIVE ACTIONS FROM VARIOUS ETHICAL PERSPECTIVES**

6. Which option will produce the most good and do the least harm? (The Utilitarian approach: the ethical action is the one that will produce the greatest balance of benefits over harms.)

7. Which option is fair to all the stakeholders? Even if not everyone gets all they want, will everyone's rights and dignity still be respected? (The Justice or Fairness approach: the ethical action is the one that treats people equally, or if unequally, that treats people proportionately and fairly.) (The Rights approach: the ethical action is the one that best respects the human and civil rights of all who are affected.)

8. Which option would help all participate more fully in the life we share as a family, community, society? (The Common Good approach: the ethical action is the one which contributes most to the achievement of a quality common life together.)

9. Would you want to become the sort of person who acts this way? (The Virtues approach: the ethical action is the one which invites performance of key attitudes and character traits which represent humans at their best.) (The Compassion approach: the ethical action is the one which demonstrates concern for the impacts of situations and actions on specific human beings with whom we have or might have a relationship.)

### **MAKE A DECISION**

10. Considering these perspectives, which of the options is the right or best thing to do?

11. If you told someone you respect why you chose this option, what would that person say?

## **ACT, THEN REFLECT ON THE DECISION LATER**

12. How did it turn out for all concerned? If you have to do it over again, what would you do differently?

That's our framework for making ethical decisions. Later we will apply it to some cases or problems. But first let's take a closer look at our six approaches to ethics.

### **6.3 Rights**

In 1978, American Cyanamid, a paint company located in West Virginia, announced that in order "to protect the unborn children of working employees from any possible harm," women capable of bearing children could no longer work in company jobs that might expose them to lead and other chemicals potentially harmful to fetal life. One year later, four women interviewed by a newspaper, claimed that they had to be sterilized to keep their high-paying jobs at American Cyanamid. While the company asserted it was trying to protect the rights of the unborn, the women declared that the company forced them to sacrifice their own reproductive rights. Supporters of the company agreed that an employer has a right to set working conditions for its employees, while supporters for the women claimed that workers have a right to be protected from workplace hazards without having to choose between having themselves sterilized and losing their jobs. Who was right?

Many moral controversies today are couched in the language of rights. Indeed, we seem to have witnessed an explosion of appeals to rights--gay rights, prisoners' rights, animal rights, smokers' rights, fetal rights, and employee rights. The appeal to rights has a long tradition. The American Declaration of Independence asserted that "all men...are endowed by their Creator with certain unalienable rights...among these are life, liberty, and the pursuit of happiness." In 1948, the United Nations published the Universal Declaration of Human Rights, stating that all human beings have "the right to own property,...the right to work,...the right to just and favorable remuneration,...[and] the right to rest and leisure."

What is a right? A right is a justified claim on others. For example, if I have a right to freedom, then I have a justified claim to be left alone by others. Turned around, I can say that others have a duty or responsibility to leave me alone. If I have a right to an education, then I have a justified claim to be provided with an education by society.

The "justification" of a claim is dependent on some standard acknowledged and accepted not just by the claimant, but also by society in general. The standard can be as concrete as the Constitution, which guarantees the right of free speech and assures that every

American accused of a crime "shall enjoy the right to a speedy trial by an impartial jury," or a local law that spells out the legal rights of landlords and tenants.

Moral rights are justified by moral standards that most people acknowledge, but which are not necessarily codified in law; these standards have also, however, been interpreted differently by different people.

One of the most important and influential interpretations of moral rights is based on the work of Immanuel Kant, an eighteenth century philosopher. Kant maintained that each of us has a worth or a dignity that must be respected. This dignity makes it wrong for others to abuse us or to use us against our will. Kant expressed this idea in a moral principle: humanity must always be treated as an end, not merely as a means. To treat a person as a mere means is to use a person to advance one's own interest. But to treat a person as an end is to respect that person's dignity by allowing each the freedom to choose for himself or herself.

Kant's principle is often used to justify both a fundamental moral right, the right to freely choose for oneself, and also rights related to this fundamental right. These related rights can be grouped into two broad categories – negative and positive rights. Negative rights, such as the right to privacy, the right not to be killed, or the right to do what one wants with one's property, are rights that protect some form of human freedom or liberty. These rights are called negative rights because such rights are a claim by one person that imposes a “negative” duty on all others—the duty not to interfere with a person's activities in a certain area. The right to privacy, for example, imposes on us the duty not to intrude into the private activities of a person.

Kant's principle is also often used to justify positive or, as they are often called, welfare rights. Where negative rights are “negative” in the sense that they claim for each person a zone of non-interference from others, positive rights are “positive” in the sense that they claim for each person the positive assistance of others in fulfilling basic constituents of human well-being like health and education. In moral and political philosophy, these basic human needs are often referred to as “welfare” concerns (thus this use of the term “welfare” is similar to but not identical with the common American usage of “welfare” to refer to government payments to the poor). Many people argue that a fundamental right to freedom is worthless if people aren't able to exercise that freedom. A right to freedom, then, implies that every human being also has a fundamental right to what is necessary to secure a minimum level of well being. Positive rights, therefore, are rights that provide something that people need to secure their well being, such as a right to an education, the right to food, the right to medical care, the right to housing, or the right to a job. Positive rights impose a positive duty on us--the duty actively to help a person to have or to do something. A young person's right to an education, for example, imposes on us a duty to provide that young person with an education. Respecting a positive right, then requires more than merely not acting; positive rights impose on us the duty to help sustain the welfare of those who are in need of help.

Whenever we are confronted with a moral dilemma, we need to consider whether the action would respect the basic rights of each of the individuals involved. How would the action affect the basic well-being of those individuals? How would the action affect the negative or positive freedom of those individuals? Would it involve manipulation or deception – either of which would undermine the right to truth that is a crucial personal right? Actions are wrong to the extent that they violate the rights of individuals.

Sometimes the rights of individuals will come into conflict and one has to decide which right has priority. We may all agree, for example, that everyone has a right to freedom of association as well as a right not to be discriminated against. But suppose a private club has a policy that excludes women from joining. How do we balance the right to freedom of association—which would permit the club to decide for itself whom to admit—against the right not to be discriminated against—which requires equal treatment of women? In cases such as this, we need to examine the freedoms or interests at stake and decide which of the two is the more crucial for securing human dignity. For example, is free association or equality more essential to maintaining our dignity as persons?

Rights, then, play a central role in ethics. Attention to rights ensures that the freedom and well-being of each individual will be protected when others threaten that freedom or well-being. If an individual has a moral right, then it is morally wrong to interfere with that right even if large numbers of people would benefit from such interference.

But rights should not be the sole consideration in ethical decision-making. In some instances, the social costs or the injustice that would result from respecting a right are too great, and accordingly, that right may need to be limited. Moreover, an emphasis on rights tends to limit our vision of what the "moral life" entails. Morality, it's often argued, is not just a matter of not interfering with the rights of others. Relying exclusively on a rights approach to ethics tends to emphasize the individual at the expense of the community. And, while morality does call on us to respect the uniqueness, dignity, and autonomy of each individual, it also invites us to recognize our relatedness--that sense of community, shared values, and the common good which lends itself to an ethics of care, compassion, and concern for others.

## **6.4 Fairness and Justice**

When Beatrice Norton was fourteen, she followed in her mother's footsteps and began working in the cotton mill. In 1968, after a career in the mill, she had to stop working because of her health. Years of exposure to cotton dust had resulted in a case of "brown lung," a chronic and sometimes fatal disease with symptoms similar to asthma and emphysema. In 1977, she testified at a congressional hearing, asking that the government require companies to provide disability compensation for victims of the disease similar to the compensation companies provided for other similar diseases.

I worked in the dust year after year ... I got sicker and sicker. In 1968 I suddenly had no job, no money, and I was too sick to ever work in my life again. State legislators have proven in two successive sessions that they are not going to do anything to help the brown lung victims, so now we come to you in Washington and ask for help. We've waited a long time, and many of us have died waiting. I don't want to die of injustice.

Another woman, Mrs. Vinnie Ellison, spoke bitterly about the way her husband had been treated when the illness caught up with him after twenty one years at a cotton mill:

In the early sixties he started having trouble keeping up his job because of his breathing. In 1963 his bossman told him that he had been a good worker, but wasn't worth a damn anymore and fired him. He had no pension and nothing to live on. My husband worked long and hard and lost his health because of the dust. It isn't fair that the mill threw him away like so much human garbage after he couldn't keep up his job because he was sick from the dust.

To Mrs. Norton and Mrs. Ellison, receiving compensation for the debilitating effects of brown lung similar to that given to other diseases was a simple matter of justice. In making their case, their arguments reflected a very long tradition in Western civilization. In fact, no idea in Western civilization has been more consistently linked to ethics and morality than the idea of justice. From the *Republic*, written by the ancient Greek philosopher Plato, to *A Theory of Justice*, written by the late Harvard philosopher John Rawls, every major work on ethics has held that justice is part of the central core of morality.

Justice means giving each person what he or she deserves or, in more traditional terms, giving each person his or her due. Justice and fairness are closely related terms that are often today used interchangeably. There have, however, also been more distinct understandings of the two terms. While justice usually has been used with reference to a standard of rightness, fairness often has been used with regard to an ability to judge without reference to one's feelings or interests; fairness has also been used to refer to the ability to make judgments that are not overly general but that are concrete and specific to a particular case. In any case, a notion of desert is crucial to both justice and fairness. The Nortons and Ellisons of this world, for example, are asking for what they think they deserve when they are demanding that they be treated with justice and fairness. When people differ over what they believe should be given, or when decisions have to be made about how benefits and burdens should be distributed among a group of people, questions of justice or fairness inevitably arise. In fact, most ethicists today hold the view that there would be no point of talking about justice or fairness if it were not for the conflicts of interest that are created when goods and services are scarce and people differ over who should get what. When such conflicts arise in our society, we need principles of justice that we can all accept as reasonable and fair standards for determining what people deserve.

But saying that justice is giving each person what he or she deserves does not take us very far. How do we determine what people deserve? What criteria and what principles should we use to determine what is due to this or that person?

The most fundamental principle of justice--one that has been widely accepted since it was first defined by Aristotle more than two thousand years ago--is the principle that "equals should be treated equally and unequals unequally." In its contemporary form, this principle is sometimes expressed as follows: "Individuals should be treated the same, unless they differ in ways that are relevant to the situation in which they are involved." For example, if Jack and Jill both do the same work, and there are no relevant differences between them or the work they are doing, then in justice they should be paid the same wages. And if Jack is paid more than Jill simply because he is a man, or because he is white, then we have an injustice--a form of discrimination--because race and sex are not relevant to normal work situations.

There are, however, many differences that we deem as justifiable criteria for treating people differently. For example, we think it is fair and just when a parent gives his own children more attention and care in his private affairs than he gives the children of others; we think it is fair when the person who is first in a line at a theater is given first choice of theater tickets; we think it is just when the government gives benefits to the needy that it does not provide to more affluent citizens; we think it is just when some who have done wrong are given punishments that are not meted out to others who have done nothing wrong; and we think it is fair when those who exert more effort or who make a greater contribution to a project receive more benefits from the project than others. These criteria--need, desert, contribution, and effort--we acknowledge as justifying differential treatment.

On the other hand, there are also criteria that we believe are not justifiable grounds for giving people different treatment. In the world of work, for example, we generally hold that it is unjust to give individuals special treatment on the basis of age, sex, race, or their religious preferences. If the judge's nephew receives a suspended sentence for armed robbery when another offender unrelated to the judge goes to jail for the same crime, or the brother of the Director of Public Works gets the million dollar contract to install sprinklers on the municipal golf course despite lower bids from other contractors, we say that it's unfair. We also believe it isn't fair when a person is punished for something over which he or she had no control, or isn't compensated for a harm he or she suffered. And the people involved in the "brown lung hearings" felt that it wasn't fair that some diseases were provided with disability compensation, while other similar diseases weren't.

There are different kinds of justice. Distributive justice refers to the extent to which society's institutions ensure that benefits and burdens are distributed among society's members in ways that are fair and just. When the institutions of a society distribute benefits or burdens in unjust ways, there is a strong presumption that those institutions should be changed. For example, the American institution of slavery in the pre-civil war South was condemned as unjust because it was a glaring case of treating people differently on the basis of race.

A second important kind of justice is retributive or corrective justice. Retributive justice refers to the extent to which punishments are fair and just. In general, punishments are held to be just to the extent that they take into account relevant criteria such as the seriousness of the crime and the intent of the criminal, and discount irrelevant criteria such as race. It would be barbarously unjust, for example, to chop off a person's hand for stealing a dime, or to impose the death penalty on a person who by accident and without negligence injured another party. Studies have frequently shown that when blacks murder whites, they are much more likely to receive death sentences than when whites murder whites or blacks murder blacks. These studies suggest that injustice still exists in the criminal justice system in the United States.

Yet a third important kind of justice is compensatory justice. Compensatory justice refers to the extent to which people are fairly compensated for their injuries by those who have injured them; just compensation is proportional to the loss inflicted on a person. This is precisely the kind of justice that was at stake in the brown lung hearings. Those who testified at the hearings claimed that the owners of the cotton mills where workers had been injured should compensate the workers whose health had been ruined by conditions at the mills.

The foundations of justice can be traced to the notions of social stability, interdependence, and equal dignity. As the ethicist John Rawls has pointed out, the stability of a society--or any group, for that matter--depends upon the extent to which the members of that society feel that they are being treated justly. When some of society's members come to feel that they are subject to unequal treatment, the foundations have been laid for social unrest, disturbances, and strife. The members of a community, Rawls holds, depend on each other, and they will retain their social unity only to the extent that their institutions are just. Moreover, as the philosopher Immanuel Kant and others have pointed out, human beings are all equal in this respect: they all have the same dignity, and in virtue of this dignity they deserve to be treated as equals. Whenever individuals are treated unequally on the basis of characteristics that are arbitrary and irrelevant, their fundamental human dignity is violated.

Justice, then, is a central part of ethics and should be given due consideration in our moral lives. In evaluating any moral decision, we must ask whether our actions treat all persons equally. If not, we must determine whether the difference in treatment is justified: are the criteria we are using relevant to the situation at hand? But justice is not the only principle to consider in making ethical decisions. Sometimes principles of justice may need to be overridden in favor of other kinds of moral claims such as rights or society's welfare. Nevertheless, justice is an expression of our mutual recognition of each other's basic dignity, and an acknowledgement that if we are to live together in an interdependent community we must treat each other as equals.

## 6.5 Utility

**When Oliver North was asked during the 1980s to explain why he lied to congressional committees about his role in the Iran-Contra affair, he replied, "Lying does not come easily to me. But we all had to weigh in the balance the difference between lies and lives." Elsewhere in his testimony, North was asked about the false chronology of events he fabricated when preparing a summary of the government's involvement in arms sales to Iran:**

**Questioner:**...You have indicated that...in your own mind...it was a good idea to put forth this false version...[But] there were reasons on the other side, were there not?

**North:**...Reasons on the other side?

**Questioner:**...First of all, you put some value, don't you, in the truth?

**North:** I've put great value in the truth. I came here to tell it.

**Questioner:** So...that would be a reason not to put forward this [false] version of the facts?

**North:** The truth would be reason not to put forward this [false] version of the facts, but as I indicated to you a moment ago, I put great value on the lives of the American hostages...and I put great value on that second channel [an intermediary used by the U.S. to deal with the Iranians], who was at risk.

**Questioner:** By putting out this false version of the facts, you were committing, were you not, the entire Administration to telling a false story?

**North:** Well, let, let--I'm not trying to pass the buck here. OK? I did a lot of things, and I want to stand up and say that I'm proud of them.

North's method of justifying his acts of deception is a form of moral reasoning that is called "utilitarianism." Stripped down to its essentials, utilitarianism is a moral principle that holds that the morally right course of action in any situation is the one that produces the greatest balance of benefits over harms for everyone affected. So long as a course of action produces maximum benefits for everyone, utilitarianism does not care whether the benefits are produced by lies, manipulation, or coercion.

Many of us use this type of moral reasoning frequently in our daily decisions. When asked to explain why we feel we have a moral duty to perform some action, we often point to the good that will come from the action or the harm it will prevent. Business analysts, legislators, and scientists weigh daily the resulting benefits and harms of policies when deciding, for example, whether to invest resources in a certain public project, whether to approve a new drug, or whether to ban a certain pesticide.

Utilitarianism offers a relatively straightforward method for deciding the morally right course of action for any particular situation we may find ourselves in. To discover what

we ought to do in any situation, we first identify the various courses of action that we could perform. Second, we determine all of the foreseeable benefits and harms that would result from each course of action for everyone affected by the action. And third, we choose the course of action that provides the greatest benefits after the costs have been taken into account.

The principle of utilitarianism can be traced to the writings of Jeremy Bentham, who lived in England during the seventeenth and eighteenth centuries. Bentham, a legal reformer, sought an objective basis that would provide a publicly acceptable norm for determining what kinds of laws England should enact. He believed that the most promising way of reaching such an agreement was to choose that policy that would bring about the greatest net benefits to society once the harms had been taken into account. His motto, a familiar one now, was “the greatest good for the greatest number.”

Over the years, the principle of utilitarianism has been expanded and refined so that today there are many variations of the principle. For example, Bentham defined benefits and harms in terms of pleasure and pain. John Stuart Mill, a great 19<sup>th</sup> century utilitarian figure, spoke of benefits and harms not in terms of pleasure and pain alone but in terms of the quality or intensity of such pleasure and pain. Today utilitarians often describe benefits and harms in terms of the satisfaction of personal preferences or in purely economic terms of monetary benefits over monetary costs.

Utilitarians also differ in their views about the kind of question we ought to ask ourselves when making an ethical decision. Some utilitarians maintain that in making an ethical decision, we must ask ourselves: "What effect will my doing this act in this situation have on the general balance of good over evil?" If lying would produce the best consequences in a particular situation, we ought to lie. Others, known as rule utilitarians, claim that we must choose that act that conforms to the general rule that would have the best consequences. In other words, we must ask ourselves: "What effect would everyone's doing this kind of action have on the general balance of good over evil?" So, for example, the rule "to always tell the truth" in general promotes the good of everyone and therefore should always be followed, even if in a certain situation lying would produce the best consequences. Despite such differences among utilitarians, however, most hold to the general principle that morality must depend on balancing the beneficial and harmful consequences of our conduct.

While utilitarianism is currently a very popular ethical theory, there are some difficulties in relying on it as a sole method for moral decision-making. First, the utilitarian calculation requires that we assign values to the benefits and harms resulting from our actions and compare them with the benefits and harms that might result from other actions. But it's often difficult, if not impossible, to measure and compare the values of certain benefits and costs. How do we go about assigning a value to life or to art? And how do we go about comparing the value of money with, for example, the value of life, the value of time, or the value of human dignity? Moreover, can we ever be really certain about all of the consequences of our actions? Our ability to measure and to predict the

benefits and harms resulting from a course of action or a moral rule is dubious, to say the least.

Perhaps the greatest difficulty with utilitarianism is that it fails to take into account considerations of justice. We can imagine instances where a certain course of action would produce great benefits for society, but they would be clearly unjust. During the apartheid regime in South Africa in the last century, South African whites, for example, sometimes claimed that all South Africans—including blacks—were better off under white rule. These whites claimed that in those African nations that have traded a whites-only government for a black or mixed one, social conditions have rapidly deteriorated. Civil wars, economic decline, famine, and unrest, they predicted, will be the result of allowing the black majority of South Africa to run the government. If such a prediction were true – and the end of apartheid has shown that the prediction was false—then the white government of South Africa would have been morally justified by utilitarianism, in spite of its injustice.

If our moral decisions are to take into account considerations of justice, then apparently utilitarianism cannot be the sole principle guiding our decisions. It can, however, play a role in these decisions. The principle of utilitarianism invites us to consider the immediate and the less immediate consequences of our actions. Given its insistence on summing the benefits and harms of all people, utilitarianism asks us to look beyond self-interest to consider impartially the interests of all persons affected by our actions. As John Stuart Mill once wrote:

The happiness which forms the utilitarian standard of what is right in conduct, is not...(one's) own happiness, but that of all concerned. As between his own happiness and that of others, utilitarianism requires him to be as strictly impartial as a disinterested and benevolent spectator.

In an era today that some have characterized as “the age of self-interest,” utilitarianism is a powerful reminder that morality calls us to look beyond the self to the good of all.

## **6.6 The Common Good**

Commenting on the many economic and social problems that American society now confronts, *Newsweek* columnist Robert J. Samuelson wrote: "We face a choice between a society where people accept modest sacrifices for a common good or a more contentious society where groups selfishly protect their own benefits." *Newsweek* is not the only voice calling for a recognition of and commitment to the "common good." Daniel Callahan, an expert on bioethics, argues that solving the current crisis in our health care system--rapidly rising costs and dwindling access—requires replacing the current "ethic of individual rights" with an “ethic of the common good.”

Appeals to the common good have also surfaced in discussions of business' social responsibilities, discussions of environmental pollution, discussions of our lack of

investment in education, and discussions of the problems of crime and poverty. Everywhere, it seems, social commentators are claiming that our most fundamental social problems grow out of a widespread pursuit of individual interests.

What exactly is "the common good", and why has it come to have such a critical place in current discussions of problems in our society? The common good is a notion that originated over two thousand years ago in the writings of Plato, Aristotle, and Cicero. More recently, the moral philosopher John Rawls defined the common good as "certain general conditions that are...equally to everyone's advantage." The Catholic religious tradition, which has a long history of struggling to define and promote the common good, defines it as "the sum of those conditions of social life which allow social groups and their individual members relatively thorough and ready access to their own fulfillment." The common good, then, consists primarily of having the social systems, institutions, and environments on which we all depend work in a manner that benefits all people. Examples of particular common goods or parts of the common good include an accessible and affordable public health care system, an effective system of public safety and security, peace among the nations of the world, a just legal and political system, an unpolluted natural environment, and a flourishing economic system. Because such systems, institutions, and environments have such a powerful impact on the well-being of members of a society, it is no surprise that virtually every social problem in one way or another is linked to how well these systems and institutions are functioning.

As these examples suggest, the common good does not just happen. Establishing and maintaining the common good requires the cooperative efforts of some, often of many, people. Just as keeping a park free of litter depends on each user picking up after himself, so also maintaining the social conditions from which we all benefit requires the cooperative efforts of citizens. But these efforts pay off, for the common good is a good to which all members of society have access, and from whose enjoyment no one can be easily excluded. All persons, for example, enjoy the benefits of clean air or an unpolluted environment, or any of our society's other common goods. In fact, something counts as a common good only to the extent that it is a good to which all have access.

It might seem that since all citizens benefit from the common good, we would all willingly respond to urgings that we each cooperate to establish and maintain the common good. But numerous observers have identified a number of obstacles that hinder us, as a society, from successfully doing so.

First, according to some philosophers, the very idea of a common good is inconsistent with a pluralistic society like ours. Different people have different ideas about what is worthwhile or what constitutes "the good life for human beings," differences that have increased during the last few decades as the voices of more and more previously silenced groups, such as women and minorities, have been heard. Given these differences, some people urge, it will be impossible for us to agree on what particular kind of social systems, institutions, and environments we will all pitch in to support.

And even if we agreed upon what we all valued, we would certainly disagree about the relative values things have for us. While all may agree, for example, that an affordable health system, a healthy educational system, and a clean environment are all parts of the common good, some will say that more should be invested in health than in education, while others will favor directing resources to the environment over both health and education. Such disagreements are bound to undercut our ability to evoke a sustained and widespread commitment to the common good. In the face of such pluralism, efforts to bring about the common good can only lead to adopting or promoting the views of some, while excluding others, violating the principle of treating people equally. Moreover, such efforts would force everyone to support some specific notion of the common good, violating the freedom of those who do not share in that goal, and inevitably leading to paternalism (imposing one group's preference on others), tyranny, and oppression.

A second problem encountered by proponents of the common good is what is sometimes called the “free-rider problem.” The benefits that a common good provides are, as we noted, available to everyone, including those who choose not to do their part to maintain the common good. Individuals can become “free riders” by taking the benefits the common good provides while refusing to do their part to support the common good. An adequate water supply, for example, is a common good from which all people benefit. But to maintain an adequate supply of water during a drought, people must conserve water, which entails sacrifices. Some individuals may be reluctant to do their share, however, since they know that so long as enough other people conserve, they can enjoy the benefits without reducing their own consumption. If enough people become free riders in this way, the common good which depends on their support will be destroyed. Many observers believe that this is exactly what has happened to many of our common goods, such as the environment or education, where the reluctance of all persons to support efforts to maintain the health of these systems has led to their virtual collapse.

The third problem encountered by attempts to promote the common good is that of individualism. Our historical traditions place a high value on individual freedom, on personal rights, and on allowing each person to “do her own thing.” Our culture views society as comprised of separate independent individuals who are free to pursue their own individual goals and interests without interference from others. In this individualistic culture it is difficult, perhaps impossible, to convince people that they should sacrifice some of their freedom, some of their personal goals, and some of their self-interest, for the sake of the “common good.” Our cultural traditions, in fact, reinforce the individual who thinks that she should not have to contribute to the community's common good, but should be left free to pursue her own personal ends.

Finally, appeals to the common good are confronted by the problem of an unequal sharing of burdens. Maintaining a common good often requires that particular individuals or particular groups bear costs that are much greater than those borne by others. Maintaining an unpolluted environment, for example, may require that particular firms that pollute install costly pollution control devices, undercutting profits. Making employment opportunities more equal may require that some groups, such as white males, sacrifice their own employment chances. Making the health system affordable and

accessible to all may require that insurers accept lower premiums, that physicians accept lower salaries, or that those with particularly costly diseases or conditions forego the medical treatment on which their lives depend. Forcing particular groups or individuals to carry such unequal burdens “for the sake of the common good” is, at least arguably, unjust. Moreover, the prospect of having to carry such heavy and unequal burdens leads such groups and individuals to resist any attempts to secure common goods.

All of these problems pose considerable obstacles to those who call for an ethic of the common good. Still, appeals to the common good ought not to be dismissed. For they urge us to reflect on broad questions concerning the kind of society we want to become and how we are to achieve that society. They also challenge us to view ourselves as members of the same community and, while respecting and valuing the freedom of individuals to pursue their own goals, to recognize and further those goals we share in common.

## 6.7 Virtue

For many of us, the fundamental question of ethics is, "What should I do?" or "How should I act?" Ethics is supposed to provide us with "moral principles" or universal rules that tell us what to do. Many people, for example, are passionate adherents of the moral principle of utilitarianism: "Everyone is obligated to do whatever will achieve the greatest good for the greatest number." Others are just as devoted to the basic principle of Immanuel Kant: "Everyone is obligated to act only in ways that respect the human dignity and moral rights of all persons."

Moral principles like these focus primarily on people's actions and doings. We "apply" them by asking what these principles require of us in particular circumstances, e.g., when considering whether to lie or to commit suicide. We also apply them when we ask what they require of us as professionals, e.g., lawyers, doctors, or business people, or what they require of our social policies and institutions. In the last decades, dozens of ethics centers and programs devoted to “business ethics,” “legal ethics,” “medical ethics,” and “ethics in public policy” have sprung up. These centers are designed to examine the implications moral principles have for our lives.

But are moral principles all that ethics consists of? Critics have rightly claimed that this emphasis on moral principles smacks of a thoughtless and slavish worship of rules, as if the moral life was a matter of scrupulously checking our every action against a table of do's and don'ts. Fortunately, this obsession with principles and rules has been recently challenged by a growing number of ethicists who argue that the emphasis on principles ignores a fundamental component of ethics—virtue. These ethicists point out that by focusing on what people should do or how people should act, the "moral principles approach" neglects the more important issue--what people should be. In other words, the fundamental question of ethics is not "What should I do?" but "What kind of person should I be?"

According to “virtue ethics,” there are certain values, such as beauty, justice, solidarity, and friendship toward which we should strive and which allow the full development of our humanity. These values are discovered through thoughtful reflection on what we as human beings have the potential to become.

"Virtues" are dispositions or character traits that enable us to be and to act in ways that develop this potential and to flourish as human beings. They enable us to pursue the values we have adopted. Honesty, courage, compassion, generosity, fidelity, integrity, fairness, self-control, and prudence are all examples of virtues.

How does a person develop virtues? Virtues are developed through learning and through practice. As the ancient philosopher Aristotle suggested, a person can improve his or her character by practicing self-discipline, while a good character can be corrupted by repeated self-indulgence. Just as the ability to run a marathon develops through much training and practice, so too does our capacity to be fair, to be courageous, or to be compassionate.

Virtues are habits. That is, once they are acquired, they become characteristic of a person. For example, a person who has developed the virtue of generosity is often referred to as a generous person because he or she tends to be generous in all circumstances. Moreover, a person who has developed virtues will be naturally disposed to act in ways that are consistent with moral principles. The virtuous person is the ethical person.

At the heart of the virtue approach to ethics are the ideas of "community" and “story” or “narrative.” A person's character traits are not developed in isolation, but within and by the communities to which he or she belongs, including family, church, school, and other private and public associations. As people grow and mature, their personalities are deeply affected by the values that their communities prize, by the personality traits that their communities encourage, and by the role models that their communities put forth for imitation through traditional stories, fiction, movies, television, and so on. The virtue approach urges us to pay attention to the contours of our communities and to the habits of character they encourage and instill in the stories that each community tells.

The moral life, then, is not simply a matter of following moral rules and of learning to apply them to specific situations. The moral life is also a matter of trying to determine the kind of people we should be and of attending to the development of character within our communities and ourselves.

## **6.8 Compassion**

## 6.9 Conscience and Authority

Since the Nazi atrocities toward the Jews were discovered at the end of the World War II, people have wondered how so many could have engaged in such obviously unconscionable behaviors. The death camps in which Jews were systematically tortured and killed were efficiently organized and managed by well-trained administrative personnel. These administrators were not extraordinarily vicious savages running amuck. On the contrary, the Germans who ran the death camps seemed to be ordinary "decent" citizens, with consciences no different from those of any of us. How could they have blinded themselves to the clear injustice of what they were doing? More generally, what motivates the unethical acts of ordinarily decent people?

Perhaps one of the most fascinating experiments ever conducted to investigate this moral question is known as the Milgram experiment, after Stanley Milgram, the psychologist who devised the experiment. Subjects in his experiment were told that they were going to take part in exercises designed to test other people's abilities to learn. They were seated at a mock "shock generator" with thirty switches marked from 15 volts ("slight shock") to 450 volts ("danger--severe shock"). Through a small glass window they could see the "learner" in the adjoining room strapped to a chair with electrodes on his or her wrists. The subject was told he or she was to test the other person's ability to memorize lists of words, and to administer a "shock" when the learner made the mistake, increasing the intensity each time. As the intensity of the "shocks" grew, and the learner pretended to cry out in more and more pain, eventually fainting, the experimenter told the subjects they had to continue administering the shocks. Astonishingly, although the subjects grew nervous and agitated, more than two-thirds administered the highest level of shocks to the learners when ordered to do so by the experimenter. Milgram concluded that when people are ordered to do something by someone they view in authority, most will obey even when doing so violates their consciences.

In view of the Milgram experiments, the Nazi crimes are not difficult to understand. Milgram himself suggested that one of the major factors accounting for the Holocaust was the ready propensity of human beings to obey authorities even when obedience is wrong. Indeed, although Milgram's experiment has been repeated dozens of times with many different groups of people, the results are always the same: most people will obey external authority over the dictates of conscience.

Although Milgram's findings are disturbing, more recent research has suggested that obedience to authority over conscience is not inevitable. Indeed, the research of Steven Sherman, also a psychologist, suggests that education can strengthen the power of conscience over authority. Sherman had a colleague contact several people by telephone, ostensibly to "poll" them on their opinions. The "pollster" asked them what they would do if they were ever ordered to perform a certain act that was morally or socially undesirable, and spent some time discussing the issues with them. Several weeks after the contact was made, these same people were actually asked to carry out that act. Surprisingly, two thirds refused to obey the order, a sharp contrast to to Milgram's

finding that two thirds of those ordered to act against their conscience would normally obey.

The implication of the Sherman experiment is that if people reflect on a moral issue before they are involved in it, they are more likely to behave in accordance with their consciences when that issue faces them in real life. Moral reflection and discussion of the kind found in the best types of moral education substantially enhance the ethical quality of a person's future choices.

## **6.10 Some Websites**

There are many websites available on the subject of ethics, and in particular the application of ethical principles to problems in technology. Here is a list developed by the Markkula Center for Applied Ethics.

### **Engineering Ethics Web Sites**

From the Markkula Center for Applied Ethics Web Site

<http://www.scu.edu/ethics/articles/articles.cfm?fam=TECH>

<http://www.scu.edu/ethics/practicing/focusareas/cases.cfm?fam=TECH>

<http://www.scu.edu/ethics/links/links.cfm?cat=TECH>

<http://www.scu.edu/ethics/practicing/decision/>

From the Online Ethics Center for Engineering and Science at Case Western Reserve University

<http://onlineethics.org/>

From the Murdough Center for Engineering Professionalism

<http://www.niee.org/>

From Texas A&M University

<http://ethics.tamu.edu/>

From Stanford University (an Encyclopedia of Philosophy)

<http://plato.stanford.edu/contents.html>

## Cases

**Case 6.1:** Click on the Markkula Center link:

<http://www.scu.edu/ethics/practicing/focusareas/cases.cfm?fam=TECH>

From there go to the case “The Sole Remaining Supplier”. This case was written by Thomas Shanks, a Communications professor at Santa Clara University, and a past Director of the Markkula Center for Applied Ethics. Read the case carefully, and then apply the Center’s Framework for Thinking Ethically to analyze the case.