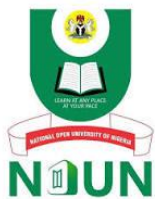


**COURSE
GUIDE**

**PHL242
PROFESSIONAL ETHICS**

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INTRODUCTION

PHL 242: PROFESSIONAL ETHICS (2 Credit Units) E

This course studies the method of application of the principles and methods studied in PHL 103 & PHL 108 to the various professions which present moral/ethical problems to their practitioners. It includes medical ethics, media ethics, business ethics, work ethics, the ethics of state/war/rebellion, engineering ethics etc.

PHL 242: Professional Ethics is a semester course work of two credit units. The course is expected to prepare students for professional life. Professionals in any field of human endeavor need to have an understanding of the ethical problems and principles in their field. This course material is developed against the background that no professional can succeed in any profession without a strong moral character and principles that are necessary for cordial relationships with clients/customers, co-professionals and the public as a whole. This course aims to provide well equipped ethical professionals to the society who can face the contemporary moral issues and upcoming challenges in various field of human endeavor.

COURSE OBJECTIVES

By the end of this course, you should be able to:

- define and understand concepts of ethics and professional ethics
- develop knowledge of and describe basic ethical theories and principles for ethical decision-making
- identify and think through moral situations and issues encountered by a wide range of different professionals
- apply ethical theories and principles to specific moral challenges and dilemmas faced by professionals
- develop and improve skills essential in analysing and resolving ethical problems and conflicts in professional settings through the use and application of ethical theories.

WORKING THROUGH THIS COURSE

For you to complete this course, you must read and understand all the study units and the recommended books. You will be required to submit written assignments at the end of each unit for assessment. You are also going to write a final examination at the end of the course.

COURSE MATERIALS

The following are the major materials you need for this course:

1. course guide
2. study units
3. assignment file
4. relevant textbooks, including the ones listed in each study unit.

STUDY UNITS

There are 14 units (of four modules) for this course. They are:

Module 1

- Unit 1 An Introduction to Ethics and Professional Ethics
- Unit 2 Normative Ethical Theories- Consequentialism
- Unit 3 Normative Ethical Theories- Deontology
- Unit 4 Normative Ethical Theories- Virtue Ethics

Module 2

- Unit 1 Medical Ethics
- Unit 2 Media Ethics
- Unit 3 Business Ethics

Module 3

- Unit 1 Public Administration Ethics
- Unit 2 Engineering Ethics
- Unit 3 Teaching Ethics

Module 4

- Unit 1 Work Ethics
- Unit 2 Confidentiality and Its Limits
- Unit 3 Conflicts of Interest across the Professions
- Unit 4 Whistle-blowing and Professional Responsibility

TEXTBOOKS AND REFERENCES

Some books have been recommended for this course; they will assist you a lot if you can purchase some of them for further reading. These among many others include:

Adebayo, A. (2011). *Contemporary Issues in Professional Ethics*. Ibadan: Intec Printer.

- Arnold, D., Tom, B. & Norman, B. (2014). *Ethical Theory and Business*. Edinburgh: Pearson.
- Beauchamp, T. L. & James, F. C. (2012). *Principles of Biomedical Ethics* Oxford: Oxford University Press.
- Beauchamp, T. L. (2010). *Standing on Principles: Collected Essays*. Oxford: Oxford University Press.
- Campbell, E. (2003). *The Ethical Teacher*. Philadelphia: OpenUniversity Press.
- Christians, C. G., et al. (2001). *Media Ethics: Cases and Moral Reasoning*. (6th ed.). New York: Longman.
- Davis, M. & Andrew, S. (2001). *Conflict of Interest in the Professions*. Oxford: Oxford University Press.
- Elegido, J. M. (2009). *Fundamentals of Business Ethics: A Developing Country Perspective*. Lagos: Criterion Publishers.
- Ferrell, O. C., John, F. & Linda, F. (2011). *Business Ethics: Ethical Decision Making and Cases*. (8th ed.). Australia: South-Western, Cengage learning.
- Ferrell, O. C. & Geoffrey, H. (1993). *Business: A Changing World*. Illinois: Richard D. Irwin.
- Fisher, C.; Alan, L. & Valero-Silva, N. (2013). *Business Ethics and Values*. 4th edition. UK: Pearson.
- Fleddermann, C. (2003). *Engineering Ethics*. (2nd ed.). New Jersey: Prentice-Hall.
- Gibson, K. (2014). *An Introduction to Ethics*. Boston: Pearson.
- Goldman, A. H. (1980). *The Moral Foundation of Professional Ethics*. Totowa, New Jersey: Rowman and Littlefield.
- Harris, C. E., Pritchard, M. S. & Ranbins, M. (1995). *Engineering Ethics: Conflicts and Cases*. California: Wadsworth Publishing.
- Higgins, C. (2011). *The Good Life of Teaching*. UK: Wiley-Blackwell.
- Kayode, J. (2011). "Journalism Ethics in Nigeria" *Mass Media and Society in Nigeria*. Oso Lai & Pate Umaru (Eds). Lagos: Malthouse Press.

- Koehn, D. (2001). *The Ground of Professional Ethics*. London: Routledge.
- Oakley, J. & Dean, C. (2003). *Virtue Ethics and Professional Ethics*. NY: Cambridge University Press.
- Okunna, C. S. (2003). *Ethics of Mass Communication*. Enugu: New Generation Books.
- Omogbe, J. (1998). *Ethics: A Systematic and Historical Study*. Lagos: Joja Publishers.
- Shafer-Landau, R. (2019). *Living Ethics: An Introduction with Readings*. New York: Oxford University Press.
- Smith, J. D. (2009). *Normative Theory and Business Ethics*. Lanham: Rowman & Littlefield Publishers.
- Uduigwomen, A. F. (2003). *Contemporary Issues and Problems in Biomedical Ethics*. Calabar: Vision Connections.
- Velasquez, M. G. (2014). *Business Ethics: Concepts and Cases*. (7th ed.). Edinburgh: Pearson.
- Ward, S. J. A. (2011). *Ethics and the Media: An Introduction*. Cambridge: Cambridge University Press.

ASSESSMENT

You will be assessed in two ways: the tutor-marked assignments and the written examination. The tutor-marked assignments will constitute 30% of your total score, and the final examination will be 70% of the whole course grade. You must endeavor to submit your assignments to your tutor for formal assessment which necessarily followed the specified timetable and closing date. Your final grade depends on your performance in both the tutor-marked assignments and examination.

TUTOR-MARKED ASSIGNMENTS (TMAs)

You are expected to submit the required numbers of TMAs. Each of the study units has a TMA. You will be evaluated on only four, but the best three (3) will represent your 30% grading. On completion of any assignment, you are expected to send it with TMA to your tutor. Ensure that the assignment reaches your tutor on or before the deadline for submission.

In doing the tutor-marked assignments, you are expected to:

- apply what you have learnt in the study unit
- submit your assignment to your tutor for grading
- contact your tutor immediately, in the event of an emergency, for a possible extension of the submission deadline date for you.

SELF-ASSESSMENT EXERCISES

There are Self-Assessment Exercises (SAEs) are spread out through your course material. You are expected to attempt each exercise immediately after reading the section that precedes it. The exercises are for you to evaluate your learning; they are not to be submitted. You are required to attempt these questions after you have read a study unit.

Again, the questions are to help you assess your knowledge of the contents of the unit. You are not expected to submit the answers for SAEs.

FINAL EXAMINATION AND GRADING

The duration for the final examination for this course will be two hours, and it takes 70% of the total course grade; this makes a total final score of 100%. You will be examined in all aspects of the course. Endeavour to read all the study units again before the examination. You should use the time between finishing the last unit and taking the examination to revise the entire course. You will find it useful to review your answers to Self-Assessment Exercises and Tutor-marked Assignment before the examination.

For you to be eligible to sit for the final examination you must have done the following: you should have submitted all the four Tutor-Marked Assignments for the course, and you should have registered to sit for the examination. The deadline for examination registration will be available at your study centre. Failure to submit your assignments or to register for the examination (even if you sat for the examination) means that you will not have a score for the course.

HOW TO GET THE MOST FROM THIS COURSE

To get the most from this course, you need to have a personal laptop computer and internet facility. This will give you an adequate opportunity to learn anywhere you are in the world. Each of the study units has common features which are designed to aid your learning. The first feature is an instruction to the subject matter of the unit, and how a particular unit is integrated with other units in the course. Next is a set

of Intended Learning Objectives (ILOs). Use the ILOs to guide your self-study in the course. At the end of every unit, examine yourself with the ILOs and see if you have achieved what you need to achieve in that particular unit.

Carefully work through each unit and make your notes. You are expected to study each unit, reflect on them and do the self-assessment exercises in each of the units. These exercises are designed to help you recall what you have studied and to evaluate your learning by yourself. You are expected to do each Self-Assessment Exercise as you come across them in the study unit. There are also tutor-marked questions at the end of each unit. Working on these questions will help you achieve the objectives of each unit and prepared you for the assignments which you will submit and the final examination.

There are also lists of textbooks, under references and further reading. These textbooks are to aid your understanding and give you additional information on each unit. By doing all this, you will achieve the stated learning objectives.

FACILITATION

Facilitation is learning that takes place both within and outside of tutorial sessions. Your tutorial facilitator guides your learning by doing the following:

- provide answers to your questions during tutorial sessions, on the phone or by email
- coordinate group discussions
- provide feedback on your assignments
- pose questions to confirm learning outcomes
- coordinate mark and record your assignment/examination score and monitor your progress.

The language of instruction for this course is English. The course material is available in print or CD formats, and also on the university website. On your part, you will be prepare ahead of time by studying the relevant study units, write your questions to gain maximum benefit from facilitation. Information about the location and schedule for facilitation will be available at your study centre. Time of facilitation is a flexible arrangement between you and your tutorial facilitator. You should contact your tutorial facilitator if:

- i. you do not understand any part of the study units
- ii. you have difficulty with the self-assessment exercises;
- iii. you have a question or a problem with an assignment;
- iv. you have any problem with your tutorial facilitator's comments

on an assignment or with the grading of an assignment.

CONCLUSION

In conclusion, PHL 242 provides you with the knowledge of prominent normative ethics framework, consequentialism, deontology and virtue-based ethics. It will also provide you with the ability to bring to bear ethical analysis and reasoning in the light of normative ethics frameworks on a selection of ethical challenges and dilemmas across a range of professions: medicine, business, media, public administration, engineering and teaching. The course is concluded with how professionals should conduct themselves in morally problematic situations involving public safety and public trust, privacy and confidentiality, honesty or deception, conflicts of interest and whistleblowing.

SUMMARY

All the features of this course guide have been designed to facilitate your learning in order to achieve the aim and objectives of the course. They include the aims and objectives, course summary, course overview, self-assessment exercises and tutor-marked assignments. You should ensure that you make the most use of them in your study to achieve optimal results.

Do have a pleasant study and a successful outcome in your examination!

**MAIN
COURSE**

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MODULE 1

Unit 1	An Introduction to Ethics and Professional Ethics
Unit 2	Normative Ethical Theories- Consequentialism
Unit 3	Normative Ethical Theories- Deontology
Unit 4	Normative Ethical Theories- Virtue Ethics

UNIT 1 AN INTRODUCTION TO ETHICS AND PROFESSIONAL ETHICS

Unit Structure

- 1.1 Introduction
- 1.2 Learning Outcomes
- 1.3 Meaning of Ethics
 - 1.3.1 Branches of Philosophical Ethics
- 1.4 The Meaning and Nature of Professional Ethics
- 1.5 Summary
- 1.6 References/Further Reading
- 1.7 Possible Answer to Self-Assessment Exercise

1.1 Introduction

This first unit is centered on introductory topics like the definition and explanation of key concepts such as professional, ethics and professional ethics. This will give a clear picture of what professional ethics is and what it is not. The purpose of the unit is to introduce you to the concept of ethics and professional ethics.

1.2 Learning Outcomes

By the end of this unit, you will be able to:

- define and understand the concepts of ethics and professional ethics
- identify what is and what is not ethics
- identify the areas of ethical study

1.3 Meaning of Ethics

Ethics is derived from the Greek word *ethos* and is the same with “moral” because the Latin word *mores*, from which moral is derived represents the Greek word *ethos*. They both imply “customs, habits or ways of life”. Ethics refers to the study of morals and relates to moral principles, values, and rules of conduct governing the individual or a

community, whereas moral concerns the distinction between good and bad, fair and unfair, praiseworthy and blameworthy or right and wrong. To this end, the terms “ethical” and “moral” are used interchangeably in this course material.

The meaning of ethics can be comprehended after its definition is clearly stated. Lillie defines ethics as “the normative science of the conduct of human beings living in societies” (1-2). Lacey sees ethics as “an inquiry into how men ought to act in general, not as a means to a given end but as an end in itself” (60). According to Omoregbe, ethics can be defined as “the branch of philosophy which deals with the morality of human actions; or as the branch of philosophy which studies the norm of human behaviour” (3-4). In corroboration of this view, Ozumba defines ethics as “a theory of morality which deals with principles of good conduct; it deals with judgement as to the rightness or wrongness, desirability or undesirability, approval or disapproval of our actions” (53).

All these definitions of ethics above connote that ethics concerns itself with the morality of human conduct; human conduct and actions form the core and subject matter of ethics or moral philosophy. Ethics deals with the way things ought to be, the way human beings ought to behave and what humans ought to do. It helps people to decide what is right, praiseworthy and good or wrong, blameworthy and bad in any given situation. Put differently, ethics is basically the study of standards for determining what behaviour or conduct is right and wrong, praiseworthy and blameworthy or good and bad.

You may want to ask: is it only ethics that is concerned with human behaviour and actions in the society? Ethics is not the only discipline concerned with human behaviour and actions. Social sciences like sociology, psychology and anthropology, are also interested in human actions and conduct. Their interest and perspective of ethics are different from that of philosophical ethics. These social sciences tell you how human beings act and why human beings act as they do in the society without actually making a value judgement. Philosophical ethics, on the other hand, is interested not with the description and explanation but with the evaluation of human conduct (Randall and Buchler 257).

This indicates that philosophical ethics is both evaluative and prescriptive in nature. Philosophical ethics prescribes whether an action is right or wrong, whether certain conduct is justifiable or not. It deals with the way things ought to be, the way human beings ought to behave and what human beings ought to do. Its major interests include the nature of ultimate value and the standards by which human actions and conduct can be judged right or wrong. Hence, the study of ethics begins

with the study of human action. Without an anchor in human action, ethics loses its meaning and its value to decision-makers.

1.3.1 Branches of Philosophical Ethics

There are three broad branches of ethics:

- a) **Meta-ethics:** this branch of ethics is concerned with the analysis or clarification and meaning of ethical terms, such as ‘good’, ‘duty’, obligation’, ‘right’, ‘moral’, ‘immoral’ and so on. Meta-ethics also questions how ethical knowledge is acquired. For instance, “how can one differentiate what is good from what is bad?” In other words, it studies the nature and methodology of moral judgement and moral language, how we use moral language and ask questions about the meaning of moral statements. Some of the questions asked here are: what is the nature and methodology of moral judgment? What does ‘good’ and ‘ought’ mean? What does it mean for an action to be right? How can a moral principle be justified?
- b) **Normative ethics:** this branch of ethics is concerned with norms, standards or principles by which human actions are to be good or bad, praiseworthy or blameworthy, right or wrong. The word ‘normative’ denotes norms, or standards, of judgment. It studies principles about how human beings ought to live and seeks norms about what is right or wrong, virtuous, or just. It asks questions like what principle ought we to live by? What are the bases principles of right and wrong actions? What are our fundamental moral duties? What makes the right actions, right? Which character traits count as virtues or vices, and why? Some normative ethical theories include consequentialism, deontology and virtue ethics. These ethical theories shall be discussed in subsequent units.
- c) **Applied ethics:** this branch of ethics is the problem-solving part of ethics. Philosophers here must make use of the insights derived from meta-ethics and normative ethics in addressing specific ethical issues and cases. Hence, applied ethics is the application of ethical theory and principles to particular moral dilemmas, issues or cases. In other words, applied ethics is the significant relationship between theory and practice and the authentic acid test of ethical decision making; it applies ethical theory and principles to the real-world state of affairs. Professional ethics belongs to this branch of ethics.

1.4 The Meaning and Nature of Professional Ethics

The term ‘professional’, according to Olu-Owolabi, has “three important defining features: (i) expertise, as a result of long years of training (ii) dependency of the rest of the society on this group of people (iii) the moral obligations that the professionals owe to the rest of the society by protecting the interests and rights of their clients” (68). This implies that a professional is an expert in a field of human endeavor that most clients know little about. So, clients rely on the knowledge, expertise, and honesty of the professional. There is a correlation between a professional’s moral responsibility and his/her professional calling.

The moral responsibility associated with a professional calling makes professions differ from mere jobs. Professionals are expected to commit themselves forever toward serving - the interest of their clients and public interest - a goal beyond their individual self-interest. Many of the ethical issues, problems and dilemmas that arise in the world of profession emanate from this expectation. Hence, the moral responsibility associated with a professional calling is the main component of a profession and the essential foundation for professional ethics.

Professional ethics, according to Olu-Owolabi, refers to “the norms and duties that ought to moderate professional activities in such a way that the conduct of professionals is carried out not for personal gains, but in the overall interest of a community in particular and humanity in general” (67). This implies that professional ethics is concerned with the ethical principles of various professions and how these principles affect the behaviours of professionals and their relationship with the general public.

Professional ethics is a set of moral standards that depict the professional conduct that is expected in all fields of human endeavor. It explores the obligations of individuals within the perspective of their professional lives. One principal concern is with the kinds of obligations and responsibilities that professionals (journalists, teachers, physicians, engineers, ministers, public administrators, accountants and managers, to mention but a few have to their various stakeholders: clients, employers, employees, professional colleagues, other professionals and the society.

Professional ethics is also interested in the moral conduct and guidelines regulating the profession and its members. This area of ethical study examines moral issues, problems, conflicts of interest, and social responsibility of the individual professionals as well as the profession itself in the light of moral principles, including duty and obligation. It is

important to note that an ethical issue or dilemma is simply a situation or problem that needs an individual or organization to choose between alternatives that must be appraised as right or wrong, moral or immoral, and ethical or unethical.

Self-Assessment Exercise

1. What do you understand by professional ethics?
2. Identify the three branches of philosophical ethics and explain each of them briefly.

Moreover, professional ethics do not only provide standards that regulate the relationships between professional and client, but they also define norms regulating the professional's responsibility to colleagues and the public in general. It also raises central questions that contain ethical issues, problems and dilemmas that arise in the world of profession.

1.5 Summary

At the onset of this unit, the meanings of ethics are presented. The different areas of philosophical ethics are identified and discussed. The meaning and nature of professional ethics were also discussed. Professional ethics refers to moral principles and standards that define acceptable behaviour in the world of profession. The main concern of a professional ethics course is to identify, address and resolve various moral issues, problems and dilemmas that arise in the various professions. The study of ethics begins with the study of human action. Take away human action from ethics, and ethics loses its meaning and its value to decision-makers. Ethics helps humans decide what is right and good or wrong and bad in any given situation. With respect to professional, ethics is about who professionals are – their character and what they do, their actions and behaviours.

1.7 References/Further Reading

Lacey, A. R. (1976). *A Dictionary of Philosophy*. London: Routledge and Kegan Paul.

Lillie, W. (1971). *Introduction to Ethics*. London: Methuen & Company.

Olu-Owolabi, K. A. (2011). "Law and Ethics as Siamese Twins: Making a case for the Legalisation of Professional Ethics in Nigeria". In Aduke Adebayo (Ed.). *Contemporary Issues in Professional Ethics*. Ibadan: Graduke Publishers.

Omogbe, J. (1993). *Ethics: A Systematic and Historical Study*. Lagos: Joja Publishers.

Ozumba, G. O. (2002). "African Ethics". *Footmarks on African Philosophy*. Ed. A. F. Uduigwommen. Lagos: Obaroh&Ogbinaka Publishers.

Randall, J. H. & J. (1971). Buchler. *Philosophy: An Introduction*. USA: Harper& Row Publishers.

1.7 Possible Answer to Self-Assessment Exercise

1. Professional ethics has to do with the principles that should guide professionals as they discharge their duties so that the way they conduct themselves is not for personal gains but in the general interest of humanity.
2. Meta-ethics, normative ethics and applied ethics
Meta-ethics basically analysis or clarifies the meaning of ethical terms, such as 'good', 'duty', obligation', 'right', 'moral', 'immoral' and so on while asking certain fundamental questions.

Normative ethics has with norms, standards or principles by which human actions are to be good or bad, praiseworthy or blameworthy, right or wrong. It tries to answer the question of 'ought', 'should', in ethical discourse.

Applied ethics is the problem-solving part of ethics. The application of ethical principles to day to day living, to practical human situation.

UNIT 2 NORMATIVE ETHICAL THEORIES – CONSEQUENTIALISM

Unit Structure

- 2.1 Introduction
- 2.2 Learning Outcomes
- 2.3 Normative Ethical Theories: Consequentialism
- 2.4 Egoism
 - 2.4.1 Psychological Egoism
 - 2.4.2 Ethical Egoism
- 2.5 Utilitarianism
- 2.6 Summary
- 2.7 References/Further Reading
- 2.8 Possible Answers to Self- Assessment Exercise

2.1 Introduction

Professional ethics as mentioned in Unit 1 belongs to the area of philosophical ethics known as applied ethics. In applied ethics, moral philosophers must make use of the insights derived from meta-ethics and normative ethics in addressing specific ethical issues and cases. Consequently, applied ethics is the application of ethical theories and principles to particular moral dilemmas, issues or cases. The purpose of normative ethical theory is to be action-guiding, and your actions as a professional cannot be rationally guided by the information you do not have and cannot be expected to have.

In philosophical ethics, three major normative ethical theories attempt to set rules that regulate human conduct in the society. These theories focus on a set of standards and principles or a set of moral character traits that human beings are expected to possess. These normative ethical theories include: consequentialism, deontological and virtue ethics.

The goal of this unit is to examine the consequentialism normative ethical theories. In this unit, an attempt will be made to identify the nature, strengths and weaknesses of the consequentialism normative ethical theories.

2.2 Learning Outcomes

By the end of this unit, you will be able to:

- identify the major versions of the consequentialism normative ethical theories in philosophical ethics

- explain the nature, strengths, and weaknesses of the two major versions of the consequentialism normative ethical theories
- discuss how to apply the two major versions of the consequentialism normative ethical theories to moral problems, issues, and dilemmas in professional life.

2.3 Normative Ethical Theories: Consequentialism

The term ‘consequentialism’ is used to classify a common way of moral reasoning about right and wrong actions of a particular set of related ethical theories. The consequentialism normative ethical theory is also referred to as ‘teleological theory’. What then is consequentialism or teleological theory?

Consequentialist normative ethical theories maintain that it is the results or consequences of actions that determine the rightness or wrongness of such actions. In other words, a moral agent action is right or wrong because, and only because, of the action’s results or consequences. Here, the concern is about morally right or wrong conduct. Consequentialists, unlike deontologists, do not ask whether a particular practice is right or wrong but whether it will lead to positive results. What matters to the consequentialists is nothing but the result or consequence of our action.

Consequentialism, according to Ferrell, Fraedrich and Ferrell, “refers to moral philosophies in which an act is considered morally right or acceptable if it produces some desired result such as pleasure, knowledge, career growth, the realisation of self-interest, utility, wealth, or even fame” (155). Similarly, Rossouw clearly explains the nature of the consequentialism theory thus:

Consequence oriented theories emphasise that we should look at the possible consequences or practical implications of our intended actions to determine whether an action is right or wrong. If the bad consequences outweigh the good ones, the proposed action should be abandoned and it should be regarded as morally wrong. Should the good consequence outweigh the bad ones however, the proposed action can be considered as morally permissible (15-16).

This implies that it is the goodness or badness of an action’s consequences that determine its rightness or wrongness. For the consequentialists, the moral worth of an action is determined by its consequences. Put differently, an action is morally right if, and only if, among the actions that the moral agent could perform, there is no other action, the outcome of which has a greater expected value. To act in any other way is wrong.

It should be noted that different consequentialist normative ethical theories associate the rightness or wrongness of actions to the goodness or badness of their results in different ways. Many normative ethical theories belong to this ethical theory family in philosophical ethics: egoism, hedonism, utilitarianism, Situationism and so on. For the purpose of this course, we shall discuss the two major versions of consequentialism: egoism and utilitarianism.

2.4 Egoism

Egoism derives its name from the Latin *ego* for “I,” and it is usually compared with altruism, from the Latin *alter* for “other.” This mirrors the tension between egoism and morality because at the centre of morality is the key notion that an individual should be moved, and restrained, by others’ needs and desires as much as his/her own needs and desires. Normative ethics encourages a way of behaving marked by an unselfish concern for the welfare of others.

Egoism holds that the goal of everyone’s actions is always to do what will promote his/her own best interest. For the egoists, self-interest is the only source of individual moral duty. An individual must fulfil his/her voluntary agreements, or repair the damage he/she has done, only when doing so is in his/her best interest. When it is not, he/she has no moral duty (Shafer-Landau 25). For them, you act wrongly whenever you do not maximise your own best interests.

There are two main types of egoism: psychological egoism and ethical egoism. While ethical egoism is a normative theory asserting how people ought to behave, psychological egoism is a descriptive theory of human nature concerned with how individuals behave.

2.4.1 Psychological Egoism

Psychological egoism is the view that everyone is always motivated to act in his or her perceived self-interest (Arnold, Beauchamp and Bowie 12). Psychological egoism explains actions in terms of what benefits an individual will derive from them and predicts that an individual will do whatever is best for him/her (Gibson 22). Hence it maintains that as an individual is looking for some recompense, and even a charitable act would be explained as seeking self-satisfaction.

This descriptive theory claims that humans always do what pleases them or what is in their interest. Standard ways of expressing this position, according to Arnold, Beauchamp and Bowie, include the following: “People are at heart selfish, even if they appear to be unselfish”; “People look out for Number One first”; “In the long run, everybody does what

he or she wants to do”; and “No matter what a person says, he or she acts for the sake of personal satisfaction” (12).

What do you think is the implication of this view by psychological egoism? Some critics of this version of egoism believe that if psychological egoism is true, it would pose a severe question and threat to normative ethics. If this theory is correct, there is no wholly altruistic moral motivation. For instance, take cases of obvious altruism, where people do care for others or for their own sake (for example, Mother Teresa who worked for the poor of India, parents to children care, our love for loved ones, friends, or colleagues among others).

Moreover, if the view of the psychological egoists is true, then the entire venture of normative ethics is meaningless and worthless. Normative ethics seems to presume that human beings ought to behave in obedience with the requirements of morality, whether or not such behaviour promotes their interests. If people must act in their own interest, to ask them to sacrifice for others would be meaningless. In addition, if the understanding of the nature of human beings by the psychological egoists is correct, then human beings lack the necessary ability to act out of any interest but self-interest. So, moral principled action based on motives, such as respect for persons, benevolence, or justice, is not, in this view, motives human beings are capable of acting from.

2.4.2 Ethical Egoism

Ethical egoism derives its strength from psychological egoism. As a moral standard, it asserts that there is only one supreme value of conduct, the value of self-interest and this value recaps all of man’s natural duties and obligations (Okpo 31). Ethical egoism, as a teleological theory, sees the right action or behaviour in terms of its consequences for the individual. In other words, ethical egoism is of the viewpoint that the ultimate ethical standard of conduct is to promote one’s own best interest.

According to ethical egoism, people always ought to act based on self-interest. The egoist’s creed generally can be stated as “Do the act that promotes the greatest good for oneself” (Ferrell, Fraedrich and Ferrell 14). Egoists believe that individuals should make decisions that maximise their self-interest, which is expressed differently by each individual. In an ethical decision-making situation, an egoist will probably choose the alternative that contributes most to his or her self-interest.

From an egoistic perspective, an act contrary to one’s self-interest is an immoral act (Hoffman and Moore 8). In other words, according to

ethical egoism, one ought always to act on the basis of one's own best interest. It is tempting to dismiss ethical egoism by saying that it is shallow because it is committed to the view that we ought never to take others' interests into account. Such a description of ethical egoism is incorrect, however. An ethical egoist does take the interests of other persons into account when it suits his/her interest, and usually, it is in our interest to take the interest of others into account because it promotes our self-interest to treat them well (Beauchamp and Bowie 10).

At this point, it is important to see the connection between these two theories of egoism: if psychological egoism is true, it is difficult to see how professionals or business people could behave other than egoistically. To tell them that they ought to do so is meaningless and futile. It looks as if ethical egoism is the only viable ethical theory if psychological egoism is correct.

Is psychological egoism correct, however? Many of us believe that we have observed people performing acts in order to benefit others; we probably feel that we have performed such acts ourselves. Psychological egoism counters this belief with the assertion that even people who perform acts which benefit others do so for their own satisfaction. One might argue that psychological egoism has mistaken the satisfaction which accompanies an act which benefits others for the motive of that act. Although we may receive happiness or pleasure from doing things for others, it does not follow that the pleasure is the motive or object of our action that we want to do things for others because of the pleasure we will receive.

Psychological egoism has often been advanced in support of ethical egoism. But some argue that what it does is make ethical egoism – and, ultimately, all ethics – unnecessary (Hoffman and Moore 10). If people always act in their self-interest, then it is not necessary to tell them that they ought to do so. Whether psychological egoism is true or not, the suggestion that interests may clash points to some problems with ethical egoism itself as a moral theory.

Some critics claim that ethical egoism provides no way of settling competing claims when they do arise, no way of determining whether one's interest is more important than another. In part, this is because, in an egoistic society, no one occupies an impartial position, which is the same reason an egoist is not equipped to give advice or to pass moral judgments on other people's actions. One could even say that an egoist cannot consistently advise others to be egoists and to pursue their own self-interests. If one is truly committed to egoism, one should tell others that they ought to maximise the egoist's well-being and not their own.

Ethical egoism then appears self-contradictory.

It is often argued that people ought to behave egoistically because, if they do, it will promote the general welfare. It is important, however, to note that this defence of ethical egoism is not itself an egoistic one. It implies that there is a different, non-egoistic basis for the rightness or wrongness of actions – their consequences for society as a whole. We have moved from egoism to utilitarianism.

Self-Assessment Exercise

1. What do you understand by egoism?
2. Explain the difference between psychological egoism and ethical egoism.

2.5 Utilitarianism

We begin by examining an approach to moral decision-making the Caltex managers took. They claimed that one of the reasons that Caltex should remain in South Africa was because that course of action would have the most beneficial consequences and the fewest harms, at least in comparison to the results of abandoning South Africa. This approach is sometimes referred to as a consequentialist approach to ethics and, more specifically, as a utilitarian approach. To see more clearly what the approach involves, let's look at a situation where this approach was a basic consideration in a business decision that had a dramatic impact on the lives of many people.

During the last decades of the 20th century, Ford Motor Company began losing market share to Japanese companies who were making compact, fuel-efficient cars. Lee Iacocca, Ford's president at the time, determined to regain its share of the market by quickly developing a small car called the Pinto.

The Pinto would weigh less than 2,000 pounds, cost less than \$2,000, and be on market within 2 years instead of the normal 4 years. Because the Pinto was a rush project, styling considerations dictated engineering design to a greater degree than usual. In particular, Pinto's styling required that the gas tank be placed behind the rear axle that had protruding bolts. In that position, the tank could be punctured by the rear-axle bolts if a rear-end collision pushed it against the axle. When an early model of the Pinto was crash-tested, it was found that, when struck from behind at 20 miles per hour or more, the gas tank would sometimes break open. Gas would then spray out and enter the passenger compartment as well as under and around the car. In a real accident, stray sparks could explosively ignite the spraying gasoline and

fire might engulf and burn the occupants, particularly if, as often happened in accidents, the doors jammed, trapping the victims.

Ford managers decided, nonetheless, to go ahead and manufacture the Pinto without changing the gas-tank design. There had several reasons for their decision. First, the design met all the legal and government standards then in effect. At the time, government regulations required that a gas tank only remain intact in a rear-end collision of fewer than 20 miles per hour. Second, Ford managers felt that the car was comparable in safety to several of the cars other companies were making and putting on the market. Third, according to an internal cost-benefit study by Ford, modifying the Pinto would be more costly than leaving its design unchanged. The study stated that approximately 12.5 million of the autos would eventually be built. Modifying the gas tank of each Pinto would cost about \$11 a unit. The total costs of modifying all the Pintos the company planned to build, then, were simple to calculate:

Costs:

$\$11 \times 12.5 \text{ million autos} = \137 million

What benefits would customers derive from the \$137 million they would have to pay if the Pinto's gas tank was modified? Statistical data showed that modifying the gas tank could prevent the future loss of about 180 burn deaths, 180 serious burn injuries, and 2,100 burned vehicles. At the time (1970), the government valued a human life at \$200,000, a figure it needed to use to decide whether to spend money on a project that might save several lives or spend it on some other project that might save several million tax dollars.; Insurance companies valued a serious burn injury at \$67,000 when they paid for losses due to burns (including the losses of pain and suffering), and the average residual value on subcompacts was estimated at \$700. Therefore, in monetary terms, modifying the gas tank would have the benefit of preventing losses that added up to a total value of only \$49.15 million:

Benefits:

$(180 \text{ deaths} \times \$200,000) + (180 \text{ injuries} \times \$67,000) + (2,100 \text{ vehicles} \times \$700) = \$49.15 \text{ million}$

Thus, if the car's gas tank was modified, customers would have to pay \$137 million for a benefit worth \$49.15 million, for a net loss of \$87.85 million. It was not right, the Ford study argued, to have society invest in a "fix" of the Pinto's gas tank that would result in a greater loss than leaving things as they were. That is, although making no changes to the Pinto's design would result in losses of about \$49.15 million, this was less than the net loss of \$87.85 million that would be the consequence of changing the design.

Ford managers went ahead and produced the Pinto without modifying its gas tank. It is estimated that in the decade that followed about 60 persons died in fiery accidents involving Pintos and that at least twice that many suffered severe burns over large areas of their bodies, many requiring years of painful skin grafts. Ford, however, kept the Pinto on the market until 1980.

The kind of analysis that Ford managers used in their cost-benefit study is a version of what has traditionally been called utilitarianism. Utilitarianism is a general term for the view that actions and policies should be evaluated based on the benefits and costs they produce for everyone in society. Specifically, utilitarianism holds that the morally right course of action in any situation is the one that, when compared to all other possible actions, will produce the greatest balance of benefits over costs for everyone affected (**Source:** Velasquez 82 -84).

The case study above of Ford managers' application of an economic version of the utilitarian (cost-benefit) ethical theory could be said to have been adopted from the traditional utilitarianism of Jeremy Bentham (1748 – 1832) and John Stuart Mill (1806 – 1873). These two nineteenth-century British Philosophers are credited with introducing utilitarianism into the mainstream of modern western ethical thought.

Their normative ethical theories are based on the principle of utility, the principle of the greatest good, or the principle of the greatest happiness. According to utilitarianism, utility is the moral standard; it is the parameter or yardstick by which good actions are distinguished from bad actions. By utility, the utilitarian means pleasure or happiness (Omoregbe 233).

Mill, in his book – *On Liberty and Utilitarianism*, defines utilitarianism as:

The creed which accepts as the foundation of morals, Utility or the Greatest Happiness Principle, holds that actions are right in proportion as they tend to promote happiness, wrong as they tend to produce the reverse of happiness. By happiness is intended pleasure, and the absence of pain; by unhappiness, pain and the privation of pleasure (118).

This implies that those actions which produce or tend to produce pleasure are good while those that produce or tend to produce pain are bad. It is obvious that utilitarianism is concerned with consequences, but the utilitarian pursue the greatest good for the greatest number of persons that would be affected by a decision.

It is important to note that when the utilitarian principle asserts that the

right action is the one that produces more utility than any other possible action, it does not mean that the right action is the one that produces the most utility for the moral agent. Rather, an action is right if it produces the most utility for every person affected by the action, including the moral agent (Velasquez 85). Hence, utilitarianism is not egoism. The purpose of ethics for the utilitarian is to promote human welfare by minimising harm and maximising the good for the greatest number of people.

There are two positions of utilitarianism: act utilitarianism and rule utilitarianism. Act-utilitarianism maintains that rightness or wrongness of an action is determined only based on the consequences of the action. According to this position, individual actions are to be judged right or wrong if their consequences tend to produce the greatest happiness for the greatest number of people. Thus act- utilitarianism only considers the consequence of an action and not the nature of the act itself.

Rule-utilitarianism, on the other hand, maintains that an action is right if it is in agreement with a rule of conduct that has been validated by the principle of utility, and wrong, if otherwise. Rule-utilitarianism claims that it is never reasonable in any circumstances to violate a rule the general observance of which produces the greatest possible good to the greatest number of people. Hence, while act-utilitarianism is preoccupied with specific actions, rule-utilitarianism is preoccupied with rules.

However, all versions of utilitarianism have one thing in common: it is the consequence of an action that decides the rightness or wrongness of that action and not the nature of the act itself. Rather than looking at the intention behind the act, one must explore the best outcome for the greatest number of people.

At the level of business organisation, the greatest possible good for all the stakeholders would be situated both in profit and in efficient business behaviour. However, it is when the consequence, such as profit maximisation, becomes the only focus of business behaviour that a utilitarian approach may become difficult and harm the rights of others. In the same vein, when an action is taken by a professional to seek the good of the wider society or group, that professional is a utilitarian.

For instance, the Ford managers appeal to the principle of utility by reducing the consequences of their actions to economic costs and benefits and these were measured in monetary terms. But the benefits of an action may include any desirable goods produced by the action, and costs may include any of its undesirable evils or harms which the Ford study took into account.

Moreover, professional journalist or reporter who use deception to uncover social ills often appeal to the principle of utility on the ground that, in the long run, they are accomplishing some moral good for the public they serve. In other words, the positive consequences for society justify the devious means in gathering the information.

The criterion of quality in utilitarian framework poses so many difficulties, it can be argued that utilitarianism justifies – and perhaps even demands – acts which seem to us to be unjust or immoral. Another way of expressing this objection to utilitarianism is to claim that people have rights which ought not to be violated even when doing so results in a greater total of good. Utilitarianism is incapable of respecting such rights because they can always be overridden in favour of an act or rule which maximises total good.

It seems to be true that the consequences of an action play a significant part in deciding whether that action is right or wrong. But egoism's inability to recognise that it is sometimes our duty to perform acts which are in our own interest and utilitarianism's failure to take into account rights suggest that the rightness of an action does not depend solely upon its consequences – for us or others. Other non-consequentialist factors may also have a bearing on the moral quality of actions.

Self-Assessment Exercise

What are the difficulties with act and rule utilitarianism?

2.6 Summary

In this unit, we identified the two main types of normative ethical theories in the family of consequentialism. They include egoism and utilitarianism. The concept of ethical egoism stands on the ground that moral agents ought to do what is in their own self – interest. In such a way, the concept of self – interest plays a central role in ethical egoism. Utilitarianism takes happiness or pleasure to be the only thing that is good in itself or valuable for its own sake. According to the utilitarians, the rightness and wrongness of an act should be judged by its consequence. They are two forms of utilitarianism, namely, act-utilitarianism and rule-utilitarianism.

Consequentialism can be summarily understood as the view that “the end justifies the means”. This tenet of consequentialism has been noted to be perhaps its weak point. It has been argued, for instance, that bad means can never produce good ends, and that the principle had been used repeatedly to do evil and to justify evil. Despite this objection and others, consequentialists' ethics is a valuable tool in moral reasoning

because it does force us to weigh the impact of our behaviour on others.

Consequentialism maintains that the morally right action for a moral agent to perform is the one that has the best consequences or that results in the most good. In other words, consequentialism holds that actions are morally good if they bring about good results or consequences. For the consequentialists, it is the consequences of an action that determines its rightness or wrongness. They are two major types of normative ethical theories of consequentialism: egoism and utilitarianism.

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2.8 Possible Answers to Self- Assessment Exercise

1. Egoism is gotten from the word 'I'. It is the theory that states that everyone always works for what is in her or his best interest. The promotion and protection of self-interest is at the center of egoism.
2. Ethical egoism states that people ought to, should always act in their own self-interest, it is prescriptive in nature. Psychological egoism however argues that people always act in their own self-interest. Like people cannot but act in their own self-interest; the motivation for people's action is to act in their own self-interest, it is descriptive in nature describing what is the case that people in fact do.
3. Act-utilitarianism only considers the consequence of an act or an action and not the intrinsic nature of the action itself. Rule utilitarianism focuses just on rules

UNIT 3 NORMATIVE ETHICAL THEORIES - DEONTOLOGY

Unit Structure

- 3.1 Introduction
- 3.2 Learning Outcomes
- 3.3 Normative Ethical Theories – Deontology
- 3.3 Kantian Deontology
- 3.4 Rossian Deontology
- 3.5 Summary
- 3.6 References/Further Reading
- 3.7 Possible Answers to Self- Assessment Exercise

3.1 Introduction

In the previous unit, we examined one of the ethical standards of moral judgment that have been recommended by moral philosophers as an essential parameter for determining the rightness or wrongness of human action. The moral theories we have discussed in Unit 2, ethical egoism and utilitarianism claim that the value of the consequences of our actions is the determining factor for right or wrong actions. In other words, the consequences of an action play a significant part in deciding whether that action is right or wrong. But egoism's inability to recognise that we sometimes must perform acts which are in our own interest and utilitarianism's failure to take into account rights suggest that the rightness of an action does not depend solely upon its consequences – for us or others. Other non-consequentialist factors may also have a bearing on the moral quality of actions. For an approach which does take such factors into account, we turn to the deontology normative ethical theories.

The goal of this unit is to examine the deontology normative ethical theories. In this unit, an attempt will be made to identify the nature, strengths and weaknesses of the deontology normative ethical theories.

3.2 Learning Outcomes

By the end of this unit, you will be able to:

- identify the major versions of the deontology normative ethical theories in philosophical ethics
- explain the nature, strengths, and weaknesses of the two major versions of the deontology normative ethical theories
- discuss how to apply the two major versions of the deontology normative ethical theories to moral problems, issues, and

dilemmas in professional life.

3.3 Normative Ethical Theories – Deontology

Deontology is derived from the Greek word *deon* meaning “duty”. Deontology considers duty or doing what is right for its own sake, as the basis of morality. This duty-based normative ethical theory asserts that the consequences of an action have nothing to do with whether the action is right or wrong; it is, thus, non-consequentialism. If consequentialism asks us to think through the consequences of the act, deontology or non-consequentialism asks us to think through the act, without thinking about its consequences. According to deontology or non-consequentialism, some types of actions are forbidden, or necessary, regardless of their consequences.

Deontology, according to Ferrell, Fraedrich and Ferrell, is seen as “moral philosophies that focus on the rights of individuals and the intentions associated with a particular behaviour rather than on its consequences” (158). This implies that deontological theories are based on the philosophy that judging an action of an individual as morally right or wrong should not depend on the consequences of the action but on the intentions of the moral agent. Put differently, Deontology as a normative ethical theory does not look chiefly at consequences of actions but examines a situation for the essential moral worth of the intention of the act, or rightness or wrongness of the act. Many religious traditions are based upon deontology.

Unlike consequentialism, deontologists or non-consequentialists argue that certain behaviours are fundamentally wrong, even if these behaviours bring about greater benefits to the society. For instance, deontologists would consider it wrong to commit a serious injustice against an individual, no matter how much greater social utility might result from doing so because such an action would be violating the moral principle of respect for persons. Hence, to decide whether a particular behaviour is morally right, deontologists look for consistency to moral principles, not consequences. Let us examine a case study to see how a deontologist will handle an ethical dilemma.

A Case Study: A Study of AIDS

Acquired Immune Deficiency Syndrome (AIDS), caused by the Human Immunodeficiency Virus (HIV), is typically transmitted through sexual activity or blood transfusions. It is estimated that over 33 million people are currently infected, and some 25 million people have died from the disease since it was identified in the early 1980s. Annually it kills about three million people, and roughly the same numbers of people are newly infected each year. Infection rates vary depending on people’s natural

resistance to the disease. If the resistance factors could be isolated, then medical researchers might be able to develop a vaccine, with the promise of curtailing any new infections. However, conducting a full scientific study would require some subjects to engage in risky behaviours. If they were fully aware of the risks, they might alter their behaviour by practising safe sex.

In the late 1990s, Cornell Medical College studied the infection rates in couples with one partner being HIV positive. The trial was set in Haiti, one of the poorest countries in the world. The subjects were not receiving the care available in the developed world, and cultural and religious traditions meant that condom use was low. Consequently, the uninfected partner would probably have a high chance of exposure to the virus. The study consent form said, “We would like to test your blood because you live in an area where AIDS may be common.” It seemed that some of the partners had been infected but then for some reason, the disease failed to progress, and these findings were hailed as milestones toward the development of a vaccine.

If the research had been carried out in the United States, the prevailing protocols would have required explicit information that one partner was HIV-positive, counselling about the risks, and treatment using retroviral drugs. In the Haiti study, the partners were offered counselling and free condoms, but there were no written consent forms to let the couples know that one had the virus but that the other did not. The lead doctor felt that anyone who subsequently contracted the disease during the study would only have themselves to blame since they already had access to information and resources.

The case brings up many moral issues. Should the trial prove successful, then millions might be helped. If the trial had never taken place, the individuals involved would likely have continued being at high risk of infection, and so in a sense, they were no worse off because of the study. Yet the scientists were in a position to help people avoid a deadly disease and failed to educate the subjects involved. One way of looking at the case might be to examine the potential outcomes and balance the eventual benefits and harms. However, duty-based ethics rejects any notion of “all’s well that ends well” and instead focuses on the way people are treated. It centrally asks whether a moral act could be universalised—in other words, whether we would agree that everyone deserves equal respect and “do unto others as we would be done by.”

Was it appropriate for the scientists to deal with people in the way they did in the hope of making a medical breakthrough? The deontologist would focus on the motives behind the actions, whether the individuals were treated with respect, and if the behaviour would survive a critical

test of being applied to everyone. For example, if someone knew that an individual was at risk for a life-threatening illness, would it be acceptable to withhold the information and let him or her continue for the sake of scientific research?(Source: Gibson 75-76).

We will now look at the ethics of two major deontologists (Immanuel Kant and William David Ross) who believe that respecting the individual and motive matter more than results or consequences in moral deliberations.

3.4 Kantian Deontology

Immanuel Kant (1724 – 1804) was the most famous deontologists in the history of moral philosophy. It should be noted that Kantianism is identified with an idea put forward by Kant to the effect that the only thing that is good in all circumstances is goodwill. Unlike the utilitarians, Kant maintains that one ought to perform right actions not because they will produce good results, but because it is our duty as moral agents to do so. His moral philosophy is based on three major notions: his notion of goodwill, his notion of duty and his notion of categorical imperative.

Kant speaking about goodwill maintains that nothing is good in itself except goodwill. Kant meant that goodwill is the only thing that is good without qualifications; other things regarded as good are not categorically good because their goodness can be bad when misused. What then is goodwill? He sees goodwill as the human ability to act in accordance with the moral law or as a will which acts for the sake of duty. Humans are expected to act in conformity with moral laws or principles regardless of personal interests or consequences.

Kant makes a distinction between two types of duties: “acting for the sake of duty” and “acting according to duty”. While he considers the former as having a moral worth, he considers the latter as having no moral worth. For him, acting for the sake of duty is the only way that one’s action can be said to have moral worth. What does it mean to act for the sake of duty and according to duty?

To act for the sake of duty, Kant says, is “to act, not because one hopes to gain anything from the action, not because one just feels like doing it or because one has a natural inclination to doing such things, but purely out of reverence for the moral law”(Omoregbe 220). This implies that when one is said to act for the sake, one is simply acting according to the dictate of the moral law. To act according to duty, on the other hand, Kant asserts, is “to act out of prudent considerations for one’s interest” (Omoregbe 220).

It should be noted that Kant never classified such actions as bad, but that those actions have no moral worth, that is, they are not morally praiseworthy. For instance, imagine that you are walking along the road with your friend. You pass a beggar asking for help on the street. And your friend gave the beggar some money out of empathy. For Kant, your friend's action has no moral worth because what is moving him to give money is empathy rather than duty. He is acting in accordance with duty, not for the sake of duty. In other words, your friend is not acting out of respect for the moral law.

Kant makes a distinction between hypothetical imperative and categorical imperative. A hypothetical imperative is a conditional imperative which requires an individual to do something which is a means to an end. On the other hand, categorical imperative is an unconditional imperative. Categorical imperative enjoins actions not as means to ends but as good in themselves. Hence, moral commands are *categorical imperatives*; that is, they are unconditional. The categorical imperative of Kant has two formulations.

For Kant, the criterion for distinguishing right from wrong actions is the principle of universalisation. If one wants to know whether the action he intends to perform is morally right or wrong, he should look at the underlying principle (i.e. the maxim) of the action and universalise it. In *Foundations of the Metaphysics of Morals*, Kant asserts that "I ought never to act in such a way that I could not also will that my maxim should be a universal law" (18). Hence, one of Kant's formulations of the categorical imperative is "act on the maxim which you can will to be a universal law." This maxim could be interpreted to mean that before a professional performs a particular action, he/she should ask himself/herself whether he/she would consider it desirable for everyone in a similar situation as his/her to perform a similar action. If the answer is in the affirmative, then his action is morally right, otherwise, it is morally wrong.

If a professional marketer is contemplating a deceptive marketing strategy to market or sell his/her product, for instance, he/she must be willing to endorse a world in which all people lie when it seems to their advantage to do so. If everyone were permitted to lie, one would never be able to tell if a person is lying or telling the truth. Under such situations, the very practice of truth-telling is weakened and lying ceases to be profitable. Kant postulates a second formulation of the categorical imperative that he claims is similar to the first version. In the second formulation, Kant focuses his attention on the rights of human beings. Kant opines that "act so that you treat humanity, whether in your own person or in that of another, always as an end and never as a means only" (46). Both egoism and utilitarianism seem to violate this

principle. For the egoist, others have value only insofar as they promote the egoist's self-interest; for the utilitarian, every person appears to be a means for the maximisation of good.

However, Kant acknowledges that we might often use others as means to an end, as we do, for instance, when we employ them to do a job for us. But he underscores that they also have a value in and of themselves which we must respect. For this reason, a Kantian would take strong exception to the view that employees are to be treated as mere tools in the production process. Human labour should never be treated like machinery, industrial plants and capital-solely in accordance with economic laws for profit maximisation. Any economic system that fails to acknowledge this distinction between human beings and other non-human factors of production is morally deficient (Beauchamp and Bowie 21). The summary of the categorical imperative is to act out of duty in obedience to the categorical imperative is for Kant what it means to be moral.

Going back to the case study in 3.1 above, the scientists possibly saw their research in Haiti as part of a higher calling to benefit all mankind. Nevertheless, the case touches on several issues we have covered: Did the scientists think about the welfare of the individuals who were at risk in the study, and would they have acted differently if they had considered that someone might treat them that way too? Did they realise there was likely to be collateral damage, but accept that because they felt their prime objective was an all-embracing goal, and hence their motives were, in fact, quite noble? Although they didn't lie to the subjects in the study, was nondisclosure of the known risks a morally decent thing to do?

One advantage of Kant's categorical imperative is that it encourages the furtherance of a mutual relationship between the professional and his/her clients or customers. The principle discourages the professional from formulating maxims that would amount to breaching the principles of veracity and mutual trust embedded in the code of ethics for the different professions. By his categorical imperative formulation, Kant has made it abundantly clear that lying is bad. It constitutes a breach of trust.

Even though it offers some meaningful advantage over consequentialism, Kant's theory is not without its difficulties. It is occasionally difficult to apply general principles to particular unusual circumstances. It can also be argued that moral duties cannot be separated from the consequences of fulfilling those obligations. For instance, the reason that the duty, to tell the truth, is such a fundamental principle is that truth-telling produces good consequences for society.

Another criticism often directed at Kant is that although he provides us with a rational basis for rights and duties. He fails to take into consideration that duties can conflict, and he also fails to suggest a framework for resolving such conflicts. Professionals often feel torn between their duty to their employers and their duty to society at large.

Self-Assessment Exercise

1. What are deontological (non-consequentialist) theories of morality?
2. How do they differ from consequentialist (teleological) theories?

3.5 Rossian Deontology

William David Ross (1877 – 1971) developed a pluralistic moral theory that has more than two fundamental moral rules; he was a pluralistic deontologist. He had a unique term for these nonabsolute rules. He called them principles of *prima facie* duty (Shafer-Landau 124). He agrees with Kant that morality fundamentally should not rest on consequences, but he disagrees with the unbending absolutism of Kant's moral philosophy. Ross thinks that moral duties are *prima facie* rather than absolute. The term *prima facie* literally means "at first view" or "at first glance". This term can be understood as the self-evident raw intuition that strikes us first. For him, moral duties cannot be absolute because there are specific situations in which these moral duties come into conflict. For instance, you having to choose between keeping a promise made to a friend and visiting a loved one that is sick in the hospital.

What is the solution to moral duties conflicts? The solution that Ross comes up with is to assert that morality is a two-stage process: first, we intuit our general obligations, and second, we have to reason to see how they apply in particular situations. He uses the phrase *prima facie* obligations to explain and list seven fundamental kinds of duties. All things being equal, we should obey the *prima facie* obligation. In the case of conflicting obligations, he believes we have to use reason to see if one obligation will be more important than another, and these will eventually give us actual obligations (Gibson 83).

It should be noted that Ross is of the view that consequences play a role in the application of moral principles. He is against the view that consequences make an action right or wrong, but he is of the viewpoint that a moral agent needs to take into account the consequences when making moral choices. For instance, if the consequences of breaking a promise are bad enough, then you must break the promise. For instance,

Musa borrows a hunting rifle from his friend Adamu, promising to give it back as soon as Adamu asks for it. Adamu shows up at Musa's house in a state of anger protesting about how much he hates his neighbour for beating his wife and daughter in his absence and asks Musa for the rifle. Musa could lie and say he lost it. What do you think Musa should do?

Self-Assessment Exercise

List Ross' seven *Prima facie* duties

Ross thinks that acting rightly entails balancing different obligations coming from different sources of morality. He believes that there should be more than one source of morality. He is of the view that there are more than one sources of morality. Hence, he maintains that promoting happiness and avoiding unhappiness is one source but not the only source. The other sources of morality include our past actions (duty to fulfil promises and agreements), justice, fairness and the rights to others self-improvement among others. For him, acting rightly entails balancing different obligations coming from different sources of morality.

In view of this, Ross identified seven *prima facie* duties that he maintained we intuitively know. His *Prima Facie* Duties are duties of:

3.5.1 Fidelity: telling the truth, keeping our promises, being faithful to our word and meeting contractual agreements. This duty stems from one's past obligations and commitments.

3.5.2 Reparations: repairing harm that we have done, that is, making up for the wrongs we have done to others. This duty is also based on one's past actions.

3.5.3 Gratitude: appropriately acknowledging benefits that others have given us. In other words, recognising what others have done for us and extending our gratitude to them. This duty stems from the previous actions of others, that is, when you receive gifts or unearned favours and services from others.

3.5.4 Justice: ensuring that virtue is rewarded and vice punished and avoiding the improper distribution of good and bad that is not in keeping with what people merit or deserve. This is an ongoing duty.

3.5.5 Beneficence: enhancing the intelligence, virtue, or pleasure of others; helping to improve the condition of others in the areas of virtue, intelligence and happiness. This duty concerns the consequences of our actions, that is, we are expected to increase happiness.

3.5.6 Self-improvement: making one more intelligent or virtuous; the obligation one has to improve his/her own virtue, intelligence and happiness. This also is an ongoing duty that entails striving to improve your moral knowledge and virtue.

3.5.7 Nonmaleficence: preventing harm to others and not injuring others. This duty also concerns the consequences of our actions, that is, we are expected to do no harm (Ross 21-22; Shafer-Landau 125; Boss 27-28).

From the above list of *prima facie* duties, it is obvious that Ross, like Kant, thinks that there are rules all individuals should conform to since it is their moral obligation to do so. Moreover, Ross could be said to have advanced deontology in the area of what to do when duties conflict. How are we to resolve conflicting duties?

Reacting to this question, Ross came up with two principles one can adhere to when dealing with conflict of *prima facie* duties: (1.) always do that act in accord with the stronger *prima facie* duty; and (2.) always do that act that has the greatest degree of *prima facie* rightness over *prima facie* wrongness (Ross 41-42).

Some critics of Ross's moral philosophy have argued that there are some problems with his theory. The first problem is that of selecting *prima facie* duties. How are we supposed to know which duties apply in which cases, and which are stronger? How are we to decide which duties are really *prima facie*? Ross believes that we can know which duties apply and stronger through intuition. This response seems unclear and extremely speculative.

Another criticism against Ross's moral theory is his response to the way one can resolve conflicting duties. The two principles suggested by Ross are difficult to apply. Ross fails to tell us how we are to determine when one obligation is stronger than the other. Moreover, it is very difficult to know the rule to follow when determining the balance of *prima facie* rightness over wrongness, since Ross fails to give us an obvious rule. So, there seem to be no obvious parameters either for selecting which duties are *prima facie* or determining how we are to differentiate among them after they have been determined.

3.6 Summary

In this unit, we identified and discussed the two main types of deontological theories of morality: Kantian and Rossian deontological theories. The fundamental assumption of these moral theories is that consequences should not be the determining factor or enter into our

judging of whether actions or persons are moral or immoral. What is moral and immoral is determined by some standard(s) of morality other than consequences. Kant's notions of goodwill, duty and categorical imperative were examined. According to the categorical imperative which has two formulations, an act is immoral if the rule or principle that would approve it cannot be made into a rule or principle for all humans to follow. Ross's *prima facie* duties were also discussed in this unit. Ross proposed seven *prima facie* duties that all humans must adhere to, unless there are serious reasons why they should not. These seven duties include fidelity, reparation, gratitude, justice, beneficence, self-improvement and nonmaleficence.

Deontology has a strong point of putting questions of motive front and centre in our moral discussions. According to this duty-based theory, sanctions against certain kinds of behaviour apply, even if favourable consequences would result. Rather than focusing on the consequences (after all foul deeds might produce good results), deontologists emphasise the commitment to principles that the moral agent would like to see applied universally, as well as the motive of the agent. Duty-based theories do not approve of using foul means to achieve positive ends. The moral agent's motives are important.

Despite its shortcomings, deontological theories do have some advantages. First, concrete rules that provide for few exceptions take some of the pressure of moral agents to predict the consequences of their actions. There is a duty to act according to the rules, regardless of the outcome. Second, there is more predictability in the deontological theories, and one who follows these ideas consistently is likely to be regarded as a truthful person.

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3.8 Possible Answers to Self- Assessment Exercise

1. Deontological theories are those that assess the rightness or wrongness of actions based on the nature of the action itself. These are theories by Immanuel Kant and W.D. Ross. Consequentialist theories assess the rightness or wrongness of actions based on their end result, the consequences those actions bring.
2. Fidelity, Reparation, Gratitude, Justice, Beneficence, Self-improvement, Nonmaleficence,

UNIT 4 NORMATIVE ETHICAL THEORIES – VIRTUE ETHICS

Unit Structure

- 4.1 Introduction
- 4.2 Learning Outcome
- 4.3 Normative Ethical Theories – Virtue Ethics
- 4.4 The Nature of Moral Virtue
- 4.5 Aristotle’s Virtue Ethics
- 4.6 Summary
- 4.7 References/ Further Reading
- 4.8 Possible Answers to Self- Assessment Exercise

4.1 Introduction

This unit introduces you to virtue ethics as a normative ethical theory. The approaches to normative ethics that we have discussed in both unit 2 and 3 focus on action as the core subject matter of ethics. They ignore the character of the moral agent who carries out the action. Although consequentialism and deontology theories differ in many respects, they have one thing in common: they are concerned with principles and standards for evaluating the rightness and wrongness of actions. They focus on what the moral agent should do, not on the kind of person the moral agent ought to be.

While consequentialists and deontologists are concerned about what humans morally ought to do and are prohibited from doing. These ethical theories are invented to answer the question “What should I do?” Virtue ethics, on the other hand, is mainly concerned about the kinds of character humans should develop. There is a much greater emphasis on “character traits” and “type of person want should be”, than on duties, obligations, rules, and rights. Hence, the primary ethical question for virtue ethics is: “what should I be?”

Our concern in this unit is to examine the nature of virtue and the ethics of one of the famous virtue ethics proponents: Aristotle’s ethics. In this unit, an attempt will be made to identify the nature of moral virtue from different virtue ethicists and Aristotle’s version of virtue ethical theory.

4.2 Learning Outcome

By the end of this unit, you will be able to:

- explain the nature of virtue ethics as a normative ethical theory
- describe the nature of moral virtue from different virtue ethicists
- identify and explain the basic tenets of Aristotle’s version of virtue ethics.

4.3 Normative Ethical Theories – Virtue Ethics

Virtue ethics as a normative ethical theory is more often than not associated with the Greek philosopher Aristotle (384–322 B.C.E), mainly drawn from his *Nicomachean Ethics*. It is an approach in normative ethics that underscores the virtues or moral character of the moral agent, in contrast to the approach that underscores consequences of actions of the moral agent (consequentialism) or that underscores duties or rules (deontology).

Deontologist and consequentialist theories do more, of course, than provide a foundation for advice on moral decisions. They offer an understanding of what ethics is concerned with. In Kantian ethics this is first and foremost principles, and also respect for rational beings (including oneself as a rational being). In consequentialist theories, the concern is with values that can be attained or missed. The emphasis of these theories is on the evaluation of actions, and the rules and principles which tell us which actions to perform.

Virtue ethics, on the other hand, does offer a different understanding of what ethics is concerned with. It is thought to provide a much better understanding of humans' moral lives: what it is humans strive to be in pursuing the moral life and why the moral life is important to humans (Waluchow 202). Virtue ethicists are less concerned with individual cases and choices than with what it is to be a good person, an individual who sustains a moral compass based on solid moral values. They would say that judging any action in isolation will miss the point, as we ought to be looking at the person's whole life, all things considered. Hence, virtue ethics as a normative ethical theory emphasises the moral agent's character and virtues rather than duties and rules, or the consequences of actions.

Many virtue ethicists have criticised the notion that actions are the basic subject matter of ethics. Ethics, they have argued, should look not only at the kinds of actions a moral agent ought to perform, but ought to pay attention to the kind of person a moral agent should be. A more suitable approach to ethics, according to these virtue ethicists, would take the virtues such as honesty, courage, temperance, integrity, compassion, self-control and the vices such as dishonesty, ruthlessness, greed, lack of integrity, cowardliness as the fundamental starting points for ethical reasoning (Velasque 134). To this end, virtue ethics theories deal with such questions as: "how should I live?" and "what is the good life?" and "what should I be?"

It should be noted at this point that there are many accounts of virtue ethics in the West, apart from Aristotle's account. Other accounts

include Plato's, the Stoics', Aquinas', Hume's and Nietzsche's accounts of virtue ethics. Moreover, there are different forms of virtue ethical theories: *eudaimonist* virtue ethics, agent-based virtue ethics and the ethics of care among others. Our concern in this unit is with *eudaimonist* virtue ethics.

Self-Assessment Exercise

Virtue ethicists are more concerned with individual cases and choices than with what it is to be a good person, an individual who sustains a moral compass based on solid moral values. True/False?

4.4 The Nature of Moral Virtue

What is a moral virtue? Virtue, according to Shafer-Landau, "is an admirable character trait. It's not a mere habit, or a tendency to act in certain ways. Habits don't define a person; character traits do" (139). Similarly, Ferrell, Fraedrich and Ferrell see a moral virtue as "an acquired disposition that is valued as a part of an individual's character" (161). According to Velasque, a moral virtue can be seen as "an acquired disposition to behave in certain ways that are valued as part of the character of a morally good human being and that is exhibited in the person's habitual behaviour" (134).

As you can see, the stress is on the good or worthy character of a person, rather than on his/her actions or the consequences of his/her actions. Moreover, moral virtue is developed over time by an individual. Hence, it is the development of the honest, good or virtuous individual that is imperative in virtue ethics. It could be said that an individual has a moral virtue when he/she is inclined to conduct him or herself consistently as a morally good individual would act.

Honesty, for instance, is a virtue of morally good individuals. An individual has the virtue of honesty when he/she is inclined to consistently tell the truth and does so because he/she believes telling the truth is right. The honest person feels good when he/she tells the truth and uneasy when he/she lies, and always wants to tell the truth out of respect for the truth, respect for the human person and its importance in human interaction.

Consequently, the fundamental concerns and questions of virtue ethics are: what are the traits of moral character that make an individual a virtuous individual? Which traits of moral character are moral virtues? There are attempts by virtue ethicists to define what constitutes moral virtue. Plato identified four virtues: wisdom, courage, temperance, and justice.

Wisdom, according to Plato, is the virtue of the rational part of the soul or reason, while courage is the virtue of the spirited part (the higher emotions) and temperance is the subordination of both the spirited and the appetitive parts (both the higher and the lower emotions) to the rule of the rational part (Omeregbe 161).

Even though, Plato differentiated between the four cardinal virtues: wisdom, courage, temperance, and justice. However, all of these virtues are basically one, for they are a different demonstration of the rule of reason over the rest of man and all human activities. To this end, it is impracticable, in Plato's view, to have one virtue and lack another, because to have one virtue is to have all, and to lack one is to lack all (Omeregbe 163).

Aristotle takes the four cardinal moral virtues to be: wisdom, courage, prudence and justice. For Aristotle, moral virtue is a mean between excess and defect, that is, virtue lies between two extremes. And for him, moral virtue is a result of habit. In other words, moral virtues are habits that enable an individual to live according to reason by consistently choosing the mean between extremes in actions and emotions (Velasque 136). For instance, the virtue of generosity is a mean between miserliness and extravagance.

The Stoics think of moral virtue as living in agreement with nature. They held that moral virtue is the only real good and so is both essential and adequate for happiness. For them, the only thing that always contributes to happiness, as its essential and adequate condition, is virtue. They maintain that the purpose of life is happiness, but the way to attain it is by living in agreement with nature or living in harmony with nature, that is, by obeying the laws of nature (Omeregbe 169). They identified the four cardinal virtues: wisdom, justice, courage, and moderation.

For the Stoics, wisdom is divided further into good sense, good calculation, quick-wittedness, discretion, and resourcefulness. Justice is divided further into piety, honesty, equity, and fair dealing. Courage is divided into endurance, confidence, high-mindedness, cheerfulness, and industriousness. Moderation is divided into good discipline, seemliness, modesty, and self-control. Correspondingly, the Stoics divide vice into foolishness, injustice, cowardice, intemperance, and the rest (Stephens www.iep.utm.edu). It is also worth mentioning that these virtues are indivisible, that is, for an individual to have one is to have all and to lack one is to lack all. An individual is either virtuous or vicious.

St. Thomas Aquinas, a medieval philosopher and theologian, presents many definitions of moral virtue. According to one very general

account, moral virtue is a habit that “disposes an agent to perform its proper operation or movement” (Cited by Floyd www.iep.utm.edu/ac-moral). This implies that moral virtue is a habit that makes humans willing to reason well. He agrees with Aristotle that moral virtue is a habit formed by recurrently and continually performing the same kind of good actions.

Aquinas also accepted that the four cardinal moral virtues are courage, temperance, justice and prudence. He believes that the cardinal virtues provide general patterns for the most prominent forms of moral activity: commanding action (prudence); giving to those what is due (justice); curbing the passions (temperance), and strengthening the passions against fear (courage) (Floyd www.iep.utm.edu/ac-moral). As a Christian theologian, he added the “theological” or Christian virtues of faith, hope, and charity – the virtues that allow a human being to achieve union with God to Aristotle’s list of moral virtues (Velasque 136). While Aquinas maintained that Christian humility is a moral virtue and pride is a moral vice, Aristotle had claimed that for the Greek aristocrat pride is a moral virtue and humility is a moral vice.

Do you think that the three theological virtues (faith, hope, and charity) added by Aquinas because of their special importance for a Christian life can count as moral virtues? Do you also think that pride which was a quality admired in Greek society can count as a moral virtue? Why do you think that both Aquinas’ theological virtues and pride in Greek society cannot be regarded as moral virtues? Moral virtues are dispositions that must be identified as needed by all humans in every society. Moral virtues must apply to all mankind regardless of religious affiliation or society.

4.5 Aristotle’s Virtue Ethics

Aristotle was a teleologist, a term associated with, but not to be mistaken with, the description “teleological” as applied to normative ethical theories such as Egoism and Utilitarianism discussed in unit 2. Aristotle was a teleologist because he claimed that all human activities are directed towards the accomplishment of certain ends or goals. His ethics contains certain statements about the purpose of human beings, their place in society, and what is good for them. The Greek term *telos* refers to purpose, goal or end of something.

Aristotle considered happiness to be the end toward which all actions are directed. It is an end in itself and never a means to something else. Happiness, in the words of Aristotle, “being found to be something final and self-sufficient, is the end at which all actions aim” (12). This implies that happiness is the end which is sought for its own sake, and whatever an individual seeks as an end or as a good, he/she seeks it as a means to

happiness. All humans seek happiness, but there is only one way to accomplish it, and that is through morality. Hence, happiness becomes the moral standard for Aristotle.

The view that makes happiness the standard of morality is known as *eudaimonism*. It is derived from the Greek word *eudaimonia* meaning “happiness” or “flourishing” or “fulfilment”. This ethical doctrine asserts that happiness is the basic reason for morality. The aim of all human actions, according to this doctrine, is to produce happiness, and actions are judged as good or right if they produce happiness, while actions that do not produce happiness are said to be bad.

For Aristotle, the highest good is happiness, the end of all human actions. The good life for man, according to him, is happiness and so men ought to behave to achieve happiness (Popkin and Stroll 7). But what then is happiness? Aristotle sees happiness as an activity of the soul in conformity with virtue (Aristotle 22).

Aristotle claims that the soul consists of two parts: one irrational and the other capable of reason, that is, rational (23). Virtues, according to Aristotle, are distinguished in conformity with this division of the soul. To this end, there are two types of virtues, namely intellectual virtues (wisdom or intelligence and prudence) and moral virtues (liberality and temperance). In speaking of a person’s moral character, we do not describe that person as wise or knowledgeable, but as gentle or self-disciplined. We praise a wise person for his/her character or dispositions, and praiseworthy character or dispositions are the virtues (Aristotle 24).

Intellectual virtue is the result of teaching and for that reason requires experience and time to be cultivated. What constitutes intellectual virtues, according to Aristotle, include: scientific knowledge, art, practical wisdom, intuitive reason, theoretical wisdom, sound deliberation, understanding and judgement (Omeregbe 164).

Moral virtues, on the other hand, include justice, temperance, liberality, courage, gentleness, wittiness, and truthfulness among others. Aristotle is of the view that virtue lies between two extremes. Virtue is a mean between excess and defect. This is known as the doctrine of the ‘golden mean’. For instance, courage is a mean between cowardice and recklessness; self-control is a mean between insensitivity and self-indulgence, and so on. These extremes correspond with particular vices associated with character. These moral virtues are the product of habit. An individual becomes virtuous by doing virtuous acts. For instance, you are courageous by performing acts of courage.

Self-Assessment Exercise

1. The view that makes happiness the standard of morality is known as *Hedonism*. True/False
2. The four cardinal moral virtues are courage, -----, justice and -----.
3. Two main philosophers that discusses about virtue in ancient and medieval philosophy are ----- and -----
4. 5.How does virtue ethics theory differ from consequentialist and non-consequentialist theories of ethics?

For a better understanding of Aristotle’s moral virtues, find a table of virtues and vices below (*The Nicomachean Ethics* 32):

Class of action or feeling	Excess (vice)	Mean	Deficiency (vice)
fear and confidence	rashness	courage	cowardice
pleasure and pain	profligacy	temperance	insensitivity
giving and getting small amounts of money	prodigality	liberality	meanness
giving and getting large amounts of money	vulgarity	magnificence	paltriness
major honour and dishonour	vanity	Greatness of soul	Smallness of soul
minor honour and dishonour	ambitiousness	Proper ambition	ambitionless
anger	irascibility	gentleness	spiritlessness
truthfulness about one’s own merits	boastfulness	truthfulness	Self-depreciation
pleasantness in social amusement	buffoonery	wittiness	boorishness
pleasantness in social conduct	obsequiousness	friendliness	surliness
shame	bashfulness	modesty	shamelessness
pleasure in others’ misfortunes	envy	Righteous indignation	malice

The above list will give you some idea of what Aristotle means by the mean between two extremes. The virtue of courage, for instance, lies between the vices of rashness and cowardice. The coward has too much fear or fears when he/she should have none. The rash person has too little fear and excessive confidence. The courageous person has the right amount. While courage is the virtue related to the emotions of fear and confidence, gentleness is the virtue related to anger. A person who gets angry too quickly will be irascible; a person who never gets angry, even when he/she should, is spiritless. The virtuous person will get angry when he/she should, but not excessively and not contrary to reason. Aristotle calls the virtue of appropriate anger gentleness.

The question that is begging for an answer at this point is: how does an individual acquire a virtue? An individual acquires a virtue by practising virtue just as an individual becomes a swimmer in no other way than by practising swimming continually and ceaselessly until it becomes a habit in him/her. Equally, virtue is acquired in no other way than by practising it continually and ceaselessly until it becomes a habit, a second nature (Omogbe 165). Aristotle believed that moral virtues should be acquired at a tender age, that is, from one's youth. It is difficult if not impossible to develop moral virtues at adulthood; a bad or good habit is difficult to acquire at a certain age.

It is a truism that an individual cannot become outstanding at anything worthwhile suddenly. To be outstanding in any worthwhile activity an individual will need both effort and consistent training for some time. Aristotle maintains that the same is true for persons attempting to develop their virtuous character traits in an attempt to live the good life; an individual cannot simply acquire these traits by decision, rather he/she must live these traits to develop them (Dimmock and Fisher 54). Hence, developing and cultivating a moral character is something that happens by practise and habitual action.

What then is the place of practical wisdom in Aristotle's ethics? Practical wisdom is a reaction to how an individual can arrive at a balance between two extremes in any given situation. Thus, practical wisdom can be seen as the moral insight of a virtuous person by which the right course of action in any given situation can be known; only a virtuous person can be a man/woman of practical wisdom and he/she acquires and develops it through experience (Omogbe 166).

Consequently, practical wisdom enables an individual to correctly put his/her virtuous character into practice. In other words, practical wisdom is a necessary virtuous disposition to cultivate as without the rule of practical wisdom it may be problematic to truly practice actions that are

self-controlled rather than self-indulgent, or just rather than unjust. Hence, virtue is not simply an isolated action but a habit of acting well. For an action to be virtuous an individual must do it deliberately, knowing what he/she is doing, and doing it because it is a noble action. While the moral virtues position an individual to behave correctly, it is necessary also to have the right intellectual (like practical wisdom) to reason properly about how to behave in a particular situation.

Aristotle regarded justice as the highest virtue and described it as fairness and lawfulness. He differentiated between two kinds of justice: universal justice and particular justice. Universal justice is practically the same as virtue - the person who possesses justice can make use of it not only by himself/herself but also when relating with others, while particular justice is of two kinds namely, distributive justice and remedial justice. Distributive justice demands that material goods should be distributed fairly according to merit, while remedial justice demands fairness in human transactions (Omoregbe 166).

4.6 Summary

In this unit, our discussion was on normative ethical theory known as virtue ethics theory. Virtue ethics as a normative ethical theory emphasises the moral agent's character and virtues rather than duties and rules, or consequences of actions. We examined the concept of moral virtue and the notion of moral virtue according to some virtue ethicists: Plato, Aristotle, The Stoics, St. Thomas Aquinas. The basic tenets of Aristotle's version of virtue ethics theory were equally discussed.

Virtue ethics theory is basically concerned about the kinds of character humans should cultivate and develop. It is a normative ethical theory that makes virtue the central concern. For the virtue ethicist, moral conduct is something that emanates from an individual's moral virtues, that is, from his/her moral character, not from obedience to moral laws. Hence, they hold that moral life consists not in following rules that stipulate right actions but in striving to be a virtuous individual whose actions spring naturally from virtuous character.

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4.8 Possible Answers to Self- Assessment Exercise

1. False
2. False
3. Temperance and Prudence
4. Aristotle and Aquinas
5. Virtue ethics focuses on the moral agent, on the person itself, advocating the kind of character virtues the person should form with the idea that the a virtuous person would act morally. Consequentialist theory focuses on the end result or consequences of the action. Non-consequentialist theories focus on the nature of the action itself.

MODULE 2

Unit 1	Medical Ethics
Unit 2	Journalism Ethics
Unit 3	Business Ethics

UNIT 1 MEDICAL ETHICS

Unit Structure

- 1.1 Introduction
- 1.2 Learning Outcomes
- 1.3 The Meaning and Nature of Medical Ethics
- 1.4 Ethical Principles for the Medical Profession
- 1.5 Ethical Issues in the Medical Profession
- 1.6 Summary
- 1.7 References/Further Reading
- 1.8 Possible Answers to Self- Assessment Exercise

1.1 Introduction

Professionalism for medical practitioners is interconnected with ethical responsibility. Medical practitioners are required to fulfil the ethical standards of the medical profession. They are more and more expected by the society to use their skills and expertise to serve and improve the health conditions of others in the society. Medical professionals are faced with ethical issues, problems or dilemmas practically every day of their career life; they are concerned with the ethical practice of medicine. These ethical issues, problems or dilemmas arise in their relationships with other members of the society: patient-physician relationship, society and physician relationship and physicians and co-professionals relationships.

In this unit, our focus shall be on the ethical questions or dilemmas with which medical practitioners have to deal with as it relates to the patient-physician relationship. In this unit, therefore, we shall discuss the application of the four ethical principles to the medical profession. After this, we shall examine one of the major ethical issues with case studies in the medical profession – confidentiality.

1.2 Learning Outcomes

By the end of this unit, you will be able to:

- identify and explain the four ethical principles for the medical profession
- apply ethical principles to ethical dilemmas in the medical profession;
- explain the justification for patient's confidentiality and recognise reasonable exceptions to confidentiality.

1.3 The Meaning and Nature of Medical Ethics

As observed in Unit 1, ethics can be classified into four branches: descriptive, normative, meta-ethics and applied ethics. Medical ethics belongs to the class of applied ethics. Applied ethics is the branch of ethics that is concerned with the application of ethical theories and principles to particular moral dilemmas, issues or problems. Every profession is governed by rules and principles or code of conducts that regulate the practices of every member of such a profession.

In the medical profession, medical practitioners are governed by several oaths, traceable to Hippocrates in ancient Greece and this oath is regarded as Hippocratic Oath. It governs the ethical behaviour of the physician and addresses both physician behaviour and the physician-patient relationship. This oath has developed into a public pledge for medical professionals to uphold professional responsibilities. Moreover, it has also developed into different codes of ethical conduct for medical practitioners in different countries of the world.

For instance, we have the codes of British Medical Association (BMA), American Medical Association (AMA), Nigerian Medical Association (NMA), and the International Code of Medical Ethics of the World Medical Association (WMA) among others. The code of ethical conduct guides medical practitioners conduct as regards their relationships with their patients, co-professionals and the public. It is worth noting that every country in the world has a different code of medical ethics, although most have similar basic ethical principles.

Let us see a revised version of the Hippocratic Oath that was approved during the second general assembly of the World Medical Association in Geneva in 1948 after World War II. The Declaration of Geneva reads:

At the time of being admitted as a member of the medical profession:

I solemnly pledge myself to consecrate my life to the service of

humanity;

I will give to my teachers the respect and gratitude which is their due;

I will practise my profession with conscience and dignity; The health of my patient will be my first consideration;

I will respect the secrets which are confided in me, even after the patient has died;

I will maintain by all the means in my power, the honour and the noble traditions of the medical profession;

My colleagues will be my sisters and brothers;

I will not permit considerations of age, disease or disability, creed, ethnic origin, gender, nationality, political affiliation, race, sexual orientation, or social standing to intervene between my duty and my patient;

I will maintain the utmost respect for human life from its beginning even under threat and I will not use my medical knowledge contrary to the laws of humanity;

I make these promises solemnly, freely and upon my honour (World Medical Association 18).

It is pertinent to note that oaths and codes differ from one country to another and even within countries, but they have many common characteristics and ethical principles. This pledge or oath presupposes that the medical professional has special skills and moral responsibilities to the use of those skills in taking care of patients.

The code or oath guides professional behaviours as regards their relationships with other members of the society: patients, co-professionals and the public as a whole. A good physician must maintain healthy relationships with his/her colleagues, his/her patients and the society in which he/she lives and works. The attempt to employ these rules and principles by medical professionals in their day to day activities is what is referred to as medical ethics. We use medical ethics to refer to those guidelines and conducts that we expect a medical practitioner with the moral integrity to demonstrate.

Consequently, many of the ethical issues or problems in medical ethics can be seen to involve questions about personal morality and professional responsibility. For instance, issues such as truth-telling and confidentiality are particularly important as matters of professional

obligation. To this end, medical practitioners are expected to reflect on ethics throughout their careers. A good physician is not measured only by how much he/she knows nor his/her skills, but his/her ethics. A skilled physician without ethics can be a threat to humanity. Hence, the need for regulation should not lead medical professionals to forget that medical ethics is primarily the physician's personal attitude on his/her professional life.

What then is medical ethics? Medical ethics, according to Uduigwomen, could be defined as "the attempt to critically discuss medical issues or problems in the light of some ethical theories or principles" (21). This implies that medical ethics is the application of ethical theories and ethical principles to the practice of medicine. These principles are the foundation of good medical practice, and they are autonomy, beneficence, non-maleficence and justice. However, these principles often conflict with each other as they are applied to a practical case. These practical cases range from autonomy, confidentiality, conflicts between the individual patient's interest and those of society, the ethics of the allocation of resources to ethics in medical research among others.

1.4 Ethical Principles for the Medical Profession

The four major ethical principles that have been identified as the most important for ethical decision making in medical practice are: respect for autonomy, beneficence, non-maleficence and justice. These principles are simple to apply and can help medical practitioners, regardless of their culture or religion, to make decisions when contemplating on ethical issues or problems that arise at work. These principles are standards or criteria of human conduct, norms with which our conduct should conform. To this end, moral principles explain the features of actions that make them morally right or wrong: for instance, beneficence (doing good), non-maleficence (avoiding harm or evil), respect for autonomy, and justice. Let us briefly examine these principles starting with the principle of respect for autonomy.

The Principle of Respect for Autonomy

Autonomy philosophically means existence as an independent moral agent; individual independence and capacity to make moral decisions and act on them. Respect for autonomy is the moral obligation to respect the autonomy of others as moral agents. In medical ethics, respect for autonomy may be seen as the obligation of medical practitioners to respect the right of patients to make decisions on their behalf.

Consequently, respect for autonomy as a principle is centred on the patient's independence or liberty. This principle could be said to be traceable to one of Kant's formulations of his "Categorical Imperative", that is, treating others as ends in themselves and never as a means to an

end.

In medical practice, respecting patients' autonomy has some implications for the physician-patient relationship. This principle expects the medical practitioners to obtain informed consent from the patients or the patient's family members and also keep confidential the information confided to them by their patients.

Moreover, this principle requires that patients must be presented with full, relevant, and truthful information about recommended treatments and any reasonable alternatives, including expected benefits, potential risks, and the results of refusing treatment altogether (Synder and Gauthier 13). Patients must comprehend this information and not be manipulated or coerced into any decision, but allow to make a voluntary decision without unnecessary influence.

The Principle of Beneficence

Beneficence simply means an action done to benefit others, whereas benevolence refers to an inclination to do kind or charitable acts or an act showing kindness to others or an inclination to act for the benefit of others. To this end, the principle of beneficence denotes a moral obligation or responsibility to act for the benefit of others. Medical practitioners are expected to act for the benefit of their patients.

The principle of beneficence, according to Beauchamp, obliges "us to help others further their important and legitimate interests, often by preventing or removing possible harms. This principle includes rules such as 'maximize possible benefits and minimize possible harms' and 'balance benefits against risks'" (40). This implies that the principle of beneficence requires medical practitioners to promote their patient's physical condition and well-being by acting in the best interest of the patient.

Consequently, medical practitioners should prevent or remove harm and promote the well-being of the patient. What are the pertinent harms to be prevented or removed and the well-beings to be promoted by the medical practitioners? The pertinent harms they are expected to prevent or remove are feeling of discomfort and physical pains, ill-health, sickness, illness, and the demise of the patient. Correspondingly, the pertinent well-beings to be promoted are good health, life expectancy, and sound medical treatment.

The Principle of Non-Maleficence

This principle is based on the maxim *primun non nocere* "above all, do no harm". This principle means a moral obligation to do no harm. It entails an intention to avoid unnecessary harm or injury that can arise through acts of commission or omission. In other words, the principle

maintains that humans should act in ways that do not inflict evil or cause harm to others – needless, avoidable or intentional harm.

For a medical practitioner, according to this principle, to inflict an avoidable risk of harm upon his/her patient would be regarded as negligence on his/her part. The principle of non-maleficence expects a medical practitioner to always be reminded that his/her major concern when carrying out a duty is to do no harm. It should be noted that more than one level of harm may occur when a medical practitioner is carrying out his/her duties. For instance, a surgeon may inflict one level of harm on a patient to avoid a greater level of harm for that patient.

Combining the two principles of beneficence and non-maleficence, a medical practitioner would be expected to act in a manner that promotes benefit for his/her patient and the society, and at the same time protects that patient and the society from harm.

Self-Assessment Exercise

primun non nocere “above all, do no harm” is from the principle of Beneficence. True/False?

The Principle of Justice

Justice denotes equity and fairness. This principle states that one should act fairly and similarly treat equally situated individuals; patients in similar positions should be treated similarly. In other words, the principle of justice holds that there should be a component of fairness and equity with respect to scarce medical resources.

These four ethical principles have their strengths and they raise queries and questions as they are applied to specific situations or cases of patient health-care. Queries and questions of what is harmful and what is beneficial, when harms outweigh benefits, benefits outweigh harms, or certain harms outweigh other harms, who is capable of making medical decisions, and when requested medical interventions are ineffective, must be answered by particular medical practitioners in a situation-by-situation or case-by-case basis (Synder and Gauthier 16). They are also often in conflict as they are applied to specific situations and cases. For instance, let us consider an imaginary case study: a patient, who has an ovarian cyst that is left untreated, will result in kidney failure. An operation to remove the cyst is the best treatment, but the patient is frightened of needles and is against the surgery that would require a needle to give her anaesthesia. The doctor must work with the patient to respect the fact that she dislikes needles and doesn't want the operation (her autonomy), and needs to find a solution that would prevent her from going into kidney failure, which is in her best interest (beneficence). Although the surgery is the best choice, forcing the patient

to accept the needle would be harmful to her (non-maleficence). Finally, the doctor needs to consider the impact that the patient's choices might have on others if she starts to go into preventable kidney failure, she will need dialysis, which affects other people who need the same treatment (justice). So before making the final decision the doctor must consider all four principles of health care ethics, which will help the physician, make the choice that will have the best possible benefits for both the patient and society (<https://online.sju.edu/>).

It is pertinent to note that these four ethical principles are not the only principles available in medical ethics, there are others such as veracity and honesty among others. The choice of these four principles, as the framework for moral decision making in medical ethics, derives from the professional obligations of medical practitioners as found in different codes of conduct starting from the Hippocratic Oath.

Self-Assessment Exercise

Ethical principles in medical profession are: respect for autonomy, -----
----, non-maleficence and, -----?

1.5 Ethical Issues in the Medical Profession

As we have noted earlier, medical ethics belongs to that class of ethics known as professional ethics which is a branch of applied ethics. The main concern of professional ethics is the application of ethical principles and theories to moral issues or problems faced daily by professionals in their work life. In medicine, patients, families and medical practitioners face ethical issues daily. There are many ethical challenges medical practitioners and patients face in healthcare. Some examples of the common ethical issues that medical practitioners are facing in the course of delivering their professional services to the patients include: confidentiality, informed consent, patient relationship (the sexual relationship between a medical practitioner and patients), malpractice and negligence, and end-of-life issues among others. Our concern here shall be the first issue: confidentiality.

Self-Assessment Exercise

Autonomy denotes beneficence and non-maleficence. True/False

Confidentiality

At the core of the physician-patient relationship over the centuries is the issue of confidentiality. Confidentiality is seen as the duty or responsibility not to disclose information obtained from patients or observed about them without permission from them. Why is

confidentiality in physician-patient relationship necessary? The physician-patient relationship is built on trust that depends on mutual honesty. Physicians should be free to ask their patients any questions needed for diagnosis and treatment, and patients must be willing to trust physicians by giving full answers; such trust has a broader societal benefit of ensuring that medical practitioners and medical practice continue to advance and sustain the health of the members of the society. How?

When a physician fails to observe the obligation of confidentiality of his/her patient, by disclosing information or secret of the patient to a third party that physician can never be trusted by the patient. Patients who do not think that their information or secrets will be kept confidential by the physician may withhold certain vital information that is necessary not only to their health but possibly to the welfare of others. Can you imagine a Company's driver covering up a medical condition such as epilepsy from the Company's physician? Definitely, the driver would be putting his life and that of others at danger.

For these reasons, different codes of conduct for medical practitioners agree that physicians must observe confidentiality in their relationship with their patients. To this end, the Hippocratic Oath states: "whatsoever I shall see or hear in the course of my profession in my intercourse with men, if it is what should not be published abroad, I will never divulge, holding such things to be holy secrets" (Cited in Breen *et al* 69).

In the same vein, the World Medical Association Declaration of Geneva cited earlier also alluded to this responsibility of the physicians and holds that 'I will respect the secrets which are confided in me, even after the patient has died'(World Medical Association 18). The professional duty of confidentiality also covered in the Australian Medical Association's code of ethics in 2016 as follows: "maintain the confidentiality of the patient's personal information including their medical records, disclosing their information to others only with the patient's express up-to-date consent or as required or authorised by law. This applies to both identified and de-identified patient data". (<https://ama.com.au>).

It would amount to professional misconduct for a medical practitioner to disclose his/her patient's information to a third party without the consent of the patient. A third party here also include family members. For instance, a physician may not disclose a wife's condition to her husband without her consent or vice versa. The responsibility of confidentiality is owed to the patient, who can release the doctor from that responsibility; the responsibility of confidentiality forms part of those ethical duties of doctors that include acting and deciding in a patient's

best interests (Breen *et al* 71).

The questions that you might want to ask at this point are: must the duty or rule of confidentiality be observed at all times? Are there no recognised exceptions to the physician's ethical duty to protect patients' entitlement to complete confidentiality? There are well-known exceptions to the physician's ethical obligation to protect patients' right to full confidentiality. Now let us consider the exceptions to this ethical duty of confidentiality.

The first exception is when a patient gives consent to the disclosure. In this case, the physicians must be sure that the patient has the capability of giving such consent and understands what is being disclosed and to whom and what consequences may follow (Breen *et al* 74). For instance, a patient can authorize his/her physician to disclose some information to his/her lawyer or others.

Another exception is the case of legal responsibilities or established by law. These involve the notification of infectious diseases, births and deaths, and death reportable to the coroner. In some states, physicians are obliged to notify the relevant agency if a medical professional who is a patient is ill and the community is believed to be at danger; this exception is supported by immunity from civil action (Breen *et al* 74). Moreover, the physician can be summoned by a court of law to disclose some information about his/her patient if the information is necessary in a case involving the patient. No privilege entitles physicians to refuse to answer questions on the grounds of keeping professional confidence. Where information is sought by subpoena, the scope of the subpoenas must be restricted to information applicable to the issues in the course of proceedings.

An exception is permitted when it concerns the larger community or in the community interest. These include for instance where a psychiatrist believed that his/her patient is a serious threat to others or where a medical practitioner thinks a HIV/AIDS-infected individual is carelessly putting other people at risk.

It is also justified to breach the duty of confidentiality on the ground of preventing harm to a third party. For example, when a physician discovers that a married man has contacted Sexually Transmitted Disease (STD), may be after involving in extra-marital sex, and the physician knows that his wife is likely to come for the treatment of the same disease, the physician is obliged to disclose the secret to the wife.

Moreover, the exception is permitted in consideration of the best interests of the patient. For instance, a patient is mentally ill or

emotionally disturbed and such an individual may be at risk of causing harm to him or herself. To this end, the physician is obliged to inform a crisis assessment agency or the police for the best interest of the patient.

Self-Assessment Exercise

What does confidentiality entails?

1.6 Summary

In this unit, we examined the nature of medical ethics and the four major ethical principles for the medical profession which are the foundation of good medical practice. They are autonomy, beneficence, non-maleficence and justice. It was discovered that these principles often come in conflict with each other as they applied to a specific case or situation. This unit also discussed one of the major ethical issues in the medical profession – confidentiality.

The physician-patient relationship is the basis of medical practice and therefore of medical ethics. As noted above, the Declaration of Geneva requires the physician that “The health of my patient will be my first consideration.” The doctor-patient relationship has long been regarded as the essence of the relationship of trust and confidence. The patient places trust in his medical practitioner and relies on that practitioner to respect that trust. The medical professionals have traditionally pledged themselves to uphold such ethics. Medical ethics deals with choices made by both physicians and patients and the responsibilities and obligations of physicians to their patients. Medical ethics is primarily the physician’s outlook on his/her professional life.

1.7 References/Further Reading

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1.8 Possible Answers to Self- Assessment Exercise

1. False
2. Beneficence, Justice
3. False
4. Confidentiality has to do with the responsibility to keep what is private, private; or not to disseminate or share information with others without seeking the permission of the patient.

UNIT 2 JOURNALISM ETHICS

Unit Structure

- 2.1 Introduction
- 2.2 Learning Outcome
- 2.3 The Meaning and Nature of Journalism Ethics
- 2.4 Codes of Ethics for Nigerian Journalists
- 2.5 The Principle of Truth in Journalism
- 2.6 Ethical Issues in the Media Profession
- 2.7 Summary
- 2.8 References/Further Reading

2.1 Introduction

Professional journalists are confronted with difficult ethical dilemmas and situations daily. To learn how to address these dilemmas and situations responsibly, journalists need to show how their understanding of ethics applies to the domain of journalism. Ethical responsibilities of journalists such as the duty, to tell the truth, build trust in the society; the quintessence of journalism is truth-telling. Unethical journalistic activities, such as distortion of the truth in news reporting, will undermine the public's trust in the media and without that relationship of trust journalism's democratic function in the society cannot be achieved.

Trust is built on truthful communication. For this reason, a professional journalist must serve the public interest ethically. In this unit, we shall explain the meaning and nature of journalism ethics. After this, we shall discuss the codes of ethics for journalists and some ethical issues as they relate to truth in journalism which is the fundamental principle of the profession.

2.2 Learning Outcome

By the end of this unit, you will be able to:

- explain the meaning and nature of journalism ethics
- identify and the codes of ethics for journalists
- examine the place of truth in journalism
- explain some ethical issues in the journalism profession.

2.3 The Meaning and Nature of Journalism Ethics

Journalism, according to the *Oxford Advanced Learner's Dictionary*,

is defined as “the work of collecting, writing and publishing material in newspapers and magazines or on television and radio” (641). Journalism is the profession or business that is concerned with reporting news for newspapers, magazines, television, or radio. And, those who practise journalism are known as journalists. Introductory textbooks typically include the words ‘reporting’ and ‘writing’ in their titles and define a journalist along these lines: a person who gathers (reports) and processes (writes) accurate and important information so it can be disseminated to a wider audience (Mencher 32; Scanlan 21).

Consequently, journalism has as its major activity the reporting of events - stating who, what, when, where, why and how, and explaining the significance and effect of event or trends. Journalism exists in several media: newspapers, television, radio, magazines and, most recently, the World Wide Web through the internet.

The subject matter of journalism can be anything and everything, and journalists report and write on a wide variety of subjects: politics on the international, national, and local levels, economics and business on the same three levels, health and medicine, education, sports, hobbies and recreation, lifestyles, clothing, food, pets, sex and relationships among others. Journalists can report for general interest news outlets like newspapers, news magazines, and broadcast sources; general circulation speciality publications, like trade and hobby magazines, or for news publications and outlets with a select group of subscribers.

Professional journalists are usually expected and required to go out to the scene of a story to gather information for their reports, and often may compose their reports in the field. They also use the telephone, the computer and the internet to gather information. However, more often those reports are written and are always edited, in the newsroom - the office space where journalists and editors work together to prepare news contents (Bittner 42). What then is journalism ethics?

Journalism ethics, according to Ward, is “the construction and evaluation of norms to guide conduct in journalism, an important part of our society’s public communication system. It is practical. Its dominant interest is in determining what journalists ought to do” (53). Journalism ethics could be said to be the standard patterns of behaviour, by both journalists and news organisations, which are regarded as appropriate in the journalism profession.

In other words, journalism ethics is a type of applied (professional) ethics that examines what professional journalists and news organizations ought to do, taking into consideration their function and responsibility in society. It is the application of ethical theories and

principles to journalism practice. Hence, it is basically an applied activity that asks critical questions about the conduct of journalists and news organisations. Questions such as: is it ethically right for journalists to distort the truth in news reporting for selfish gains? Is it ethical for journalists to use an unethical means to get a news story?

The concerns of journalism ethics are ethical challenges and issues that have to do with what is good, right and virtuous, in line with the three major ethical theories, when journalists and news organizations are reporting news in the interest of their readers or viewers. Ward identifies three areas of journalism ethics concern to be “principles appropriate to journalism, their critical application to problems, and virtuous character so journalists are disposed to follow the principles” (53).

The ethical issues that serve as an area of concern for journalism ethics are spelt out in codes of ethics throughout the globe. Some of the areas are: the truthfulness of information, deception and fabrication, accuracy and verification, independence and allegiances, and sources and confidentiality among others.

It should be noted at this point that the foundation for journalism ethics is backed up by the social responsibility theory of the press. The social responsibility theory was developed by scholars and journalists in the United States. In the United States, the Hutchins Commission into Freedom of the Press was set up in the 1940s in the light of the criticism against the American press. In its report, *A Free and Responsible Press*, the commission emphasised that the main functions of the press were to provide “a truthful, comprehensive, and intelligent account” of the news and events and “a forum for the exchange of comment and criticism.” The press should provide a “representative picture of the constituent groups in society,” and assist in the “presentation and clarification of the goals and values of society,” and “provide full access to the day’s intelligence” (Commission on Freedom of the Press 21–28).

What are the main principles of the social responsibility theory of the press? McQuail itemizes the main principles of the social responsibility theory as follows:

- the media have obligations to society, and media ownership is a public trust; news media should be truthful, accurate, fair, objective and relevant;
- the media should be free, but self-regulated;
- the media should follow agreed codes of ethics and professional conduct;
- under some circumstances, the government may need to intervene to safeguard the public interest (Cited in Laninhun 177-178).

It is obvious from the above that the social responsibility theory of the press encourages professional journalists to set up codes of ethics to regulate behaviours of members of the profession.

2.4 Codes of Ethics for Nigerian Journalists

The Nigerian journalists just like their counterparts around the world came up with a code of ethics to regulate the behaviours of professional journalists in the country. The code of ethics for the Nigerian journalists stipulates the ethical standards for Nigerian journalist groups that made up the Nigerian Press Organization (NPO): Nigeria Union of Journalists (NUJ), Newspaper Proprietors Association of Nigeria (NPAN), and the Nigerian Guild of Editors (NGE). The code is presented below as obtained from the Nigerian Press Council's website (www.presscouncil.gov.ng).

Preamble

Journalism entails a high degree of public trust. To earn and maintain this trust, it is morally imperative for every journalist and every news medium to observe the highest professional and ethical standards. In the exercise of these duties, a journalist should always have a healthy regard for the public interest.

Truth is the cornerstone of journalism and every journalist should strive diligently to ascertain the truth of every event.

Conscious of the responsibilities and duties of journalists as purveyors of information, we, Nigerian journalist, give to ourselves this Code of Ethics. It is the duty of every journalist to observe its provisions.

1. Editorial Independence

Decisions concerning the content of news should be the responsibility of a professional journalist

2. Accuracy and Fairness

- a. The public has a right to know. Factual, accurate balance and fair reporting is the ultimate objective of good journalism and the basis of earning public trust and confidence.
- b. A journalist should refrain from publishing inaccurate and misleading information.
Where such information has been inadvertently published, prompt correction should be made. A journalist must hold the right of reply as a cardinal rule of practice.
- c. In the course of his duties, a journalist should strive to

separate facts from conjecture and comment.

3. **Privacy**

As a general rule, a journalist should respect the privacy of individuals and their families unless it affects the public interest.

- A. Information on the private life of an individual or his family should only be published if it impinges on public interest.
- B. Publishing of such information about an individual as mentioned above should be deemed justifiable only if it is directed at:
 - i. Exposing crime or serious misdemeanour;
 - ii. Exposing anti-social conduct;
 - iii. Protecting public health, morality and safety;
 - iv. Preventing the public from being misled by some statement or action of the individual concerned.

4. **Privilege / Non-Disclosure**

- a. A journalist should observe the universally accepted principle of confidentiality and should not disclose the source of information obtained in confidence.
- b. A journalist should not breach an agreement with a source of information obtained as “off-the-record” or as “background information.”

5. **Decency**

- a. A journalist should dress and comport himself in a manner that conforms with public taste.
- b. A journalist should refrain from using offensive, abusive or vulgar language.
- c. A journalist should not present lurid details, either in words or picture, of violence, sexual acts, abhorrent or horrid scenes.
- d. In a case involving personal grief or shock, enquiries should be carried out and approaches made with sympathy and discretion.
- e. Unless it is in the furtherance of the public’s right to know, a journalist should generally avoid identifying relatives or friends of persons convicted or accused of a crime.

6. **Discrimination**

A journalist should refrain from making pejorative reference to a person’s ethnic group, religion, sex or to any physical or mental illness or handicap.

7. **Reward and Gratification**
 - a. A journalist should neither solicit nor accept bribe, gratification or patronage to suppress or publish information.
 - b. To demand payment for the publication of news is inimical to the notion of news as a fair, accurate, unbiased and factual report of an event.

8. **Violence**

A journalist should not present or report acts of violence, armed robberies, terrorist activities or vulgar display of wealth in a manner that glorifies such acts in the eyes of the public.

9. **Children and Minors**

A journalist should not identify, either by name or picture, or interview children under the age of 16 who are involved in cases concerning sexual offences, crimes and rituals or witchcraft either as victims, witnesses or defendants.

10. **Access to Information**

A journalist should strive to employ open and honest means in the gathering of information. Exceptional methods may be employed only when the public interest is at stake.

11. **Public Interest**

A journalist should strive to enhance national unity and the public good.

12. **Social Responsibility**

A journalist should promote universal principles of human rights, democracy, justice, equity, peace and international understanding.

13. **Plagiarism**

A journalist should not copy, wholesale or in part, other people's work without attribution and/or consent.

14. **Copyright**
 - a. Where a journalist reproduces a work, be it in print, broadcast, artwork or design, a proper acknowledgement should be accorded the author.
 - b. A journalist should abide by all rules of copyright, established by national and international laws and conventions.

15. **Press Freedom and Responsibility**

A journalist should strive at all times to enhance press freedom

and responsibility.

Self-Assessment Exercise

List seven out of the code of Ethics of Nigeria journalism

2.5 The Principle of Truth in Journalism

Truth, in journalism, is the first duty or responsibility of a professional journalist; his/her first duty is to the truth or truth-telling. Virtually every code of ethics of the journalism profession attests to this fact in their preambles. Okunna cites Oso as stating that:

All codes have certain fundamental elements in common. These are the ideals and goals which the ‘virtuous’ journalist daily strives to attain as a professional. The grand element, which encompasses all others, is the notion of TRUTH. ... In the attempt at realising the truth, journalists put a lot of stress on accuracy, objectivity, fairness, balance and comprehensiveness (*Ethics 73*).

Similarly, Christians and his colleagues stress this fact when they maintain that “the press’s obligation to print the truth is a standard part of its rhetoric; virtually every code of ethics begins with the newsperson’s duty to tell the truth under all conditions”(59). In the same vein, Kovach and Rosenstiel postulate the pursuit of truth as the primary principle:

This is what journalism is after - a practical or functional form of truth. It is not the truth in the absolute or philosophical sense. It is not the truth of a chemical equation. But journalism can – and must – pursue truth in a sense by which we can operate day-to-day (42).

All these assertions imply that the place of truth in journalism profession can never be over-stressed. Truth or truth-telling is categorically the most basic principle in the field of journalism. It is the word that recapitulates many journalistic ideals, values, and principles.

Moreover, the basic position of truth in journalism is also stressed by the International Federation of Journalists (IFJ) in its Declaration of Principles on the Conduct of Journalists. As the first proclamation in this declaration says, “Respect for truth and the right of the public to truth is the first duty of the journalist”(Okunna 74). What then is a truthful news report or story?

From a journalistic stance, three notions bring about the concept of truth in news reporting. These notions are accuracy, objectivity, and twin – fairness and balance. So, a truthful news report or story should be

accurate, objective and be fair and balanced (Asira and Okpo 14). Let us briefly examine these notions for better understanding.

First, the reporting of a news story must be accurate. Accuracy, according to Ogunsiji (26), is the pillar on which every story rests. A news story is said to be accurate if names, addresses and direct quotations in the story are correct. To be accurate means to be free from error. Though it is sometimes difficult to achieve accuracy, because of the constant rush to meet deadlines, journalists should still strive for accuracy in news reporting (Okunna, *Ethics* 74). Accuracy entails verifying and checking your facts thoroughly using more than one source. Reporting a news story before verification is a violation of one of the basic principles of journalism. The journalist is expected to place the relevant facts in proper perspective.

Secondly and in addition to being accurate, a truthful news story should be objective. Objectivity presupposes that the journalist presents the reader or the audience with all sides of an issue, presents all the facts and allows the reader or audience to decide what these facts mean. A news story is said to be objective if the journalist's biases and prejudices opinions are not included in the news story. Following the basic principles of objectivity, the journalist is expected to separate facts from opinion and to attribute any opinion or verifiable knowledge to authority, an eye-witness or an expert (Etukudo 44).

It is objective for a journalist to attribute a statement to a news source – an official in government, an expert or a reliable source – without direct quotation. The attribution can be made to an identified spokesman or source that chose to remain anonymous. In the case of an anonymous source, the journalist attributes the facts to an “authoritative source” or a “high official”. However, the journalist must ensure that he/she does not attribute his/her beliefs to the “official source”.

The third criterion for a truthful news story is that it must be fair and balanced. Fair reporting means an unbiased reporting in controversial issues. Fairness requires that both sides of the controversy should be presented. A journalist is said to be biased if his/her story tends to support one point of view against the other or if he/she tries to hide the truth through unbalanced reporting. Both sides of the story must be told as adequately as possible and all arguments fairly represented (Etukudo 44).

Balance in news story means treating all sides of the story without showing any evidence of one-sidedness. The views expressed by two opponents must be sufficiently covered without any favoured treatment. A news story is not balanced when only one side of a story is given

concentration at the expense of the other party in disagreement. It is only from fair and balanced news reporting of both sides of a controversial issue will the readers or audiences be able to discover the truth. This ideal in journalism is so crucial that in some countries, governments have moved in with regulation to ensure fairness in the operations of the news media.

For instance, the government of the United State of America from the commencement of radio broadcasting has maintained that broadcasters must not present only one side of controversial issues. This is done through the Federal Communications Commission (FCC) whose **Fairness Doctrine** requires two things of all broadcasters:

- (i.) They must include some discussion of controversial issues in their programming; and
- (ii.) When discussing controversies, they must make a reasonable effort to provide a balance of conflicting viewpoints (Okunna *Ethics* 75).

The implication of this is that a news organization which fails to report a balanced news story can forfeit its license due to the infringement of the fairness doctrine.

At this point, it should be noted that the concept of truth in journalism is concerned with the moral sense of truth – Moral Truth. Moral truth has to do with veracity and honesty; the habit of telling the truth as against lying and deception. Without the truth, a journalist has neither integrity nor credibility, because truth shows respect for humans as humans. Moreover, truth builds a relationship of trust and confidence between the media and the society. These explain the reason why a greater part of journalism is a commitment to telling the truth. Can you think of more reasons why truth-telling is important in journalism?

Self-Assessment Exercise

- 1 There are many duties a professional journalist has. Truth however is the very first. Is this statement True/False?
- 2 The three ways we can break down truth are: -----, objectivity, and fairness/-----

2.6 Ethical Issues in the Media Profession

Notwithstanding the code of ethics for the Nigerian journalists and news organizations discussed above, there are records of numerous unethical practices by Nigerian journalists and the news organizations they work for. The code of ethics is meant to regulate and guide these professionals

to avoid unethical conducts in their professional life. A professional journalist is not expected to distort or misrepresent the truth in news reporting; it is the obligation and responsibility of the journalist to have respect for the truth and never to withhold or falsify such facts as he/she knows (Okpo 158). There are various ethical issues or dilemmas in the journalism profession, but we shall consider only two of them: conflict of interest and brown envelope syndrome.

Conflict of Interest

This ethical issue, according to Ferrell and Hirt (61), exists when humans must choose whether to advance their interest or those who are depending on them. As discussed above, being fair and balanced are core journalistic values and principles. Sometimes, however, other factors can overwhelm that value and principle, especially when the interests of the news organization's proprietors conflict with the values of balance and fairness. This dilemma of conflict interest extends beyond suppressing stories; it also involves actively promoting the company's interests (Hanson 419). To evade conflict of interest, journalists and the news organizations they work for must be able to separate their interest from news reporting.

To buttress this point, let us examine a case study. A presidential candidate of the National Party of Nigeria (NPN) in 1982 who visited Calabar to address a political rally had the event captured in one pro-party newspaper, this way:

Despite the excessive heat in the day, thousands of people enthusiastically stormed Calabar sports stadium yesterday where the NPN torch-bearer was addressing party supporters on "the mission of NPN Second Term Around". The crowd, numbering over 50,000 people jammed the stadium to capacity and wildly cheered the presidential candidate as he mounted the rostrum acknowledging their support (Etukudo 36).

Another newspaper belonging to an opposing political party reported the same story differently, thus:

Despite the bright weather yesterday, only a handful of hired political thugs and stage-managed placard-carrying market women assembled at Calabar sports stadium to listen to the NPN presidential candidate. The relevant crowd, which started dispersing as the NPN candidate, who had already completed an unsuccessful four-year term was making his last-minute entreaties, booed him and deserted the stadium (Etukudo 37).

Both news accounts are biased and unbalanced. The journalist and the news organization he/she works for are not expected to show favour to

any particular side of a controversial issue for any reason. These not only negate the fundamental principle of fairness and balance required in a truthful news story but also show a conflict of interest. In these case studies, the journalists violate article 2 (accuracy and fairness) of the code of ethics for Nigerian journalists.

Brown Envelope Syndrome

This ethical issue is the act of acceptance of gifts from news sources. This happens when a journalist makes financial demands to report an event (Okpo 159). This act violates article 7 (reward and gratification) of the code of ethics for Nigerian journalists. This is about the most violated article by Nigerian journalists. Article 7 prohibits journalists from soliciting or accepting bribe, reward and gratification. This abnormality and unethical practice have become a 'norm' among Nigerian journalists today.

Idowu citing Bamigbetan relates a story that supports this:

The Rt. Rev. Abiodun Adetitoje, Anglican Archbishop of Nigeria, was sighted at Murtala Mohammed Airport, Lagos. Journalists crowded him, asking for an interview on issues of national importance. The man of God spoke at length.... His views were newsworthy. But the journalists felt they needed something more to write the news. They asked for "transport money". The religious man declined (198).

This conduct of Nigerian journalists has been widely criticized in Nigeria as an unethical practice. This unethical practice has become inevitable misconduct among the journalists in Nigeria; journalists have found brown envelope syndrome to be inevitable misconduct. Sambe and Ikoni maintain that "in Nigeria, we have the idea of "Brown envelopes" which many have code-named "PR" to show appreciation to or induce favours from journalists"(184). There is no doubt that the journalist that involves in bribery defines news based on who gives him/her what. The receiving of gratification by journalists, including other forms of unethical practices in journalism distort the definition of news (Nwabueze 159).

It is a known fact that journalists are given *brown envelope* by government ministers, agency, ministry, individual, politicians or a corporate organization, to colour the truth, tell a lie, stop or publish a story. If the news is published based on *brown envelope*, how then does the journalist guarantee objectivity and fairness which are fundamental responsibilities of the journalist? One duty of journalists is to inform the society with objective, accurate, fair and balanced news reporting. To fulfil this responsibility, it is expected that journalists must maintain credibility with the society. This credibility is impossible with the

distortion of the truth which is as a result of brown envelope syndrome.

Self-Assessment Exercise

The two main ethical issues in media profession discussed are ----- and -----

2.7 Summary

In this unit, the meaning and nature of journalism ethics were discussed. We have examined the place of truth in journalism and discovered that truth in journalism is primary; respect for truth and the right of the public to truth is the first duty of the journalist. Every piece of news or information the journalist shares with his/her readers or audiences must be motivated and driven by truth, the fundamental principle behind all communication. Truth requires objectivity, accuracy and the twin – fairness and balance. Some ethical issues in journalism were also examined.

Journalism ethics is built upon the pillar of truth. Truth builds a relation of trust between the media and the public. A commitment to truth in journalism demonstrates a respect for human beings as ends rather than as tools to be used and manipulated. Distortion of truth, deception or lying to the viewers or readers by news organization usually place self-interest over the interests of others. On the whole, a lack of veracity in the communication process places the recipient of the distorted truth at a competitive disadvantage.

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2.9 Possible Answers to Self- Assessment Exercise

1. Plagiarism, Copyright, discrimination, privacy, Privilege/non-disclosure, accuracy and fairness, editorial independence etc
2. True
3. Accuracy, balance
4. Conflict of interest and brown envelope

UNIT 3 BUSINESS ETHICS

Unit Structure

- 3.1 Introduction
- 3.2 Learning Outcomes
- 3.3 The Meaning and Nature of Business Ethics
- 3.4 The Benefits of Business Ethics
- 3.5 Ethical Issues in Business
- 3.6 Summary
- 3.7 References/Further Reading
- 3.8 Possible Answers to Self- Assessment Exercise

3.1 Introduction

Well-publicised incidents of scandals in the world of business, involving well-known business firms strengthen the society's view that ethical standards and trust in business transactions need to be raised. Any business firm decision may be judged as right or wrong, moral or immoral, and ethical or unethical. Business organisations must balance their desires for profits against the needs, human welfare and desires of society; making a profit and at the same time ethically contributing to human welfare.

The focus of our discussion in this unit is to examine the meaning, nature and benefits of business ethics to businesspersons and business organizations. We shall also look at some ethical issues in business: conflicts of interest, fairness and honesty, business relationships and deception in communications.

3.2 Learning Outcomes

By the end of this unit, you will be able to:

- define and explain the meaning of business ethics
- identify and explain the benefits of business ethics
- recognise ethical issues that may arise in business transactions.

3.3 The Meaning and Nature of Business Ethics

Ethical behaviour is expected from persons and organisations because relationships exist. Business is an endeavour that involves various human relationships. These relationships include: relationships between business firms and customers, employers and employees, business managers and shareholders, business firms and suppliers, business firms and members of communities, and business organisations and

government agencies among other relationships. These relationships, according to Hoffman, Frederick and Schwartz, are “economic relationships that are created by the exchange of goods and services; but they are also moral relationships” (1). Business does not exist in a vacuum; it does not operate in isolation from the society. So, decisions in business have implications for owners, employees, customers, suppliers, and society as a whole.

Ethics is basically the study of moral standards or principles for determining what behaviour or conduct is right and wrong, praiseworthy and blameworthy or good and bad. It is concerned with moral standards and principles that govern the behaviour of persons and groups. Business, on the other hand, refers to both the activities and the individuals or organisations that seek a profit by providing products that satisfy the needs of society (Ferrell and Hirt 4). This implies that business exists to make a profit by making available products and services for the satisfaction of its customers. What then is business ethics?

Business ethics, according to Velasquez, is a “study of moral standards and how these apply to the social systems and organizations through which modern societies produce and distribute goods and services, and to the activities of the people who work within these organisations” (15). In other words, business ethics is the application of ethical principles and theories to guide individual and group behaviour in business organisations.

It could be seen as moral principles and standards that characterise suitable and satisfactory conduct in the world of business. As a form of applied ethics, business ethics addresses and resolves various ethical issues, problems and dilemmas that arise in the world of business. The ethical issues in business are traceable to the main functions of any business firm: management, production, marketing, and finance.

The concern of business ethics, as the explanations above imply, can be grouped into three groups or collections of ethical issues: systemic, corporate and individual issues. Systemic issues in business ethics are ethical inquiries raised about the economic, political, legal, and other institutions within which businesses operate in a particular country. These include questions about the morality of free enterprise or the laws, regulations, industrial structures, and social practices within businesses operate. Corporate issues in business ethics are ethical inquiries raised about a particular organization. These include questions about the morality of the activities, policies, practices, or organisational structure of an individual company or firm taken as a whole. And, individual issues in business ethics are ethical inquiries raised about a particular

individual or particular individuals within a business organisation and their conducts and decisions. These include questions about the morality of the decisions, actions, or character of an individual in a business organisation (Velasquez 15).

It should be noted that business ethics goes beyond legal issues. Business ethics promotes and encourages trust among individuals and in business relationships. For instance, customers should be able to trust business persons; employees should be able to trust their employers; society should be able to trust and have confidence in business organizations. There is no doubt that unethical behaviours destroy trust and make the sustainability of business difficult, if not impossible. For instance, Peregrine Financial Group collapsed after the firm used fraud to take more than \$100 million from investors over 20 years and the Chief Executive Officer used fake financial statements to cover up the fraud (Ferrell, Fraedrich and Ferrell 5).

Moreover, you must have seen or witnessed some cases and situations of unethical business practices by both small and big business organisations, from the destruction of the environment, exploitation of customers, unfair pricing, bribery scandals, lying and deception, giving bribes for contracts, misleading advertisement, to producing and importing substandard products, exploitation of employees, and knowingly selling harmful products and so on. The variety of ethical misconduct raised questions: How badly do business people want to pursue and make profits unethically? Is it in the best interest of business organizations to seek short-term profit through unethical practices? Do business people have anything to benefit from business ethics?

Self-Assessment Exercise

1. What do you understand by business ethics?
2. The phrase 'business ethics' is an oxymoron. True/ False?

3.4 The Benefits of Business Ethics

Many businesspersons have raised objections to the very idea of applying moral standards to business activities or to the behaviour of people in business organizations. These business persons claim that business ethics is an oxymoron, that is, the terms "business" and "ethics" are contradictory. So, it is common to hear business persons say that ethics is of little concern to business people. It is said that ethics is ethics and business is business. Do you agree with this view? Do you think business persons have anything to benefit from business ethics? Can business ethics help business organisations to achieve profit and at the same time contribute to human welfare in the society?

Research and practical examples from the business community show that building an ethical reputation among employees, customers, and general public pays off; more business organisations recognize the benefits of improving ethical behaviour and the link between business ethics and financial performance (Ferrell, Fraedrich and Ferrell 15). A case study of a business firm that suffered greatly due to a lack of business ethics is Enron:

Established in 1985, the Enron Corporation grew into a huge power, paper, and communications provider, and was hailed by Fortune magazine as America's most innovative company. Yet in 2001, Enron was found to be loaded with debt and had no immediate hope of paying off its creditors. This debt was hidden from the public through accounting fraud and other deceptive practices. Thousands of Enron employees had their retirement savings in Enron stock, which plummeted after the scandal was revealed. Ethical misconduct was directly responsible for the sudden downfall of this once powerful organization (Ferrell and Ferrell 13).

The question that comes to mind is: are there any benefits for business organisations that act ethically? If there are, what are they? Ferrell, Fraedrich and Ferrell identify four benefits of business ethics: Ethics contributes to Employee Commitment, ethics contribute to investor loyalty, ethics contribute to customer satisfaction, and ethics contributes to profits (15-19). Let us see how they explain each of these benefits.

Ethics Contributes to Employee Commitment

It is easy for an employee to show commitment to an organization that is devoted to taking care of its employees. The more a business firm is committed to the welfare of its workers, the more probable the workers will reciprocate such gesture by taking care of the firm. What are those issues that promote the development of an ethical culture for employees? These issues include the absence of abusive behaviour, a safe work environment, competitive salaries, and the fulfilment of all contractual obligations toward employees. An organisation with a strong ethics and compliance programme can encourage and sustain ethical values and suitable behaviour in such an organization. Because workers spend a substantial number of their waking hours at work, a commitment by a business organization to goodwill and respect for its employees usually increases the employees' loyalty to the organisation and their support of its objectives. Moreover, employees when being well treated will feel encouraged and sooner or later become more productive and efficient.

Ethics Contributes to Investor Loyalty

Investors are aware that negative publicity, lawsuits, and fines against an

organisation can lower stock prices, diminish customer loyalty, and threaten a company's long-term viability. Many business firms accused of misconduct experienced dramatic declines in the value of their stock when concerned investors divested. No sane investor would like to invest in such an unethical firm. Hence, ethical conduct results in shareholder loyalty and contributes to success that supports even broader social causes and concerns; gaining investors' trust and confidence through strong ethical business practices is important to sustaining the income of the organisation.

Ethics Contributes to Customer Satisfaction

It is a known fact that customer satisfaction is one of the most vital factors in a flourishing and thriving business strategy. For the majority of businesses, both repeat patronages and a lasting relationship of mutual respect and cooperation with customers are necessary for success in business. By concentrating on customer satisfaction, a business organisation repeatedly deepens the customer's dependence on the company's products or services, and as the customer's confidence grows, the firm gains through the customer's loyalty to the firm's products or service.

Ethics Contributes to Profits

As is often pointed out, a happy customer will come back, but disgruntled customers will tell others about their dissatisfaction with a company and discourage friends from dealing with it. In other words, the ethical behaviour of a firm towards customers builds a strong customers base and this, in turn, promotes a strong public image of the firm. Customer satisfaction brings about customer's loyalty and customer's loyalty, in turn, brings about increased profits for the firm. A business firm concern for ethical behaviour is becoming a part of strategic planning toward obtaining the outcome of higher profitability. To this end, rather than being just a function of compliance, ethics in business is becoming an integral part of business persons' effort to achieve competitive advantage.

Self-Assessment Exercise

List three benefits of ethics to business

3.5 Ethical Issues in Business

Several of the ethical issues in business are related to particular business functions: management, production, marketing, and finance. It is impossible to consider every ethical issue in business, but the discussion of some of the issues can help you identify the ethical challenges business persons face daily. A lot of ethical issues in business can be

categorised as dealing with conflicts of interest, fairness and honesty, communications, and business relationships.

Conflicts of Interest

A conflict of interest, in a business setting, exist when a business person or manager must choose whether to advance his/her own interests, those of the business firm, or those of some other groups: customers and the public (Ferrell, Fraedrich and Ferrell 70). A simple example will be of great help to explaining the concept of conflict of interest: a business manager who instead of making decisions that would help that the firm to make a profit rather makes decisions that give him/her more money to the detriment of the firm he/she works for. The manager has a conflict of interest. The manager is acting to benefit him/herself at the expense of the firm and this action negates the manager's obligations to the firm.

You must note that the presence of the conflict between personal interest and official or professional responsibility which creates the ethical problem is referred to as a conflict of interest (Elegido 351). To avoid conflicts of interest, a business manager must be able to disconnect his/her personal interests from his/her business dealings. Conflicts of interest need not be monetary. For instance, a human resource manager in a business organisation fills a position with the son of a close personal friend.

A good example of a conflict of interest is a bribe. A bribe is a conflict of interest because it benefits an individual or an organisation at the expense of others: an organisation or society (Ferrell and Hirt 61). For instance, an organisation may try to unfairly persuade or influence a government official for a government contract at the expense of others bidding for the same job.

Fairness and Honesty

Fairness is a value of being just, equitable, objective and impartial. Honesty, on the other hand, refers to truthfulness or trustworthiness. The virtues of fairness and honesty establish moral standards for decisions that affect others in the business. Ethical business persons are expected to be just, fair, honest, and truthful in all their dealings; they are not expected to harm their customers and competitors knowingly through the act of deception, misrepresentation, or discrimination.

One example of an unjust or a dishonesty act in business is known as price differentiation that is selling the same product at different prices. Let us examine a case study to buttress this ethical issue:

a video game marketer Nintendo was investigated for allegedly raising its prices from 20 to 30% during the Christmas buying season and

manipulating the supply of games available at that time. Investigators determined that Nintendo's activities were improper because the company coerced retailers into charging a minimum price for its game players. The firm agreed to refund millions of dollars to consumers. With 30% of U.S. households owning a basic Nintendo game system, Nintendo's activities raised far-reaching questions about its fairness and honesty (Ferrell and Hirt 62).

Do you think this action of Nintendo can build the trust and confidence of their consumers?

Communications

Another area in business that ethical concern can arise is communication. There is no doubt that deceptive personal-selling tactics and misleading advertisement or promotion can lead to a business organisation collapse. False or deceptive advertising is a major issue in marketing communications. It is a known fact that no customer will ever go back and do business with a business person or firm that deceived him/her. False or misleading marketing communications destroy customers' trust in a company. No company can survive or succeed without the goodwill of customers.

One important part of business communications that can raise ethical concerns is deceptive product labelling. It causes ethical difficulties because it destroys trust. Deception in the advertisement has cost many business organization millions of dollars and has lead to a damaged reputation for many business organisations. Let us examine a case study of Kellogg's Rice Krispies:

Kellogg's popular Rice Krispies cereal had a crisis in 2010 when the brand was accused of misleading consumers about the product's immunity-boosting properties. The Federal Trade Commission ordered Kellogg to halt all advertising that claimed that the cereal improved a child's immunity with "25% Daily Value of Antioxidants and Nutrients – Vitamins A, B, C and E", stating the claims were "dubious". The case was settled in 2011. Kellogg agreed to pay \$2.5 million to affected consumers, as well as donating \$2.5 million worth of Kellogg products to charity (Heilpern <https://www.businessinsider.com>)

Business Relationships

The relationships of business organisation with customers, employees, suppliers, competitors and other stakeholders may also generate ethical concerns. Every employee in a business organisation has a role to play in assisting the organisation to achieve its objectives and that role determines the behaviours others expect. The ethical foundation of a firm is important to the way a firm is perceived by its stakeholders.

The ethical relationship concerning a firm's interaction with its stakeholders can have a direct impact on the success and survival of the firm. Business organisation relationships with its stakeholders must be ethically sound and must be built on values such as integrity, honesty, and fairness among others. Business is required to ask this question: What ought to be done regarding others: consumers, employees who work for the business organisation, the communities in which businesses are located, governments, willing investors who may be interested in doing business with such business organizations, and the competitors that share the same industry?

Self-Assessment Exercise

Two ethical issues in business are?

3.6 Summary

In this unit, the nature and benefits of business ethics were discussed. Ethics in business contributes to employees' commitment, investor loyalty, customer satisfaction, and profits. Business ethics revolves around relationships. Recent happenings of unethical activity in business call attention to the widespread need for a better understanding of the factors that contribute to ethical and unethical decisions. Studying business is important because it can help an individual recognise ethical issues and understand how ethics fits into business decision making.

The facts have been established that there are benefits to be derived by business person and organization that is willing to develop and maintain strong ethical values in business. Business cannot survive nor succeed in ethics. Ethics is consistent with profit-seeking because customers, employees, investors and society care about ethics in business. Business relationships with employees, customers, suppliers, and society are repetitive and ongoing. If a business firm tries to take advantage of employees, customers, suppliers, or society through unethical conduct today, then they will likely find a way to retaliate against the business when the business has to work with them again tomorrow.

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3.8 Possible Answers to Self- Assessment Exercise

1. Business ethics is the application of standards of morals to buying and selling; production/distribution of goods and services; and activities of people working within organization
2. False
3. Business ethics encourages: employees to be more committed, Loyalty from investors, satisfaction of customers
4. Conflicts of interest, Communications

MODULE 3

Unit 1	Public Administration Ethics
Unit 2	Engineering Ethics
Unit 3	Teaching Ethics

UNIT 1 PUBLIC ADMINISTRATION ETHICS

Unit Structure

- 1.1 Introduction
- 1.2 Learning Outcome
- 1.3 Meaning and Nature of Public Administration Ethics
- 1.4 Ethical Issues in Public Administration
- 1.5 Summary
- 1.6 References/Further Reading
- 1.7 Possible Answers to Self- Assessment Exercise

1.1 Introduction

The focus of our discussion in this unit is the relationship between ethics and public administration. In public administration, just like other professions such as medicine, journalism, engineering and teaching among others, there are behavioural standards expected from a professional in form of code of ethics regulating the activities of professionals in these fields of human endeavour.

This unit examines the ethical dimension to public administration as a profession, highlighting the ethical issues and unethical conducts of the professional public administrators (public servants or civil servants). These unethical behaviours by these professionals are the militating factors responsible for the slow development or underdevelopment of many countries, especially Nigeria. It is worth noting that unethical conducts by public administrators are not peculiar to Nigeria alone, civil servants or public servants all over the globe engage in one form of unethical behaviour or the other.

1.2 Learning Outcome

By the end of this unit, you will be able to:

- explain the meaning and nature of public administration ethics
- identify and explain the ethics and values in public service
- recognise ethical issues in public administration.

1.3 Meaning and Nature of Public Administration Ethics

The word 'administration' has been derived from the Latin words 'ad' and 'ministrare' which means to serve. It is expected that the professional public administrator must be familiar with the essentials of quality services and effective management of resources for the good of the public. The ethical responsibility of the public administrator is to serve the public rather than self. The concern of public administration ethics is to address the conflicts between the interest of self and public interest. There is a consistent clash between the interest of the professional public administrator and the common good (public interest).

Ethical behaviour which entails respect for citizens is of vital importance in public administration. The main task of public administration ethics is to examine the behaviours guiding the profession and professionals, to determine the moral correctness or rightness of actions within the profession of public administration to guarantee the public good in the society. There is no doubt that the public expects the public administrators, either in the Federal Civil Service or the State Civil Service, to be ethical in discharging their responsibilities and obligations.

Do you think there is a link between ethics and public administration? What would be the place of ethics in public administration? Do you think ethics are important in the public administration setting of a democracy? Public administration ethics is that species of applied ethics that is concerned with the relationship between ethics and public administration. Talking about the relationship between ethics and public administration, Oyeshile asserts that "ethics plays the role of check and balance on the administrative conduct of public servants to purge them of fraudulent practices that are counterproductive to the objective for which the public service is established"(195). Ethics help the professional public administrator to prevent administrative moral hazard. Most unethical conducts in public service are as a result of failure to align personal interest with the public interest.

What then is public administration ethics? Public administration, according to Rosenbloom and others, "has to do mainly with formulation and implementation of government policies by officials that are subordinate to the executive arms of governments and government agencies" (Cited by Oyeshile 196). This definition shows that public administrators are implementers of government policies for the good of the public and the society, not for self-interest. They are expected to serve the society right. Hence, public administration ethics is that type of applied ethics (professional ethics) that is concerned with the

application of moral principles and ethical theories to the profession of public administration. In other words, public administration ethics is a species of professional ethics which applies moral principles to professional life and conduct of public administrators.

Public administration ethics deals with why public administrators ought to implement government policies in an ethical manner that promotes good governance and well-being of the general public. With regards to public administrators role of implementation of policies which have a direct influence on the life of the populace, public administration ethics focuses on ethical concerns faced by public administrators in their day-to-day work life. So, rather than asking how an action of a public administrator or public policy serves the interest of some specific individual or group, public administration ethics asks whether the action of a public administrator or public policy serves everybody's interest. Public administration ethics seeks to make public policy better by making public administrators ethically responsible and accountable.

Self-Assessment Exercise

In your own words, explain what public administration ethics is

Ogbonnaya identifies and summarises four values that constitute Nigerian public service values as follows:

1. **Democratic Values:** Helping Ministers, under law, to serve the public interest. Public servants shall give honest and impartial advice and make all information relevant to a decision available to Ministers. Public servants shall loyally implement ministerial decisions, lawfully taken. Public servants shall support both individual and collective ministerial accountability and provide Parliament and Nigerians with information on the results of their work.
2. **Professional Values:** Serving with competence, excellence, efficiency, objectivity and impartiality. Public servants must work within the laws of Nigeria and maintain the tradition of the political neutrality of the Public Service. Public servants shall endeavour to ensure the proper, effective and efficient use of public money. In the Public Service, how ends are achieved should be as important as the achievements themselves. Public servants should constantly renew their commitment to serve Nigeria by continually improving the quality of service, by adapting to changing needs through innovation, and by improving the efficiency and effectiveness of government programs and services offered in both official languages. Public servants should also strive to ensure that the value of transparency in government

is upheld while respecting their duties of confidentiality under the law.

3. **Ethical Values:** Acting at all times in such a way as to uphold the public trust. Public servants shall perform their duties and arrange their private affairs so that public confidence and trust in the integrity, objectivity and impartiality of government are conserved and enhanced. Public servants shall act at all times in a manner that will bear the closest public scrutiny; an obligation that is not fully discharged by simply citing within the law. Public servants, in fulfilling their official duties and responsibilities, shall make decisions in the public interest. If a conflict should arise between the private interests and the official duties of a public servant, the conflict shall be resolved in favour of the public interest.
4. **People Values:** Demonstrating respect, fairness and courtesy in their dealings with both citizens and fellow public servants. Respect for human dignity and the value of every person should always inspire the exercise of authority and responsibility. People values should reinforce the wider range of Public Service values. Those who are treated with fairness and civility will be motivated to display these values in their conduct. Public Service organisations should be led through participation, openness and communication and with respect for diversity and for the official languages of Nigeria. Appointment decisions in the Public Service shall be based on merit. Public Service values should play a key role in recruitment, evaluation and promotion (Ogbonnaya 37 -38).

The purpose of these values in public service or administration is to inculcate and encourage in public administrators a sense of administrative duty, create and promote appropriate relations between the general public and public administrators, and sustain high standards of moral behaviour among public administrators.

Self-Assessment Exercise

Briefly describe two of the values that constitute Nigeria public service

1.4 Ethical Issues in Public Administration

Despite the existence of various control measures put in place by the Nigerian government to guarantee an ethical public administrator, many public administrators are still involved in unethical practices. Some of the control measures gave birth to Code of Conduct Bureau (CCB), Code of Conduct Tribunal (CCT), Civil Service Rules and the Civil Service Handbook among others. These measures are meant to

guarantee the conformity of public administrators to high moral standards and behaviours. Notwithstanding, there are reports of unethical behaviours by public administrators that have hindered effectiveness and efficiency of the public service.

Commonwealth Association for Public Administration and Management (CAPAM) in 2010 published a featured report regarding some of the most common ethical dilemmas and issues that confront the public. These issues revolve around: administrative discretion, corruption, nepotism, administrative secrecy, information leaks, public accountability and policy dilemmas (5).

In the same vein, Dwivedi categorises these unethical conducts into six classes:

- (a.) Bribery, graft, patronage, nepotism, influence peddling.
- (b.) Conflict of interest (including such activities as financial transactions to gain personal advantages, accepting outside employment during one's tenure in government).
- (c.) Misuse of inside knowledge for example, through acceptance of business employment after retirement or resignation, favouring relatives and friends in awarding contracts or arranging loans and subsidies and accepting improper gifts and entertainments.
- (d.) Protecting incompetence.
- (e.) Regulating trade practices or lower standards in such a manner as to give advantage to oneself or family members.
- (f.) The use and abuse of official and confidential information for private purposes (Cited by Oyeshile 197).

Can you think of unethical behaviour among the above listed unethical conducts that others can also be further classified? Most of these unethical conducts can be reduced to one major ethical issue in public administration ethics and that is a conflict of interest. Conflict of interest entails a conflict between a public administrator's duties and obligations and existing personal interests. In public administration, the public interest is regarded as the most important ethical standard. As public administrators, their ethical obligation is to the public interest rather than personal interest. There is no doubt that these unethical conducts by public administrators have negative consequences on the implementation of government programmes and policies in the society.

The public administrator is expected to act for the general interest of the citizens, not for his/her personal interest. Taking a closer look at the above listed unethical conducts by public administrators, suggest that most public administrators involved in such misbehaviours acted for their personal interests. For instance, bribery, graft, patronage, nepotism and influence peddling are clear cases of conflicts of interest between promoting the interest of the public or promoting self-interest. Hence, there is a clash between implementing policies that would promote the

public good and acting for the sake of individual interest (receiving bribes) or interest for a few individuals (nepotism). In other words, there is a clash between serving the public good and serving personal good.

Self-Assessment Exercise

List three unethical conducts

It should be noted that what makes a conflict of interest an ethical issue in public administration ethics, is that it interferes with the professional public administrator duties and obligations in a particular way: it affects or may affect the public administrator's ethical values of impartiality and integrity in the discharge of his/her duties to the public. The public administrator's interest here may be a financial interest or non-financial interest.

Consequently, Popa identifies seven types of conflicts of interest:

- a. Personal interests: when a person works for the government, for example, uses his official position to conclude a contract with a private consulting firm that is his own.
- b. The acceptance of benefits: substantial bribes and gifts are important examples of this category.
- c. The traffic of influence: when an employee, who has influence or let others believe he has that influence on an officer or another person, receives or claims money or other benefits, accept promises, gifts, directly or indirectly for himself or for another person in exchange for using his influence to support the interests of others.
- d. The personal use of the employer's property: this is basically similar to stealing office supplies to use them at home (in private).
- e. The usage of confidential or secret information: for example, while a person works for a client, finds out that the client intends to buy land in the region and decides to buy the land on his wife's name just a short time before the client.
- f. Getting employed in the same sector: representative for this type of conflict of interest is a situation where a person resigns from a public job and starts another job in the same domain.
- g. Carrying out activities in parallel with the job: such as, for example, starting a personal business in direct competition with the employer (59).

There seems to be a similarity between these seven types of conflicts of interest and the unethical conducts classification of Dwivedi mentioned earlier. The implication is that most of the unethical practices in public administration could be said to fall under conflicts of interest. These unethical practices speak volume of the honesty and integrity of a public

administrator. Moreover, conflict of interest unresolved has several negative consequences: reduce public confidence and trust in government and public administrators as well, affect the level of effectiveness and efficiency of public service delivery, and affect the socio-economic development of the nation among others.

These unethical practices among the public administrators, in a country like Nigeria, are affecting service delivery in the country. Public administrators engaging in different conflicts of interest over and above public service and public interest is one of the major reasons why the country is not making positive advancement. These unethical conducts of the public administrators are hampering the effectiveness and efficiency of public service and public institutions. For instance, let us consider a conflict of interest (nepotism) in the area of employment in the public service like the university system where incompetent personnel are employed based on their relationship with the public administrator in charge of recruitment. Do you think this will bring about productivity in the university system?

Lack and failure of ethics remain one of the major problems facing the Nigerian public service. The ethics failure of many public administrators is what gave room to the public loss of trust and confidence in government programmes and policies. The unethical conducts and practices mentioned earlier are as a result of lack and failure of ethics in public administration. These unethical practices and behaviours in the public service are reflections of the Nigerian society as a whole. This failure of ethics in the Nigerian public service has negatively impacted the level of development in every sector of the nation. One major solution to unethical conducts among public administrators is the inculcation of strong ethical principles derived from the prescriptions of the three major normative ethical theories (consequentialism, deontology and virtue ethics) discussed in Module 1.

There is no doubt that the integration of the utilitarian ethical theory, Kantian duty-based ethical theory and the virtue-based theory provides the ethical framework for bringing about an ethical sustainable public service and ethical public administrators in the country. The integration of these ethical theories will bring about a public service that will always seek and provides the greatest happiness for the greatest number of the populace and virtuous public administrators that will always act from a sense of duty, doing the right thing from the position of good motive and strong moral character.

1.5 Summary

In this unit, the meaning and nature of public administration ethics were discussed. Public administration ethics examines the ethical obligation

of public administrators to the public. It deals with ethical concerns faced by public administrators in their day-to-day professional work life. The public service values of democratic, professional, ethical and people values were also examined. The purpose of these values in public service or administration is to inculcate and encourage in public administrators a sense of administrative duty, create and promote appropriate relations between the general public and public administrators, and sustain high standards of moral behaviour among public administrators. Some ethical issues in public administration as a profession were discussed.

The public service of every nation is relevant to her national development. Public administration as a profession is designed to serve the public. By its very nature, it ought to be people-centred, not self-centred. The public administrators' role of implementation has a direct impact on the life of the general public. Public administrators engaging in different conflicts of interest (unethical conducts) over and above public service and public interest is one of the major reasons why the country is not making positive progress and development. These unethical conducts of the public administrators are hampering the effectiveness and efficiency of public service and public institutions. One way to revert this trend in public service is the inculcation of strong moral principles by public administrators.

1.6 References/Further Reading

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1.7 Possible Answers to Self- Assessment Exercise

1. Public administration ethics pertains majorly to officials of government being subject to the executive division of government when they formulate and carryout the policies of government. Public administration ethics bothers on the application of ethical principles, norms and standards to public administrators and implementation of government policies.
2. Ethical values – has to do with maintain public trust
People values – showing respect, courtesy, fairness when relating with people in general
3. Bribery, Conflict of interest, Protecting incompetence

UNIT 2 ENGINEERING ETHICS

Unit Structure

- 2.1 Introduction
- 2.2 Learning Outcomes
- 2.3 What is Engineering Ethics?
- 2.4 Codes of Conduct and Principles for Engineers
 - 2.4.1 Safety and Welfare of the Public
 - 2.4.2 Accuracy and Rigour
 - 2.4.3 Honesty and Integrity
 - 2.4.4 Environmental Sustainability
- 2.5 Moral Dilemmas and Issues in Engineering
 - 2.5.1 The Misuse of Computers
 - 2.5.2 Weapon Development
 - 2.5.3 Whistle-blowing
 - 2.5.4 Conflicts of Interest
- 2.6 Summary
- 2.7 References And Further Reading
- 2.8 Possible Answers to Self- Assessment Exercise

2.1 Introduction

The field of engineering is renowned for its great technical ingenuity. This ingenuity has profoundly changed the world we live in. Many of these changes are hugely beneficial, for instance, energy generation, transport infrastructure, mechanical devices, medical equipment, telecommunications, and many others. At the same time, the technical ingenuity has negative aspects like weapons manufacture, environmental pollution. The differing outcomes of engineering activity are as a result of the engineering profession giving a high priority to technical ingenuity whilst giving only a little attention to ethical responsibility. This unit will be discussing the ethics and responsibilities of the engineering profession.

2.2 Learning Outcomes

By the end of this unit, you will be able to:

- discuss what engineering ethics is
- explain the general principles of engineering ethics
- identify and explain moral dilemmas in the engineering profession
- take a stance on moral dilemmas using any normative ethical theory.

2.3 What is Engineering Ethics?

Knowing already what ethics is as a discipline, engineering ethics would be ethics as concerned with the engineering profession. Engineering ethics, therefore, is the overall study of moral principles that apply to the practice of engineering. In this field, an examination is done of the obligations of engineers to the society, to their clients and to the engineering profession. Martin and Shinzinger (1996) define engineering ethics “as the study of related questions about moral conduct, character, policies, and relationships of people and corporations involved in the technological activity.” Some scholars like Vesilind (1998) conceives ethical instruction as providing a systematic guide for individual moral thinking rather than inculcating a specific set of value thereby defining ethics as “the study of systematic methodologies which, when guided by individual moral values, can be useful in making value-laden decisions.” In light of Vesilind’s definition of ethics, it can be inferred that moral theory can be useful in ensuring that engineers act ethically.

Engineering ethics is a form of professional ethics that reflects on the specific social role of engineers. Engineering ethics is a type of professional ethics and as such must be distinguished from personal ethics and from the ethical obligations one may have as an occupant of other social roles. Engineering ethics is concerned with the question of what the standards in engineering ethics should be and how to apply these standards to particular situations (Harris, Pritchard and Ranbins, 1995)

Self-Assessment Exercise

What do you understand as engineering ethics?

2.4 Codes of Conduct and Principles for Engineers

Those who have the privilege to practice engineering are entrusted with the responsibility to apply engineering skills, scientific knowledge and ingenuity for the advancement of human welfare and quality of life. This responsibility is a serious one hence many engineering professional societies have prepared codes of ethics. The general principles of the codes of ethics are largely similar across the various engineering societies and chartering authorities of the world. According to Martin and Schinzinger (1996), codes of ethics play at least eight essential roles: serving and protecting the public, providing guidance, offering inspiration, establishing shared standards, supporting responsible professionals, contributing to education, deterring wrongdoing, and strengthening a profession’s image. For them, codes of ethics state the

moral responsibilities of engineers as seen by the profession and as represented by a professional society. Codes are important, not just because they stress engineers' responsibilities but also because they support the freedom needed to meet them and because they express the profession's collective commitment to ethics.

2.4.1 Safety and Welfare of the Public

Engineers have a distinct obligation and duty to protect the health and safety of the public (Moriarty, 2008). The safety and welfare of the public is a value that is highly recognised by engineers. Engineers must hold paramount the safety, health and welfare of the public. They are expected at all times to take all reasonable care to ensure that their work and the products of their work constitute no avoidable danger of death or injury or ill-health to any person, and take all reasonable steps to avoid waste of natural resources, damage of the environment, and wasteful damage or destruction of the products of human skill and industry according to the UK institution of Electrical engineers. There are risks involved with every engineering venture, but the thoughtful engineer can reduce them by increasing safety factors and by making, whenever possible, risk analysis to determine whether or not the risks will be acceptable (Moriarty, 2008).

2.4.2 Accuracy and Rigour

Engineers must ensure that they acquire and use wisely and faithfully the knowledge that is relevant to the engineering skills needed in their work in the service of others. They are expected to act with care and competence and work only in areas in which they are competent. For example, a mechanical engineer should not do the work of a civil engineer and vice versa. Due to the precise nature of their work, it is necessary to identify, evaluate and quantify risk and also present and review engineering evidence, theory and interpretation honestly, accurately and without bias.

2.4.3 Honesty and Integrity

Professional engineers should adopt the highest standards of professional conduct, openness, fairness and honesty. Engineers should avoid deceptive acts and take steps to prevent corrupt practices or professional misconduct, and declare conflicts of interest. They should not knowingly mislead or allow others to be misled about engineering matters neither should they be involved in bribery or improper influence. Every employer or client deserves their respect and consideration, therefore they should only act for the employer in a reliable and trustworthy manner.

2.4.4 Environmental Sustainability

This view is peculiar to Gene Moriarty. He argues that one of the goals of engineering should be environmental sustainability. He claims that our primal intuitions tell us that we should not harm others and that includes animals and nature generally. For him, humans are all connected and belong to the earth, from which we arise and to which we return. The voice of nature speaks to us and reveals, in many cases, especially today, an ill or traumatized environment. As part of the natural system of life, our primal intuitions direct us to aim for harmonious accord with human life and nature in general (Moriarty, 2008). Ethical theories, then, can perhaps be broadened to acknowledge all living things.

Self-Assessment Exercise

Mention some fundamental ethical principles in the engineering profession.

2.5 Moral Dilemmas and Issues in Engineering

The codes of ethics of professional societies have laid down expectations to which they expect engineers to adhere. However, these codes of ethics say very little about how engineers can deal with or resolve moral dilemmas and issues in their day-to-day professional life. Sometimes these rights and duties overlap. In this section, we will examine some of these moral dilemmas and issues.

2.5.1 The Misuse of Computers

Computers can be misused in many ways. In the wrong hands, it can be used as an instrument of crime. Many of these issues, according to Fleddermann (2003), are extensions of crimes to computers. For instance, a computer can be used to perpetrate a bank robbery. This way the robbery is easier to perform and harder to trace. There is no difference between this kind of robbery and the traditional mask and gun robbery except the use of the computer makes the crime impersonal. There is no need for a face to face interaction with the victim. The problem is that the technology to detect and prevent this kind of crime greatly lags behind the computer technology available to commit it (Fleddermann, 2003). The same with the issue of privacy; while the problem of privacy did not originate from computers, computers make it difficult to protect privacy. This is because there are large amounts of data on individuals and corporations that are stored where several people can access them e.g. hackers.

While computers can be used as tools of crime, they can also be objects of crime. This is due to the menace of hackers. There are different forms in which hacking manifests; gaining unauthorized access to a database, implanting false information in a database or altering existing information and disseminating viruses over the internet. Accessing private information violates the rights of individuals and corporation to privacy. Altering information in a database is questionable especially when the alteration is with the intent of fraudulent engagement. There are cases where hackers are not being malicious, and are just trying to test their capabilities sometime; some just want to expose illegal activities. Hacking could also lead to terrible consequences like deaths when hospital records are compromised.

Computers have become an indispensable tool in business and engineering. In many ways, they have brought and are still bringing benefits to society. However, there are also many ways in which computers have been misused leading to serious ethical complications. The role of the engineer as the designer, manager and user of computers entails the responsibility of fostering the ethical use of computers. It all boils down to the ethical values of the individual engineers to find a way out of the dilemma.

2.5.2 Weapon Development

One of the fields where engineers are largely employed is in the development of weapons. This trend is not recent; according to Fleddermann (2003), many innovations have arisen throughout history as a result of the development of weapons. Fundamentally weapons are created for the sole purpose of killing human beings hence this is a practical dilemma in the field of engineering. The dilemma arises because there are two dimensions to weapon creation, defence and destruction. In the context of engineering ethics, this is an issue that requires addressing.

An engineer may choose not to work in weapon development fields. This may be justified because he feels he has an ethical obligation to prevent taking the lives of other humans. This is because as stated earlier weapons are mostly used to kill. Whether or not they are directly involved in the act does not matter, since it will ultimately be used for that purpose hence they would still find it morally unacceptable to work on weapons. Just like some engineers may find the design of weapons morally reprehensible, some find it morally acceptable. Such engineers are of the view that the defence of the nation from aggression is the legitimate function of the government and it is honourable for engineers to contribute to this goal. If every engineer had an aversion towards making weapons, how would a nation defend itself from external

aggression? Both positions can be justified using ethical theories and problem-solving techniques.

There are situations where an engineer finds working on weapons morally acceptable but finds the uses of these weapons questionable. In a case where the weapons are created to be sold to other countries and facilitate wars in different regions, what is the engineer to do? There is no simple solution. The answer must be determined by each individual according to the values he/she holds. Weapons development is a delicate type of engineering because of the implications on mankind as a whole. Because of these implications, there has to be a thorough examination of ethical issues in this field to ensure responsible participation.

2.5.3 Whistle-blowing

Whistle-blowing occurs when an employee or former employee conveys information about a significant moral problem to someone in a position to take action on the problem. It is the act by an employee of informing the public or higher management of unethical or illegal behaviour by an employer or supervisor. Whistle-blowing straddles the line between right and responsibilities of engineers. Engineers face a unique situation concerning reporting unsafe situations that are created by an employer or a client, in that licensed engineers may have a legal or an ethical duty to “*blow the whistle*” on an employer in certain situations.

According to the tenets of the engineering profession, an engineer must consider and safeguard the safety and health of the public. At the same time, engineers are expected to report any case of wrongdoing as well. When the actions of a superior or an employer are unethical and this action threatens the safety of the public, an engineer should report this. Whistle-blowing can be considered bad from the point of view of the organisation. It could lead to distrust, disharmony and an inability of employees to work together. Whistle-blowing is perceived as an act of extreme disloyalty. Even though it might be the right thing to do, it is still seen as extreme disloyalty to the company and co-workers.

Blowing the whistle on the unethical practice of employers is something that should be handled delicately. There is a consensus among scholars about when whistle-blowing becomes obligatory; when there is an immediate danger to the public; going through the necessary internal channels; lack of action; the possibility of resolution. One does not just go to press or the authorities without attempting or trying to resolve the problem within the organisation first.

While it is acceptable to blow the whistle under the enumerated conditions, it is, however, important for the whistleblower to understand

his motives before undertaking this step. Blowing the whistle to protect the public interest is acceptable but to exact revenge on fellow employees or the company is a different thing entirely. While some may argue that it is fine as long as it is in the interest of the whistleblower, some others would say the motive is wrong thus the action is wrong and others would say as long as it brings about more good than harm then is right.

2.5.4 Conflicts of Interest

Avoiding conflicts of interest is important in any profession and engineering is no exception. According to Lynch and Kline (2000), a conflict of interest arises when an interest if pursued could keep a professional (engineer) from meeting his obligation. For example, a civil engineer who works in the Federal Road Maintenance Agency (FERMA) might have a financial interest in a company that has a bid on a construction project. If the engineer has some responsibility for determining which company's bid to accept then there is a conflict of interest. Pursuing his financial interest in the company might lead him not to objectively and faithfully discharge his professional duties to his employer, FERMA. Engineers are expected to avoid conflicts of interest like this one.

There are three kinds of conflicts of interest. There are actual conflicts of interest such as the one described in the previous paragraph which compromises engineering judgement. There is a potential conflict of interests, which threaten to easily become actual conflicts of interest. For example, an engineer who is friends with a supplier for his company. Though it doesn't constitute a conflict, the engineer's judgement at a later time may be conflicted due to the need to maintain the friendship. Finally, there is the appearance of a conflict of interest. This is a situation where it could reasonably be perceived, or give the appearance, that a competing interest could improperly influence the performance of your official duties and responsibilities. Even cases like this can be significant because it could lead to distrust which could, in turn, compromise the engineer's ability to do his work.

A conflict of interest exists when one has divided loyalties such that one has a direct or indirect personal interest in a transaction or matter such that it might reasonably appear to affect the judgment that one exercises on behalf of the corporation, influence one's actions, or lead one to neglect corporate business interests. Engineers are to be free from influences that conflict with the best interests of the corporation or might deprive their employers of their undivided loyalty in business dealings. Even the appearance of a conflict of interest where none actually exists can be damaging and should be avoided. Each employee

must act fairly and impartially in all dealings and must place the interests of their corporation over personal interests. Engineers are expected to avoid financial, business, or other transactions that might conflict or appear to conflict with the interests of the corporation. An actual conflict of interest does not need to be present to constitute a violation of the code of ethics; however, each employee is expected to avoid activities that create the appearance of a conflict of interest.

Self-Assessment Exercise

What are some issues/dilemmas in Engineering?

2.6 Summary

This unit deals with engineering ethics. It explores the definition of engineering ethics and takes a look at the paramount ethical values prescribed in the field which include: accuracy and rigour, safety and welfare of the public, honesty and integrity, and environmental sustainability. Then an extensive account is given of some moral dilemmas and issues in the field of engineering. The ethical issues discussed are the misuse of computers, weapon development, whistle-blowing, and conflict of interest.

There are many cases of unethical practices in the engineering profession that come up in the professional world. The use of computers in the perpetration of a crime is one of such cases. Another is the structural collapse of buildings due to the use of substandard materials during construction. Engineers who have good engineering ethics often have a good sense of the value of life. Unethical conduct by an engineer might and have cost loss of many human lives. Not only do individual engineers have to be conscious of engineering ethics, but also engineering companies. Engineering companies have to be aware of their corporate social responsibility and environmental responsibility. Corporate social responsibility is a company's responsibility to give back to the community that they profit from and to behave ethically so that both the company and the community they operate can benefit.

2.7 References And Further Reading

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2.8 Possible Answers to Self- Assessment Exercise

1. Engineering ethics is the study and application of ethical norms suitable for engineering practice. It takes into consideration what duties engineers have to the society, their clients and to their profession.
2. Honesty and integrity, Accuracy and rigour, Environmental sustainability
3. Weapon development, computer misuse, whistle blowing

UNIT 3 TEACHING ETHICS

Unit Structure

- 3.1 Introduction
- 3.2 Learning Outcome
- 3.3 What is Teaching Ethics?
- 3.4 Code of Conduct for Teachers
- 3.5 Ethical Dilemmas in the Teaching Profession
 - 3.5.1 The Caring Climate versus the Formal Climate
 - 3.5.2 Distributive Justice and School Standards
 - 3.5.3 Confidentiality versus School Rules
 - 3.5.4 Difference between Educational agenda of the Pupil's Family and the School's Educational Standards
 - 3.5.5 Loyalty to Colleagues versus Loyalty to Students
- 3.6 Summary
- 3.7 References and Further Reading
- 3.8 Possible Answers to Self- Assessment Exercise

3.1 Introduction

Education is important to the social, economic and political development of a nation. Being educated the citizens are enlightened mentally, socially and physically. The role of the teacher is key in the process. There is no doubt that no educational system can rise beyond the quality of its teachers. This unit will discuss teaching ethics focusing on the ethical responsibilities of teachers and the moral dilemmas they face in the course of their profession.

3.2 Learning Outcome

By the end of this unit, you will be able to:

- explain the meaning of teaching ethics
- discuss the general ethical codes of conduct of teachers
- identify and explain the ethical issues in the teaching profession.

3.3 What is Teaching Ethics?

Ethics is the study of the rules or standards that govern human conduct. Professional ethics of which teaching ethics is a part. It is the study of the personal and corporate standards of behaviour expected from professionals. Teaching ethics is the study of the rules and standards of behaviour expected of teachers. Campbell (2003) makes a case for her own conception of teaching ethics. For her, while ethical codes of practice and formalized precepts of behaviour and disposition uniquely

relevant to the teacher should embody fundamental core principles of an ethical orientation essential to overall moral practice, it should not be defined solely by them. It should be conceived of broadly as elements of human virtue, in all its complexity, as expressed through the nuances of attitudes, intentions, words, and actions of the professional teacher. Simply, it is the realization of good and the struggle against bad as they apply to the everyday practice of teachers as individuals and as a collective professional group. Rather than the focus being on more general principles of ethics, such as honesty and fairness, as they apply to teachers' work, it should be on the identification of particular interpretations of ethics that emanate from the profession itself.

Campbell's conception of teaching ethics focuses more on the particular instances of how teachers actually behave. Campbell accounts for moral dilemmas because extenuating circumstances would definitely come up during professional practice. Campbell does acknowledge the general instances as key to teaching ethics but at the same time, she makes a case for the inclusion of the particular instances. To accommodate Campbell's suggestion, teaching ethics would have to be defined in terms of both the general and particular instances. Hence we define teaching ethics as the study of the principles that govern the conduct of educators as well as their ethical choices in the course of their practice.

Self-Assessment Exercise

What is teaching ethics?

3.4 Code of Conduct for Teachers

The school is considered a miniature of society. The school is that formal agency which provides education to students. It has a major role in bringing development in the society. Teaching by a teacher is an important key element in schools. Without teaching, the educational process cannot function properly. The teachers play a crucial and significant role in the educational process to impart education and bring about desirable changes in the behaviour of the students. As having massive responsibility upon his shoulder, the teacher should realise and understand his profession. The fulfilment of the aims and objectives of teaching is solely dependent upon his ability, teaching aptitude, content knowledge, and pedagogy and most important is the professional ethics. Moral messages abound in classrooms and schools where teachers' actions and attitudes towards others, most notably students, demonstrate varying levels of sensitivity to a range of moral and ethical principles (Campbell, 2003). As such there are certain codes of conduct teachers are expected to abide by. In this section, we shall use the teachers' code of conduct developed by the Teachers Registration Council of Nigeria

(TRCN) as a guide to explain the teacher's expected behaviour and relationship with students, colleagues, school administration, parents and the general public (See *Teachers Code of Conduct*, 2013).

Self-Assessment Exercise

What does TRCN standards for?

Concern for the Welfare of the student

There are a lot of things involved in showing concern for the welfare of students. Teachers are expected to serve as good character models for learners. The most model desirable character traits, such as perseverance, honesty, respect, lawfulness, patience, fairness, responsibility and unity. Seeing as learners pick up on everything (especially children), as a teacher, one is obligated to have respect for the learner's right and dignity without prejudice to gender, race, religion, tribe, colour, physical characteristics, place of origin, and age among others. Teachers must abide by all school and classroom safety procedures to ensure student safety. It's also a teacher's responsibility to report instances of bullying and harassment. If a teacher suspects cases of abuse or neglect, or a student confides in a teacher in cases of abuse or neglect, the teacher is required to report it to the proper authorities, even if the student requests otherwise. Teachers should show maximum consideration for the feelings and circumstances of the learners by treating every learner with kindness, equality and respect, without showing favouritism, prejudice or partiality to preserve the unity of the classroom.

A teacher's job is to provide quality education to all students hence teachers should try to understand the learners' starting point, thoughts and opinions and pay special attention to learners who require care and protection. A professional code of ethics must address this fact, stating that teachers must not show favouritism or discriminate against students. Teachers also must interact with students appropriately, not taking advantage of students in any way, bullying students or putting them down. Contact with students outside of the classroom or school building must be kept to a minimum and must focus on school-related activities and events.

Maintaining the confidentiality of students is also paramount in safeguarding a student's welfare. Teachers are expected to considerately handle matters linked to the learner's personality and privacy. Unless a situation warrants involvement from parents, school administration or law enforcement, a teacher must keep the confidence of his students. Finally taking advantage of the learner in any way (sexually, financially, emotionally) is not permitted. These are some of the things involved in safeguarding the welfare of the students and as such are obligatory for

teachers.

Commitment to the Profession

Teachers have an obligation of commitment to the teaching profession. Teachers should have an enduring absolute commitment to the profession, complying with agreed national and school policies, procedures and guidelines which aim to promote pupil/student education and welfare e.g. child protection, giving maximum attention and responsibility to the profession. They should have the aspiration to make a successful career within the system, and taking pride in the profession and represent themselves, their professional status, qualifications and experience honestly. They should seek to achieve the highest professional standards in all their works and uphold the honour and integrity of the profession and be dedicated and faithful in all professional undertakings being punctual, thorough, and conscientious and dependable and submit themselves to the summons and arbitration of Teachers Investigation Panel and Teachers Disciplinary Committee as and when the need arises.

The classroom should be a place of safety, security and acceptance, always avoiding any form of offensive conduct. Teachers must accurately describe their qualifications, credentials and licenses to school boards or principals who seek to hire you. Fulfilling contractual obligations and to render their services only under the terms of the contract or the law is a sign of commitment to the job. It's their responsibility to design lesson plans to meet state standards and create a well-rounded education plan that appeals to a wide range of learners. Contracts that may call their commitment to their jobs to question or undermine the exercise of their full professional competences, judgments and cordial relationship among colleagues without undue interference should be avoided. Teachers should commit to the standards and ethics of their work and manage their duties responsibly. Teachers develop their work and expertise and assess their actions. Since teachers have to teach in a manner that reflects their personality, developing and caring for their individuality is their right and obligation.

Maintain a Good Relationship with Colleagues

Teaching is a very delicate profession. A teacher is responsible for imparting all sorts of knowledge whether consciously or unconsciously. It is important to exchange ideas with fellow professionals and improve oneself. In light of this, teachers are expected to value their work and respect their colleagues. They should try to pool their resources and find a balance between their autonomy and the work community. Accepting the individuality of colleagues, understanding them and helping and supporting each other are key principles of the work community. In essence, teachers should co-operate with one another to achieve professional goals. It should be a mutually beneficial relationship that is aimed at uplifting the profession to the highest level. This way it would

not be difficult to seek assistance from colleagues in tasks beyond their management or professional ability when necessary, and take delight in teamwork.

A good relationship between colleagues should be based on respect. Teachers should respect both their senior and junior colleagues in all dealings by rendering help and assisting them to attain the highest professional goals. Senior teachers should show self-respect, conduct themselves in an exemplary manner and strive to bring up junior colleagues professionally and junior teachers should have respect for their seniors in both formal and informal contacts and show a willingness to learn from them. Respect also extends to not making derogatory remarks on one another or undermine the integrity of colleagues in any circumstance.

Relationship with Parents/ Guardians

The professional educator pledges to protect public sovereignty over public education and private control of private education. Since the teacher recognizes that quality education is the common goal of the public, boards of education, and educators and that a cooperative effort is essential among these groups to attain that goal, he/she should communicate regularly with parents/guardians regarding the affairs of their children or wards and should respect the confidentiality of both parents, children/wards who may bring personal matters to their notice. Teachers have a responsibility to interact positively with parents and other stakeholders in a child's education. Contact with parents must be kept professional, free from arguments and physical contact. If a teacher has an issue with a parent, another teacher or administrator must be present during all meetings. Teachers also must avoid being unduly influenced by parents and other stakeholders when it comes to students' grades or other school-related matters. They should provide parent/guardians with all relevant information about activities, progress and problems concerning their children/wards as and when required all the while showing courtesy and respect to parents/guardians and offering maximum co-operation in dealing with issues concerning their children or wards.

Although maintaining communication with parents/guardians is important, they are not to be taken advantage of. Even when offered, teachers should resist taking gifts, favours, and hospitality from parents and guardians, which are likely to influence them to show favours to their children/wards in the performance of their duty. This is because their services are already paid for by their employer.

Self-Assessment Exercise

Some behaviours expected of teachers include? Mention three

3.5 Ethical Dilemmas in the Teaching Profession

Ethics draws on human dispositions, attitudes and behaviours such as valuing, selecting and acting, and is concerned with desirable actions associated with human relationships and responsibility for other people (Norberg and Johansson, 2007). An ethical dilemma is an inner conversation with the self-concerning two or more available propositions. It is a choice between two or more courses of action, when obstacles on each side hinder the decision as to which course to pursue (Berlak & Berlak, 1981). Campbell (2003) recognizes the importance of the individual ethical choices of teachers to teach ethics. During teaching practice, dilemmas are bound to arise where the teacher may have to solve on their own without referring to ethical codes of conduct of professional regulatory bodies.

According to Shapira-Lishchinsky (2010), when teachers' sense of proper action is constrained by complex factors in educational practice and decisions are made and carried out contrary to the "right course", critical incidents which involve ethical dilemmas and moral distress result. Teachers deal with many ethical problems in their practice and they may have to make choices based on their moral dispositions. Navigating such moral dilemmas is also important in teaching ethics. We will take a look at some of those moral dilemmas.

3.5.1 The Caring Climate versus the Formal Climate

This dilemma was identified by Victor and Cullen (1988), this dilemma revolves around the school climate. The caring climate promotes attention to individual and social needs, while the formal climate emphasises adherence to organisational rules. As a result of the tension between two ethical dimensions of the school climate, a dilemma arises between caring for others (pupils, teachers) and maintaining formality (school rules, educational standards). This dilemma reflects itself when a teacher has difficulty in deciding how to best care for a pupil or how to respond to when a colleague breaks the rules. Interactions with pupils frequently move beyond the classroom, and teachers must somehow strike "solidarity and authority" as a balance between being "allies" with pupils while simultaneously "retaining the kind of authority that will allow pupils to respect them" (Johnson, 2002, p. 103).

Teachers end up torn between the two; while they have to show the students that they are on their side they are however in a position of authority and must act accordingly. While being friendly and maintaining a good relationship is good for the social development and self-esteem of the student, at the same time they could end up being conceited and deem it unnecessary to show the required respect to the teacher. In the same vein, being overly strict may hurt the development

of the student.

3.5.2 Distributive Justice and School Standards

Distributive justice refers to the fairness of outcomes as when teachers use principles such as equity to evaluate the justness or unjustness of outcomes. School standards, on the other hand, are the criteria that schools apply for reaching decisions (Greenberg, 1995). This dilemma reflects itself when the teachers perceive the school standards as biased and unfair. For example, school standard that encourages preferential treatment based on ethnicity, religion, wealth and so on. The teacher is obligated to be fair and equitable in his/her dealing with students but at the same time is an obligation to his employers, thereby obligated to follow the school's set standards.

In conflicts regarding fairness, teachers must decide which principle of fairness is relevant in each situation the principle of equal allocation and treatment or the principle of differential allocation and treatment. This is the case when teachers must decide whether to focus on one needy pupil or on all pupils equally (Colnerud, 1997). Some students have a harder time learning than others, these kinds of students require extra attention. Hence the problem of deciding what exactly is fair in the classroom; paying equal attention to all students or paying extra attention to the needy ones. While paying extra attention to the needy students may help them, it comes at the detriment of the others. On the other hand, paying attention to all students equally, the needy students are unable to keep up with the others.

3.5.3 Confidentiality versus School Rules

The teacher must keep the confidentiality of the student. A dilemma arises when teachers must choose between maintaining the trust of a confiding pupil and abiding by school rules which obligate them to report the confided information to administration and parents. Sometimes students are more comfortable confiding in teachers than parents. In these situations, teachers are privy to information even parents have no access. Some of these things the student might tell the teacher are extremely private or delicate family matters. This might put the teacher in a tight spot.

The welfare of the student is important. At the same time, teachers should ask themselves whether their role as a teacher includes handling these types of situations. At the same time, the teacher has to think of the implication of breaking the student's trust even if it is in the student's best interest. It might be clear to the teacher that what the student needs might be professional help, but he/she is conflicted because of the request of the student to keep the shared information confidential.

3.5.4 Difference between Educational agenda of the Pupil's Family and the School's Educational Standards

Parents view teachers as the school's standard-bearers. Teachers face a dilemma when their perception of the child's best interest differs from that of the parents (Campbell, 2000). According to Klaassen (2002), sometimes teachers are quite critical of how parents raise their children and point out the need for parents to impose more rules and be more consistent in the training of their child. Parents, in turn, criticise teachers for the lack of a clear teaching policy and for the lack of communication with parents regarding the values they teach. Klaassen (2002) observes that some teachers tend to see parents as customers of the educational system. In keeping with the adage that the customer is always right, even when teachers are convinced that they are right and can justify their position as being in the best interest of pupils, they tend to adopt a reserved attitude.

The point is whenever there is a conflict between the educational standard of the school and the expectation of parents/guardians, a teacher finds himself/herself in a dilemma. The teacher by his/her position as an employee of the school is under an obligation to comply with the educational standards set by the school. On the other hand, by being in charge, of the education of their child/ward, the teacher also must listen to the input of the parent/guardian towards the education of their child/ward. The teacher is then conflicted between two choices of action.

3.5.5 Loyalty to Colleagues versus Loyalty to Students

Teachers sometimes witness a colleague mistreating a pupil, or are informed of such mistreatment that is not in line with school norms, and find it difficult to confront the colleague (Campbell, 2000). The teacher has to protect students but out of a sense of camaraderie with someone in the same profession is conflicted as to how he should act in such a situation; whether to report the misconduct of his/her fellow teacher and protect the student or to show loyalty to the colleague and let him continue in his misconduct. He could rationalise it saying how teaching is difficult and students even more so. A sense of loyalty to colleagues is usually welcome by fellow professionals. There is also the consideration of how other colleagues will react to the reporting of the misconduct; they may consider it a betrayal or disloyalty and begin to ostracize him/her as they feel he/she cannot be counted on. Conversely, if a colleague's misconduct comes to light and it is found out that one knew about it but chose to remain silent, one could be considered an unethical teacher and lose his/her job. Such is the dilemma of having to

choose between loyalty to colleagues and loyalty to students. There are a lot of factors that come into play that makes it a difficult decision to make.

3.6 Summary

This unit deals with teaching ethics. It examines the meaning of teaching ethics. Looking at different codes of conduct of teachers, a general classification of the ethical duties and obligations of teachers is presented. Finally, different moral dilemmas faced by teachers are explained. These are the main moral issues in teaching ethics. There is a need for more clarification and discussion on teachers' ethical conducts and the values and beliefs that underlie those conducts. A more transparent sense of ethical knowledge could provide teachers with a more comprehensive sense of professionalism. Without a moral code, it is difficult to see how teachers can address the complexity of moral judgments they must make with competence, develop moral understanding and teach children to reflect moral issues. As it has been discussed there are situations where general codes of conduct do not help hence individual moral codes take the front role. The way they handle such situations show how good of a guide they can be to their student. The difference between a good and an exceptional teacher lies in the way they negotiate through everyday situations and guide their students.

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3.8 Possible Answers to Self- Assessment Exercise

1. Teaching ethics is the study of the rules and standards of behavior expected of teachers
2. Teachers' Registration Council of Nigeria
3. Concern for the welfare of students; commitment to the profession; maintenance of good relationship with colleague

MODULE 4

Unit 1	Work Ethics
Unit 2	Confidentiality and its Limits
Unit 3	Conflict of Interest across the Professions
Unit 4	Whistle-blowing and Professional Responsibility

UNIT 1 WORK ETHICS

Unit Structure

- 1.1 Introduction
- 1.2 Learning Outcome
- 1.3 Meaning of Work Ethics
- 1.4 Earlier Discourses on Work Ethics
 - 1.4.1 The Protestant Work Ethic
 - 1.4.2 The Confucian Work Ethic
 - 1.4.3 The Marxist Work Ethic
- 1.5 Dimensions of Work Ethics
- 1.6 Summary
- 1.7 References/Further Reading
- 1.8 Possible Answer to Self-Assessment Exercise

1.1 Introduction

The focus of this unit is to examine the meaning of work ethics and why work ethics is important to professionals. Some different views and dimension of work ethics will be discussed to give a clear picture of what it is or what it is not. Among professionals, ethical behaviour ensures work is done with integrity and honesty and professionals that are ethical adhere to strong moral principles and develop strong work ethics. Professionals with strong work ethics have inculcated moral principles that guide them in their work conduct and attitude to work.

1.2 Learning Outcome

By the end of this unit, you will be able to:

- explain the concept of work ethics
- identify and explain the earlier discourses on work ethics
- discuss the dimensions of work ethics.

1.3 Meaning of Work Ethics

Work ethics is a group of moral principles, standards of behaviour or set of values that guides one in the workplace. It can also be regarded as a set of values centred on the importance of work and manifested by determination or desire to work hard. Bergh and Theron (2009: 421) define work ethics as a productive orientation which refers to valuing work as compulsory and a worthwhile life interest to achieve certain objectives, while human beings generally do not enjoy work, and have to be coerced into doing or achieving anything. Miller *et al* (2002: 453), indicate that work ethics encompasses attitudes and beliefs concerning work behaviour, and is a multidimensional construct reflected in behaviour. Furthermore, work values relate to work and work-related activities while work ethics refers to attitudes and beliefs, as opposed to behaviour. Therefore, an employee's work ethic can be defined as the overall framework from which work values originate. They, in turn, influence the behaviour of the individual at work.

Self-Assessment Exercise

What is your understanding of work ethics?

1.4 Earlier Discourses on Work Ethics

1.4.1 The Protestant Work Ethic

This term protestant work ethic was coined by Max Weber in his book, *The Protestant Ethic and the Spirit of Capitalism*. The Protestant ethic is a code of morals based on the principles of thrift, discipline, hard work, and individualism. Weber's use of the adjective "protestant" is explained by the fact that these qualities were seen to have been encouraged by the Protestant religion. Weber (1958) argued in his book that there is a causal connection between religion and economic life. The protestant belief in predestination and the unknowable nature of God led to anxieties regarding each individual's state of grace thus leading to a practical means of alleviating these anxieties; hard work, thrift and self-discipline, the rewards of which were not consumed but saved and reinvested. The success gained in the commercial world due to this work ethic tended to reassure the individual that he was in a state of grace. Work then became more of a service to God, a calling. This work ethic according to Max Weber forms the backbone of modern capitalism.

1.4.2 The Confucian Work Ethic

The work ethics found in China and some other East Asian countries are predicated upon the Confucian teachings. A professional who embodies

the Confucian work ethic has to believe in the value of hard work, show loyalty to the organization of which he/she is a part; be thrifty; be dedicated; help in the maintenance of social harmony; have a love of education and wisdom, and show concern for social propriety. The elements of the Confucian Work Ethic all have positive aspects of economic development. The elements also have positive aspects of societal development. Confucius was of the view that in nation-building, the individual must make sacrifices. These sacrifices are made for the advancement of the nation's interests. This trait of personal sacrifice for the sake of nation-building can be found in all Confucian societies, China included. The difference between the Confucian work ethic and the Protestant work ethic lies in the nature and the goal of work. The protestant ethic is individualistic; the protestant worker accumulates wealth for himself hence he continually seeks the accumulation of personal wealth while the Confucian worker works for the interest of the society at large. One could say the Confucian work ethic is tilted towards socialism.

Self-Assessment Exercise

What is The Protestant work ethic?

1.4.3 The Marxist Work Ethic

Marx and Engels conceive work as central to human existence. Engels (1876) maintained that labour is the prime basic condition for all human existence, and this to such an extent that, in a sense, we have to say that labour created man himself. He maintained that walking on two feet freed the use of the hand and made possible its development for complex tasks. Work for Marx shouldn't be merely a means to live but rather the primary necessity of life. By working, the individual attains all-round development which in turn leads to a more abundant flow of the cooperative wealth. Marx believed that the concept of "hard work" is meant by capitalists to delude the working class into becoming loyal servants to the elite, and that working hard, is only a means to creating more wealth for the elite not an honourable thing in itself. The Marxist work ethic contradicts the protestant ethic which sees work as a means to attain personal wealth because it sees work as an ideal to strive for to ensure the cooperative wealth of the society as a whole.

Self-Assessment Exercise

Discuss The Confucian work ethic

1.5 Dimensions of Work Ethics

When discussing work ethics, different criteria determine what constitutes good work ethics. To harmonize these various criteria and create a more structured means of measuring work ethics, Miller *et al* (2002) came up with what they called the Multidimensional Work Ethic Profile (MWEP) which has seven dimensions in which the attitude to work is reflected: Self Reliance, Leisure, Wasted Time, Work Centrality, Hard work, Delay of Gratification and Morality.

Self-Reliance

This dimension of work ethic encompasses different attitudes but they all tilt towards the ability to work autonomously. Workers are expected to exhibit the propensity for self-expression. Every worker must avoid conformity and false consistency and follow his own instinct and ideas, be innovative. The expectations of employers are for workers to take the initiative and deal with situations that pop up unexpectedly. This shows not only the ability to make influential decisions and function independently; it also shows a readiness to take on more responsibility. For professionals, it is expected for them to be self-reliant. To be self-reliant is to be able to think independently, embrace ones individuality and strive for goals confidently. In his essay “Self-Reliance” Ralph Waldo Emerson points out that conformity is death to an individual. He argues that polite society harms one's personal growth. Self-sufficiency, he says, gives one the freedom to discover one's true self and attain true independence.

Self-Assessment Exercise

The Marxist work ethic

Hard Work

This is the belief in the value of hard work, that is, the assumption that hard work yields desired results, and ultimately fosters job satisfaction (Miller *et al*, 2002: 451). Traits reminiscent of hard work include motivation, diligence, perseverance, dependability and so on. Furnham (1984) found that individuals that subscribe to the tenets of the protestant work ethic are predisposed to hard work and commitment. To be hard working is to put high levels of passion and effort into work, to go above and beyond to achieve goals that one has set for oneself as well as the goals and organization has set for him/her. Hard work is indicative of strong work ethics. When one works intelligently and vigorously at a given task to complete it with maximum efficiency, he or she could be said to be a hard worker. One is expected as a worker or professional to be a hard worker.

Morality

Loosely translated, morality is a reference to issues surrounding the character, customs and behaviour. In studying work ethics, morality is used to describe the belief in just and moral existence. This dimension encompasses attitudes like integrity, honesty, trustworthiness, fairness, candour, respect for rules, and loyalty among others. Morality is a necessary component of strong work ethics. Employers and employee need to behave morally. Organisations have rules and those rules are meant to be followed and every employee has a responsibility to follow those rules. In the same vein, organisations and employers have a responsibility to their employees to be fair, just and respectful to them.

Centrality of Work

The centrality of work refers to the importance and individual places on the opportunity of work. The centrality of work transcends the need and/or the desire for compensation and represents a major frame of reference in ones self-identification (Hirschfield and Fields, 2000). There are three different conceptualisations on the centrality of work:

1. Work is good and provides dignity (Buchholz, 1978);
2. Work centrality is a residual concept, that is, the less one is interested in non-work activities, the greater the centrality of work (Pryor, 1987);
3. There is the affective interest one has in the work, the passion for the process (Dubin, Champoux and Porter, 1975).

As an employee, in an organisation, a certain level of commitment is expected towards ones work. While one's instinct may be to downplay the importance of work, it is advised to go against this instinct and attach a level of importance to his or her work as is expected and maybe more if so inclined. The same goes for employers as well.

Wasted Time

Wasted time in this context refers to two extremes with one extreme representing a high commitment to time management to maximize productivity and the other indicating a low commitment to time management. Basically, this dimension is concerned with time management. The efficient and constructive use of time is consistent with a strong work ethic (Herman, 2002). It has been long understood that improved performance is inexorably linked to the efficient use of time (Mudrack, 1999). Poor time management and procrastination have been identified as an obstacle to productivity (Dembo and Eaton, 2000).

Jackson *et al* (2003) point out to us that wasted time and poor performance may be caused by procrastination. Procrastination, according to Eerde (2003), can work in different ways, such as

underestimating the amount of time required for specific tasks and therefore not investing the time and effort necessary for performing well or delaying or avoiding the execution of a task resulting in under-performance or wasted time. Efficient use of time is a good skill to have both for the sake of the organisation and one's well being as it can reduce anxiety and increase satisfaction.

Leisure

In talking about leisure, Shamir and Ruskin (1983) point out that we should be able to distinguish between three concepts: leisure potential, leisure activity and leisure orientation. Leisure potential is the flexibility to do what one wishes when he or she wishes to do it (Parker, 1981). Leisure activity is the participation in the no-working activity and leisure orientation is the desire to participate in non-working activities. In this context, leisure refers to leisure orientation.

It has been suggested that individuals who are more interested in the pursuit of leisure activities would gain less fulfilment from their work. In a way, it can be said that a high leisure orientation may be the inverse of a strong pro-work ethic. Scholars are conflicted on this point as some like Furnham (1990) claim that a high leisure orientation and a high work ethic are not necessarily at opposite ends of a spectrum. It is somehow difficult to determine if a high leisure orientation may be a good or bad work ethic on its own hence it would have to depend on the extent. Should leisure orientation have a detrimental effect on one's productivity, then it would be ill-advised.

Delay of Gratification

Delay of gratification is reflected in the ability to forgo short-term benefits to reap some future benefit. According to Reynolds and Schiffbauer (2005), it is an individual's ability to sustain a chosen course of action for the achievement of a long term goal even though there are tempting alternatives that offer short-term gratification. Doerr and Baumeister (2011) point out that a person's ability to delay gratification relates to other similar skills such as patience, impulse control, self-control and willpower, all of which are involved in self-regulation. Broadly, self-regulation encompasses a person's capacity to adapt the self as necessary to meet the demands of the environment.

1.6 Summary

This unit discusses what work ethics is. Different views are presented on the nature, origin and the goal of work. To properly understand work ethics, seven dimensions are presented in which work ethics reveals itself. Work ethic refers to the attitudes and behaviour individuals display in the process of their work. The work ethic decides the level of

productivity displayed by workers and the value which an organization places on the employee. Good/Strong work ethic leads to higher levels of productivity and a higher value placed on the worker while bad/weak work ethics bring about lower levels of productivity and in turn leads to a lower value placed on the employee. The field of ethics (or moral philosophy) involves systematizing, defending, and recommending concepts of right and wrong behaviour. Work ethics then would be the contextualization of ethics within the confines of work. By gaining an understanding of the seven dimensions where work ethics is reflected, one is able to know the right or wrong attitudes to have in a workplace. Professionals are expected to inculcate strong ethical work principles: commitment to work, honesty, hard work and diligence at work among others.

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1.8 Possible Answer to Self-Assessment Exercise

1. Work ethics implies some set of values that have to do with the necessity of work. It has to do with perceiving work as a

- necessary and meaningful means of accomplishing set objectives.
2. Protestant work ethics is derived from the Protestant religion. It is used by Marx Weber. It refers to moral norms that rely on the principles of frugality, self-control, labour and individualism.
 3. Confucian work ethics derives from the teaching of the man named Confucian. The ethic has to do with the belief in hard work, fidelity of the organization, being frugal, commitment and assisting in bringing about social harmony and a demonstration of interest in social propriety.
 4. To Marx, work is at the center of human existence. It conceives work as an ideal to pursue in order to bring about the cooperative wealth of the entire society.

UNIT 2 CONFIDENTIALITY AND ITS LIMITS

Unit Structure

- 2.1 Introduction
- 2.2 Learning Outcomes
- 2.3 What is Confidentiality?
- 2.4 Related Concepts
- 2.5 Confidentiality in Different Professions
 - 2.5.1 Confidentiality in Medicine
 - 2.5.2 Confidentiality in Law
 - 2.5.3 Confidentiality in Priesthood
- 2.6 Justification of Confidentiality
- 2.7 The Limits of Confidentiality
 - 2.7.1 The Utilitarian Limits of Confidentiality
 - 2.7.2 The Kantian Limits of Confidentiality
- 2.8 Summary
- 2.9 References/Further Reading
- 2.10 Possible Answers to Self- Assessment Exercise

2.1 Introduction

The concern of this unit is matters of confidentiality. An exposition of the concept of confidentiality will be attempted, reasons for confidentiality especially in professions where there are strict demands for confidentiality. We would also try to determine the limits of confidentiality; if at any point confidentiality can be ignored. The different normative ethical theories would be revised within this context to determine if there is indeed a limit to confidentiality and if there are, where those limits lie.

2.2 Learning Outcomes

By the end of this unit, you will be able to:

- define confidentiality as a concept
- identify and explain the limitations of confidentiality
- discuss the justification of confidentiality.

2.3 What is Confidentiality?

Confidentiality is the protection of personal information. The principle of confidentiality suggests a duty to protect confidences against third parties. It usually involves a set of rules or a promise usually executed through confidentiality agreements that limit the access or places restrictions on certain types of information. Professionals appeal to such

a principle in keeping secrets from all outsiders and seek to protect even what they would otherwise feel bound to reveal. While few regard the principle as absolute, most see the burden of proof as resting squarely on anyone who claims a reason for overriding it.

2.4 Related Concepts

Privacy

Privacy is the ability to seclude oneself, or personal information regarding oneself, and thereby selectively expressing them. What is considered private usually differ among cultures and individuals. However, in the context of this discussion, privacy is one of several rights said to derive from the principle of respect for the dignity of human beings. It is an individual's right, or a group's right, or an institution's right to determine for themselves when, how and to what degree their information is communicated to others. Put simply, it is the right of an individual to keep his or her information private.

Confidentiality is different from privacy but it derives from it. This is the case because confidentiality can only be upheld when there's a provision for the right to privacy in the background or else it would be meaningless. Confidentiality is related to the privacy of information volunteered to other parties usually about one's actions, finance, health, and so on; and it is the duty of anyone entrusted with such information to keep them private.

Trust

Trust is the assured reliance on the character, ability, strength, or truth of something or in this case, someone. According to Pellegrino (1991: 69), trust is a factor to be weighed in the social utility cost/benefit analysis because it is indispensable to routine social interaction. People are expected to honour promises, obey the law, and so forth, and most of our experiences confirm that this is the case; of course, once in a while, there are exceptions. To this effect, Hoffman *et al* (1996) point out that trust is an all-pervading, indispensable degree of faith in human nature which even the most cynical must acknowledge. With regards to confidentiality, trust is absolutely important. Personal information would not be volunteered in the absence of trust. When divulging personal information, the person being entrusted with such information is put under an obligation not to divulge it to any other party. This act of trust must not be violated hence confidentiality and trust are inexorably linked.

Self-Assessment Exercise

Discuss the notion of confidentiality.

2.5 Confidentiality in Different Professions

Doctors, lawyers, and priests have traditionally recognized the duty of professional secrecy regarding what individuals confide to them: personal matters such as alcoholism or depression, marital difficulties, corporate or political problems, and indeed most concerns that patients or clients want to share with someone, yet keep from all others. In these professions, the duty of confidentiality serves in part to reinforce their claim to professional status, and in part to strengthen their capacity to offer help to clients.

2.5.1 Confidentiality in Medicine

The value of confidentiality is formally accorded great weight in medicine. Confidentiality is commonly applied to conversations between doctors and patients. Legal protections prevent physicians from revealing certain discussions with patients, even under oath in court. In the contemporary medical ethics of many societies, primacy is accorded to autonomy, to the right of the patient to dispose of his or her own body according to personal wishes. Various rights devolve from this and confidentiality is one of them; the right to autonomy includes the right to privacy. The patient, disclosing all freely to the physician, has the right to have the privacy of this information respected by the confidentiality afforded to it. The rule dates back to at least the Hippocratic Oath, which reads: *Whatever, in connection with my professional service, or not in connection with it, I see or hear, in the life of men, which ought not to be spoken of abroad, I will not divulge, as reckoning that all such should be kept secret.* Traditionally, medical ethics considers the duty of confidentiality a near-absolute law of medical practice. This makes one wonder why exactly confidentiality is important in medicine.

Patients usually share personal information with their doctors. If their information and things they share are not kept confidential, the trust of the patient in the doctor would be diminished leading to the degradation of the doctor-patient relationship. Patients are reluctant to share sensitive information, which could impact their care negatively. A trusting environment that respects the privacy of patients would motivate the patient to seek care and to be honest during a visit to the hospital or clinic. It may also increase the patient's willingness to seek care. In the case of stigmatizing conditions, such as reproductive, sexual, public health, and psychiatric health concerns, one can be assured that because of the duty of confidentiality, private information will not be disclosed to family or employers without consent. Situations may arise where the physician feels the need to share information, for instance when a spouse makes enquiries, the requirements for making an exception to confidentiality may not be met. If there is no explicit permission from

the patient to share information with a family member, it is generally not ethically justifiable to do so.

2.5.2 Confidentiality in Law

Confidentiality is a fundamental principle of legal ethics. According to representatives of the legal profession, the duty is nearly absolute. Lawyers who learn information while representing a client are required to maintain secrecy, except in the most unusual and extraordinary circumstances. A distinction must be made between the duty of confidentiality and attorney-client privilege. While attorney-client privilege only covers communications between lawyer and client, the duty of confidentiality is much broader in scope. Protection of confidential information is a fundamental feature of lawyers' relationships with clients. It exists as a concept both as a matter of law and as a matter of conduct and it continues even after the death of the client, therefore, unlike the attorney-client privilege, the duty of confidentiality is in effect at all times, not just in the face of legal demands for client information.

The duty of confidentiality places ethical restrictions on a lawyer's disclosure of information communicated to him/her by the client or relating to the representation of the client. Communication between a lawyer and a client are sacred and protected (Abdullahi, 2017). Accordingly, it is professional misconduct to reveal oral or written communications made by a client to his lawyer in the course of his professional employment. In Nigeria, the 2007 Rules of Professional Conduct (RPC) Rule 19 says:

A lawyer shall not knowingly – (a) reveal a confidence or secret of his client; (b) use a confidence or secret of his client to the disadvantage of the client, or (c) use a confidence or secret of his client for the advantage of himself or of a third person unless the client consents after full disclosure.

Both the privilege and duty serve the purpose of encouraging clients to speak frankly about their cases. This way, lawyers can carry out their duty to provide clients with good representation. Otherwise, the opposing side may be able to surprise the lawyer in court with something he did not know about his client, which may weaken the client's position. Attorneys who violate the confidentiality norm are subject to sanctions, including, potentially, disbarment and malpractice suits.

2.5.3 Confidentiality in Priesthood

In the Catholic Church, the *Seal of Confession* or *Seal of the Confessional* is the absolute duty of priests not to disclose anything that they learn from “penitents” during the course of the *Sacrament of Penance* or *confession*. In the entry *The Law of the Seal of Confession* in the Catholic Encyclopedia, according to Nolan (1912), it is clearly stated that even where the seal of confession does not strictly apply – where there is no specific serious sin confessed to receiving absolution – priests have a serious obligation not to cause scandal by the way they speak. This law was laid down in 1215, during the Fourth Council of the Lateran binding the priesthood to the obligation of secrecy:

Let the priest absolutely beware that he does not by word or sign or by any manner whatever in any way betray the sinner: but if he should happen to need wiser counsel to let him cautiously seek the same without any mention of a person. For whoever shall dare to reveal a sin disclosed to him in the tribunal of penance we decree that he shall be not only deposed from the priestly office but that he shall also be sent into the confinement of a monastery to do perpetual penance (www.newadvent.org).

According to Roman Catholic canon law, the sacramental seal is inviolable; therefore it is absolutely forbidden for a confessor to betray in any way a penitent in words or any manner and for any reason. The confessor is always an ordained priest, because in the Catholic Church only ordained priests can absolve sins; lay confession is not recognized. A passerby who just happens to overhear a confession is also bound by the seal. Even under the threat of their death or that of others, revealing what they have learned during confession to anyone is not permissible. Thomas Aquinas in his *Summa Theologicae* explained that the seal may not be violated, including regarding matters that might indirectly lead to the seal's violation, not even violated by those who hear the confession. Aquinas gives two reasons for the seal's inviolability: the seal is divinely instituted and the seal prevents scandal.

Self-Assessment Exercise

Examine the principle of confidentiality in Law and Priesthood.

2.6 Justification of Confidentiality

The justification for confidentiality generally argued on four grounds. They are human autonomy regarding personal information, respect for relationships, respect for the bonds and promises that protect shared information, and the benefits of confidentiality to those in need of advice, sanctuary, and aid, and in turn to society.

The first and fundamental ground is that of individual autonomy over personal information. It asks that we respect individuals as capable of having secrets. Without some control over secrecy and openness about themselves, their thoughts and plans, their actions, and in part their property, people could neither maintain privacy nor guard against danger. Basically, it is the prerogative of the individual to decide if and when any other person is to have access to their personal information.

The second ground is closely linked to the first. It implies the legitimacy not only of having personal secrets but of sharing them and assumes respect for relationships among human beings and for intimacy. It is based on loyalties that come before the formulation of moral justification and that preserve collective survival for one's tribe, family or clan. Building on such a sense of loyalty, the premise holds that it is not only natural but often also right to respect the secrets of intimates and associates, and that human relationship could not survive without such respect.

The third ground holds that a pledge of silence creates an obligation beyond the respect due to persons and to existing relationships. Once we promise someone secrecy, we no longer start from scratch in weighing the moral factors of a situation. They matter differently once the promise is given so that full impartiality is no longer called for. By promising to keep a piece of information secret, one places himself under an obligation, limiting his or her freedom as regards sharing such information. For many, a promise involves their integrity and can create a bond that is closer than kinship. And promises of secrecy have been invested with special meaning, in part because of the respect for persons and relationships called for by the first two grounds.

While the three previous grounds are concerned with confidentiality in general, the fourth ground is particular to professional confidentiality. This is because of the benefit of professional confidentiality to persons and to society. As a result, professionals grant their clients secrecy even when they would otherwise have reason to speak out: so lawyers feel justified in concealing past crimes of clients and priests the sins they hear in confession. Those who hold this view maintain that individuals benefit from such confidentiality because it allows them to seek the help they might otherwise be afraid to ask for; those most vulnerable or at risk might otherwise not go for help to doctors or lawyers or others trained to provide. Professional confidentiality in this way prevents innocent persons from ending up convicted of crimes for lack of competent legal defence, and disease from taking a greater toll among those ashamed of the nature of their ailment. This way society gains in the long run.

2.7 The Limits of Confidentiality

The principle of confidentiality postulates a duty to protect confidences against third parties. Professionals appeal to such a principle in keeping secrets from all outsiders and seek to protect even what they would otherwise feel bound to reveal. While few regard the principle as absolute, most see the burden of proof as resting squarely on anyone who claims a reason for overriding it. Why should confidentiality bind thus? And why should it constrain professionals to silence more than, say, close friends?

Confidential information may be intimate, discrediting, accurate or inaccurate, and complete. It does not matter whether what the client conveys is false or trivial, the truth remains they expect them to be kept confidential or assume that it will be even in the absence of such a request. Professionals, in turn, must not only receive and respect such confidences; the very nature of the help they can give may depend on their searching for even the most deeply buried knowledge. Confidentiality is an ethical concern. The fundamental intent is to protect a client's right to privacy by ensuring that matters disclosed are not be relayed to others without the informed consent of the client. Concerning confidentiality, physicians, therapists, lawyers and men of the cloth also hope to encourage communication.

There are times when professionals are legally and ethically bound to maintain confidences but maintaining said confidence would lead to terrible consequences. Examples include instances when clients indicate an intention to harm themselves or someone else. What would be the course of action in such a dilemma? At what point can it be said to be okay to break confidences?

It has been said that neither privacy nor confidentiality, are absolute rights. There are fundamental exceptions, some involving ethical considerations and others involving legalities. Usually, dilemmas arise when the duty of confidentiality conflicts with the duty of harm prevention. There are two dimensions of harm prevention; prevention of harm to people other than the person to whom confidentiality is owed and prevention of harm to the very person whom confidentiality is owed (Benatar, 2003).

Harm to others is a concern that spans across various disciplines. It may occur in different forms. Preserving the confidentiality about a patient's HIV-positive status may pose a threat to one other person if the patient is in a monogamous relationship or more people if such a person is sexually promiscuous. Another instance would be for a lawyer to keep confidential a discovery of the client's intention to commit murder. In

such situations, the patient's or client's interest in autonomy, privacy and promise-keeping obviously persists. However, the moral weight of these interests is limited. The limit of one person's autonomy is the autonomy of others. One's right to live life as he or she pleases cannot extend beyond another person's autonomy. Privacy and promise-keeping too, have their limits. Thus, if one was to pit any of these three values against preventing serious harm to others, the prevention of harm clearly holds more importance. Although they are strong together, they would still be outweighed sufficiently by serious harms to others.

Harm to the patient unlike the previous dimension is a problem specific to medical discipline. Sometimes the person whom one wants to protect from harm is the very patient to whom one owes the duty of confidentiality. For example, a situation where a patient who does not want his diagnosis made known to a spouse or parent even though the spouse's or parent's knowledge of the diagnosis could greatly benefit the patient. Where a patient's autonomy is intact, overriding said autonomy in the sake of benefitting the patient is unjustified (Benatar, 2003). Autonomous agents can decide for themselves if breaching their confidentiality serves their interest. However, violating confidentiality to prevent harm to the patient to whom confidentiality is owed can be acceptable only where the patient's capacity for autonomy is sufficiently compromised or absent. In that case, autonomy is no longer a value or, in the case of limited autonomy, a sufficiently strong value underlying the preservation of confidentiality. To fully explore the limits of confidentiality, we shall employ the perspective of different normative ethical theories: utilitarianism and Kantian ethics.

2.7.1 The Utilitarian Limits of Confidentiality

A lot of the defense of confidentiality especially in medical practice takes a utilitarian stance. Utilitarianism is an ethical theory grounded in the principle of utility. Put simply, the rightness or wrongness of actions is based on the outcome. Going by this principle, breaking confidentiality is not intrinsically wrong; the consequence of breaking said confidentiality is what determines whether or not it is wrong. Utilitarianism is based on of the Greatest Happiness Principle which states that actions are considered moral when they promote utility and immoral when they promote the reverse. Utility itself is defined by Mill as happiness with the absence of pain. The main elements of this philosophy are one's actions and their resulting utility.

Utilitarianism simplifies moral law to a quantitative calculation that determines ethical choice (Neff, 2005). Utilitarianism uses a cost/benefit analysis to decide whether it is right to breach confidentiality or not. Whether it is ethically correct is determined through an objective and

quantitative measure of utilitarian goodness. If more harm is done as a result of keeping confidentiality, then it would be wrong to do so. In the same vein, if breaching confidentiality would do much more good than keeping it, then it would be right to breach confidentiality. Essentially, the limit of confidentiality for the utilitarian is when it will cause more pain than happiness to maintain confidentiality.

2.7.2 The Kantian Limits of Confidentiality

A sense of duty is the guiding principle of Kantian theory. Kant's ethical system represents a universal categorical imperative rule of ethics. The categorical imperative is an expression of the moral law. The imperative is the correct, right, or good action was taken in a particular situation. A categorical imperative "denotes an absolute, unconditional requirement that allows no exceptions, and is both required and justified as an end in itself, not as a means to some other end.

The beauty of the Kantian sense of duty is that it is self-imposed. Kant recognizes reason, as the foundation of the moral law. For Kant, the reason is the faculty of humans, which enables us to choose the principle or rule on which we act which is "according to the maxim which we will to be a universal law". Obviously, no one would wish ordinarily for everyone in the world to think it was okay to breach confidence. In the case of extenuating circumstances, where lives are at stake or public safety would be compromised when maintaining confidentiality, one may decide to break confidence. This is because he or she may will that it would be okay if everyone breached confidentiality in the case of such extenuating circumstances. Kant considers wrong actions as the product of individuals trying to create a different standard for themselves compared to the rest of humanity. For the Kantian ethicist, the limit of confidentiality is when confidentiality goes against one's sense of duty, the categorical imperative.

2.8 Summary

This unit discusses confidentiality. The general notion of confidentiality is discussed as well as particular notions as in medicine, law and the priesthood. Justifications are also provided for confidentiality. Finally, we explore the limits of confidentiality to see at what points it would be considered permissible to breach confidentiality taking into account normative ethical theories. Confidentiality is an important principle in the professional world. However, it is not an absolute principle. There are circumstances where it may be breached, typically to prevent serious harm. Where the principle is indeed outweighed by countervailing considerations, its sacrifice is regrettable but justified. Where confidentiality is sacrificed in the absence of competing values, the breach of confidence is not only regrettable but also unjustified.

2.9 References/Further Reading

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2.10 Possible Answers to Self- Assessment Exercise

1. Confidentiality is similar to concepts such as privacy and involves some level of trust. It pertains to protecting personal information from third party.
2. In Law, the principle of confidentiality should not be confused with attorney-client privilege. The former is much broader in scope as it has to do with protecting confidential information even till death. It places ethical restraints on lawyers not to disclose information divulged to them by their clients. Attorney-client privilege only covers communication.

In Catholic Priesthood, the notion of confidentiality pertains to keeping in absolute secrecy, called the seal of confession what a penitent has revealed to the priest during the sacrament of confession. The two reasons given by St. Thomas Aquinas for the inviolability of the confessional seal are: it is divinely instituted and it prevents scandal.

UNIT 3 CONFLICT OF INTEREST ACROSS THE PROFESSIONS

Unit Structure

- 3.1 Introduction
- 3.2 Learning Outcomes
- 3.3 Meaning of Conflict of Interest
- 3.4 Levels of Conflict of Interest
 - 3.4.1 Organisational Conflict of Interest
 - 3.4.2 Personal Conflict of Interest
- 3.5 Types of Conflict of interest
- 3.6 Forms in Which Conflicts of Interest May Appear
- 3.7 Resolving Conflicts of Interest
- 3.8 Summary
- 3.9 References/Further Reading
- 3.10 Possible Answers to Self- Assessment Exercise

3.1 Introduction

This unit deals with the conflict of interest as an ethical issue common to every professional. No doubt learning to identify and resolve ethical issues in a profession is the most important step in comprehending professional ethics. Many professional ethical issues are about conflict and this conflict is always between professional duties and personal interest. In this unit, therefore, we shall examine the meaning, levels, and, types of conflict of interest.

3.2 Learning Outcomes

By the end of this unit, you will be able to:

- explain the notion of conflict of interest
- identify the different forms in which a conflict of interest may appear
- identify and resolve conflicts of interest.

3.3 Meaning of Conflict of Interest

A conflict of interest exists when a professional must choose whether to advance his/her personal interest, those of the organization he/she works for, or those of some other group clients/customers and the public (Ferrell *et al*, 2006:67). For Lo and Field (2009), a conflict of interest is a set of circumstances that create a risk that professional judgment or actions regarding a primary interest will be unduly influenced by a secondary interest. Primary interests are the primary goals of a

profession while secondary interests are personal benefits, favours and so on.

Let us consider some sample examples of conflicts of interest:

1. A governor awards the contract of fixing some bad roads in the state to his brother's company.
2. A judge rules on a case that involves a company in which he has bought some shares.
3. A recruitment officer in a company fills a position with the child of a close friend.

In these cases, there is an actual or potential conflict between the interests of an individual (or the interests of his friends or family members) and the interests of the party for whom he works. From this, it can be inferred that a conflict of interest exists if and only if the interests of an individual or the interests of his family or friends conflict or have the potential to conflict with the professional duties and responsibilities. It should be noted that the presence of the conflict between personal interest and official or professional responsibility which creates the ethical problem is referred to as a conflict of interest (Elegido, 2009:351).

Conflicts of interest involve a clash between the interests of an individual and the interest of his or her employer. But just a clash would not suffice for a conflict of interest. For there to be a conflict of interest, the conflicting interests must somehow hinder the individual from discharging the duties of his/her office or position. This feature of conflicts of interest helps to account for the moral significance which we attach to them. It should be noted that in all the examples laid out above, the conflicting interests hinder the individuals from performing the duties of their position.

Moreover, conflict of interest can be classified into two: objective and subjective conflicts. Conflicts of interest that are based on the monetary or financial relationships are sometimes called objective conflicts, while conflicts of interest that are based on emotional ties or relationships are sometimes said to be subjective conflicts of interest (Velasquez, 2006:354). It should also be noted that conflicts of interest can arise in situations in which clients/customers, relatives of clients, or contractors offer gifts (bribe) that may influence the professional to favour them at the expense of others. Even being involved in the professional assessment of someone who is a friend or a relative can constitute a conflict of interest.

Now that it has been established that a conflict of interest involves more than conflicting interests, what is left is to give a more accurate account

of what a conflict of interest entails. From the above, we see that for a situation to be referred to, there are conflicting interests and these conflicting interests cause a hindrance in the performance of official or professional duties of a position. Hence a conflict of interest can be said to be an ethical problem or situation. A conflict of interest exists in any situation in which an individual has difficulty discharging the official duties attaching to a position or office she holds because either: there is an actual or potential conflict between his or her interests and the interests of the party to whom he or she owes those duties, or there is an actual or potential conflict between the interests of his/her friends, family, or other clients and the interests of the party to whom she owes these duties.

Self-Assessment Exercise

Explain what conflict of interest is.

3.4 Levels of Conflict of Interest

There are two levels of conflict of interest. Conflicts of interest can be on a personal level or an organizational level.

3.4.1 Organisational Conflict of Interest

An organizational conflict of interest may result when factors create an actual or potential conflict of interest on an instant contract, or when the nature of the work to be performed on the instant contract creates an actual or potential conflict of interest on a future acquisition. This is the case when for instance, a contractor's performance on one government contract may compromise its ability to perform on another government contract or may compromise its ability to compete for a government contract fairly. Put simply, an organisational conflict of interest occurs when work performed by a contractor on federal contract results in an unfair advantage for the contractor, prevents the contractor from performing the work in an unbiased manner or prevents the contractor from rendering impartial advice to the government. Organisational conflicts of interest occur in three ways.

1. **Unequal Access to information:** This type of organisational conflict of interest occurs when, as part of its performance on a government contract, a contractor has access to non-public information that may provide the contractor with a competitive advantage in a competition for a different government contract.
2. **Biased Ground Rules:** This type of organisational conflict of interest occurs when as part of its performance on a government

contract, a firm has helped set the ground rules for the procurement of another government contract.

3. **Impaired Objectivity:** This type of organisational conflict of interest occurs when the nature of a contractor's work under one government contract could allow it to benefit on other government contracts. This involves performing duties that involve assessing or evaluating itself, a parent company, subsidiary, partner, affiliate, or competitor.

3.4.2 Personal Conflict of Interest

A personal conflict of interest arises in the workplace when an employee has competing interests or loyalties that either is or potentially can be, at odds with each other. Such situations occur where a person's private interests such as outside professional relationships or personal financial assets interfere or may be perceived to interfere with his/her performance of official duties. Conflicts of interest can cause an employee to act out of interests that are divergent from those of his or her employer or co-workers. In workplaces, employees want to avoid any behaviour or choices that could potentially signal a conflict of interest. If a conflict of interest is not properly addressed, it might damage or destroy a professional's reputation, integrity, and trustworthiness.

3.5 Types of Conflict of interest

There are three types of conflict of interest: actual conflict of interest, a potential conflict of interest, and perceived conflict of interest.

An actual conflict of interest

An actual conflict of interest occurs when there is a direct conflict between an official's or employee's interests and the duties of the position which he holds. An actual conflict of interest impedes the ability of the employee or official to perform the responsibilities required of his position. For example, a judge who has to make a ruling on a case which involves a company in which he has a financial interest.

Potential Conflict of interest

In the case of a potential conflict of interest, there is no direct conflict between the interests of two parties but there is the potential for one. When there is the possibility that a competing interest could improperly influence the performance of one's official duties, there is a potential conflict of interest. For example, the friendship of a government official with the Chief Executive Officer of a company who has come to bid for a contract in the official's department could lead to a conflict of interest.

Perceived Conflict of interest

A perceived conflict of interest is just the appearance of a conflict of interest. There may not be a conflict of interest but it seems like there is one. A perceived conflict of interest occurs where it could reasonably be perceived, or give the appearance, that a competing interest could improperly influence the performance of your official duties.

Self-Assessment Exercise

Explain three types of conflict of interest

3.6 Forms in Which Conflicts of Interest May Appear

Though conflict of interest may be a rather straight forward concept, it may not always reflect itself in one form. There are different forms in which conflict of interest appears. Some of these forms are discussed below.

1. **Nepotism:** This is a situation where a spouse, child, or another close relative of an official is employed or applies for employment based on the individual relationship with the recruitment official, or where goods or services are purchased from a relative or from a firm controlled by a relative. It is a form of favouritism in which preference is given to family, immediate or extended. Similar to nepotism is cronyism which refers to partiality to a partner or friend. Favouritism, the broadest of the terms, refers to partiality based upon being part of a favoured group, rather than job performance (Nadler and Schuman, 2015).
2. **Self-Dealing:** This is a situation where an official who controls an organisation causes it to enter into a transaction with the official, or with another organisation that benefits the official only. The official is on both sides of the "deal." Kernaghan and Langford (1990) define self-dealing as a situation where one takes an action in an official capacity which involves dealing with oneself in a private capacity and which confers a benefit on oneself. For example, a governor who awards a state government contract to a company in which he is a shareholder is involved in self-dealing. Another example would be a judge who has to rule on a case involving a company in which he is a shareholder. There is a potential for self-dealing and so under normal circumstances, he would have to excuse himself from the case.
3. **Gifts:** Gifts from friends and those who do business with the person receiving the gifts or from individuals or corporations who do business with the organization in which the gift recipient

is employed. Such gifts do not have to be tangible; they may include non-tangible things of value like transportation or lodging. For instance, an employee who accepts gifts and free products from a training and development company and recommends the purchase of these products without comparing them to comparable products from other vendors. Another example is when a purchasing agent accepts trips and gifts from a vendor and then selects the vendor's products for purchase by the company. Being offered such gifts in such a situation puts the person being offered in a tricky spot. Accepting such gifts may damage his or her reputation in the eyes of the employer.

4. **Pump and dump:** This usually seen in the field of investment banking. This is when a stockbroker who owns a security artificially inflates the price by "upgrading" it or spreading rumours, sells the security and adds short position, then "downgrades" the security or spreads negative rumours to push the price down. It is a form of securities fraud that involves artificially inflating the price of an owned stock through false and misleading positive statements, to sell the cheaply purchased stock at a higher price. Once the operators of the scheme "dump" sell their overvalued shares, the price falls and investors lose their money.
5. **Bribery:** Bribery is a case of conflict of interest. To be bribed is to be paid to do things that are incompatible with the duties of one's office (Carson, 1994). The recipient's financial interest in accepting the bribe creates a conflict of interest. For example, when a judge is paid to throw out a case from his docket, he is being paid to ignore his official duty which is to dispense justice. For the bribery offer to create a conflict of interest, the offer must be sufficiently large to tempt the judge to ignore his duty.

3.7 Resolving Conflicts of Interest

An ethical issue arises when the choices individuals face will affect the well-being of others by either causing harm or benefit. In a professional setting, the choice involves evaluating personal interest against what is honest, just, and fair. The ethical issue of conflict of interest in the professional life of professionals cannot be avoided; professionals are confronted daily with conflict and in particular the conflict between professional responsibilities and personal interest. Like every moral issue or dilemma, one has to find a way of resolving it.

You may be wondering what the relationship between conflicts of interest and professional ethics may be. Conflicts of interest negate and violate the basic ethical principles of honesty, justice, and fairness.

Professionals are expected to be ethical in their dealings with others: clients/customers, employers, co-professionals, competitors, and the general public. Hence, a professional is not expected to take unfair or unjust advantage of his/her position by deciding on a matter that could benefit him/her directly or indirectly at the expense of others: clients/customers, employers, co-professionals, competitors and the general public.

Moreover, conflicts of interest undermine trust and confidence in the relationships a professional has with others. Conflicts of interest make clients/customers, employers, co-professionals and the general public to lose faith in the integrity of a professional or the organization he/she works for. Conflicts of interest also speak volumes of the professional's integrity. It is definitely difficult, if not impossible, for a professional to determine whether he/she is being fair, just, and honest when his/her self-interest is involved.

So, what can a professional do about conflicts of interest? The right to do as an ethical professional is to avoid situations that give rise to conflicts of interest or that even appear to give rise to such conflicts; and in a state of possible conflict, professionals should balance the monetary or emotional ties pressures with the need to treat humans fairly, justly and act with integrity (Okpo, 2015:175). As a professional, how people judge your character is important to your career success because it is the basis of trust and credibility.

Consequently, when a conflict of interest is possible, an ethical professional is expected to abstain from any circumstance that his/her interest conflicts with his/her professional duties and responsibilities. In other words, the ethical professional must excuse him/herself from any decision-making process that his/her interest interferes with his/her professional duties and responsibilities. For instance, in the case of a judge who is expected to rule in a court case involving a firm in which he/she owns shares. The judge is expected to excuse him/herself from such a case because of the presence of a conflict of interest.

Self-Assessment Exercise

List 5 ways in which conflict of interest manifests

3.8 Summary

In this unit, we have discussed the situation described as a conflict of interest. An analysis was undergone to gain a deeper understanding of what it actually is, what it entails, and the forms in which they can appear. Conflict of interest is also examined to see if they have moral

character, that is, whether a conflict of interest may be right or wrong. Finally, we look at how professionals resolve conflicts of interest in the workplace. Conflicts of interest are as diverse as the work settings in which they occur and involve people interaction, employee actions, and personal benefits seemingly taking precedence over what is in the best interests of the others. They can be avoided but at times when they can't, they must be resolved. Generally, the secondary interests in a conflict are not wrong themselves but they become objectionable when they start to hold more weight than primary interests. Hence it is advisable to avoid them and if they are unavoidable, resolve them as quickly as they arise.

3.9 References/Further Reading

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3.10 Possible Answers to Self- Assessment Exercise

1. Conflict of interest exists where there is tension between professional conduct or expectation or discharge of duties and personal interests that may relate to friends, families or other clients. Conflict of interest is said to be objective when it is based on financial gains/ relationships; and subjective, when it has to do with emotional ties or relationship.
2. Actual conflict of interest which is a direct conflict; potential conflict of interest which is an indirect one but just a possibility and perceived conflict of interest which seeming appearance of conflict of interest.
3. Self-dealing, pump and dump, nepotism, bribery, gift

UNIT 4 WHISTLE-BLOWING AND PROFESSIONAL RESPONSIBILITY

Unit Structure

- 4.1 Introduction
- 4.2 Learning
- 4.3 What is Whistle-blowing?
- 4.4 Kinds of Whistle-blowing
 - 4.4.1 Internal and External Whistle-blowing
 - 4.4.2 Personal and Impersonal Whistle-blowing
 - 4.4.3 Private and Public Sector Whistle-blowing
- 4.5 Motivations for Whistle-blowing
 - 4.5.1 A Sense of Justice and Integrity
 - 4.5.2 Financial Gain
 - 4.5.3 Public Safety
- 4.6 Moral Obligation of Employees and Justification for Whistle-blowing
- 4.7 Summary
- 4.8 References/Further Reading
- 4.9 Possible Answers to Self- Assessment Exercise

4.1 Introduction

This unit deals with the issue of those professionals who are not comfortable with a specific unethical practice within the organisation they work for and decide to raise the issue with another person. This other person might be a senior officer in the organisation, a colleague, an agency of the government. Encouraged by the growing interest in ethics in both public and private organizations, whistle-blowing has received growing attention in recent times. It is the act of drawing the attention of the public or an authority to perceived wrongdoing, misconduct, unethical activity within the public, private and voluntary organisations. It is seen as one of the most direct methods of shining the light on corruption. In this unit, we will examine the meaning of whistle-blowing, kinds of whistle-blowing, and justification of whistle-blowing.

4.2 Learning

By the end of the unit, you will be able to:

- explain the meaning of whistle-blowing
- describe the role that whistle-blowing has to play in organisations
- identify and explain the justification of whistle-blowing.

4.3 What is Whistle-blowing?

Whistle-blowing has become one of the most current topics of debate in the field of business and professional ethics after the corporate scandals witnessed in the early 2000s. There are many different definitions of whistle-blowing by different scholars. Near and Miceli (1985) define whistle-blowing as “the disclosure by organization members (former or current) of illegal, immoral or illegitimate practices under the control of their employers, to persons or organizations that may be able to affect action” (4). For Desjardins and McCall (1985:289), whistle-blowing is “the act of complaining about an unethical, illegal, or dangerous corporate practice.” Similarly, Rongine (1985) sees whistle-blowing as “communication to the public of the illegal or immoral conduct of one's employer that is likely to result in unnecessary harm to third parties” (284). Giving a preliminary definition, Bowie (1982) defines whistle-blowing as “the act by an employee of informing the public on the immoral or illegal behaviour of an employer or supervisor” (140).

All these definitions are saying the same thing but in different ways. These definitions underscore two key notions: the gravity of the illegitimate or immoral act, and the act of disclosure. Whistle-blowing involves pointing the attention of people to misconducts and there is the probability of harm to other parties as a result of these misconducts. A whistle-blower is a person who exposes any kind of practice or activity that is deemed illegal, unethical, or not moral or right within an organisation that is either private or public.

4.4 Kinds of Whistle-blowing

Whistle-blowing is an expression used for a wide range of activities. Sometimes the term refers to disclosures or revelations made by employees to executives in a firm, perhaps concerning improper conduct of fellow employees or superiors who are cheating on accounts or are engaging in other illegal or unethical activities. Students are sometimes said to “blow the whistle” on fellow students whom they see cheating on exams. De George (2014) points this out and identifies the different forms of whistle-blowing discuss below.

4.4.1 Internal and External Whistle-blowing

Internal whistle-blowing is when someone discovers some type of illegal misconduct in a workplace and decides to report his/her discovery to a supervisor. That supervisor would then follow protocol in addressing the alleged misconduct within the company. It is believed that an investigation will such allegation and a sanction will be imposed. Internal whistle-blowers, according to Cook (1981), follow a formal,

prescribed organizational or company policy for bringing to the attention of upper-level management potentially wrongful actions by the firm which could endanger the public. If the employee or official follows a prescribed process of reporting (up to the chain of command), then internal whistle-blowing has occurred, regardless of the success of such reporting. Hence, internal whistle-blowing has to do with the internal mechanisms put in place to check unethical behaviour within an organization.

External whistle-blowing, on the other hand, is when an employee or official discloses organisational wrongdoing to outside sources, such as the media, public interest groups, or regulatory agencies (Cook, 1981). In these cases, depending on the nature and how severe the information is, whistle-blowers may decide to report the misconduct to lawyers, the media, law enforcement agency or other local, state, or federal agencies. In some cases, external whistle-blowing is encouraged by offering monetary rewards. In a setting where there is hardly any protection for external whistleblowers, the employee would usually have to resign first and then blow the whistle publicly if he/she is to be classified as a whistle-blower (Heacock and McGee, 1987).

4.4.2 Personal and Impersonal Whistle-blowing

Personal whistle-blowing occurs when one reports an offence not against the organisation or system but against oneself. Someone who reports sexual harassment can be said to have blown the whistle on the offender. This is usually the case because workers have a right not to be sexually harassed; they should have a means by which to report such harassment in an organisation, if simply speaking to said harasser has proven abortive. Personal whistle-blowing is morally permitted but not morally required unless there are signs of immediate danger to others (De George, 2014:322).

Impersonal whistle-blowing, on the other hand, occurs when one reports an offence not against oneself but against the system or organisation as opposed to personal whistle-blowing. This is because there may be a potential or actual injury to others or to the organisation rather than oneself.

4.4.3 Private and Public Sector Whistle-blowing

Private sector whistle-blowing as the name implies is when whistle-blowing occurs in the private sector. The private sector is the part of the economy which is owned by private individuals or groups, usually as a means of enterprise for profit, rather than being owned by the State. Private sector whistle-blowing is usually done by employees on their

employers. When for example, employee reports to someone in a higher position such as a manager, or a third party such as the press, their lawyer, or the police, it can be classified as private sector whistle-blowing. A person may blow the whistle when there are cases of violated laws or company policy, such as sexual harassment or theft also in instances of money laundering or fraud charges on the stock market and human rights violations and exploitation of workers. Private sector whistle-blowing is arguably more prevalent and suppressed in society today. This is because private corporations have strict regulations that suppress potential whistle-blowers (Castagnera, 2003).

Public sector whistle-blowing, on the other hand, refers to government workers who reveal to a governmental regulatory or investigative bureau unethical practice in their division or office and/or to employees within an organization or a firm that has government contracts who report fraud against the government. It sometimes refers to reporting such things as cost overruns to congressional committees or the media (De George, 2014:322). The difference between public sector whistle-blowing and private sector whistle-blowing lies on the obligations one has to one's government. These obligations are significantly different from obligations that one has to a nongovernmental employer. The reason is that government workers are related to their government both as citizens and employees, and the harm done by governmental employees may have effects not only on the particular Ministry/Department/Agency in which they are employed but also on the government and country as a whole. This is why some countries in the world like the United States of America have laws in place to protect whistle-blowers to help prevent corruption and encourage people to expose misconduct, illegal, or dishonest activity for the good of society (Lee and Kleiner, 2001).

Self-Assessment Exercise

1. Describe what whistle-blowing is.
2. List and explain three types of whistle-blowing

4.5 Motivations for Whistle-blowing

People find out about unethical practices of individuals or corporations when a whistle-blower tips off a reporter or sparks a government investigation. But what motivates whistle-blowers to risk so much, namely their reputation, their job, and in a lot of cases their family's security to obstruct the guilty parties? There are different motivations for whistle-blowers some of which are discussed below.

4.5.1 A Sense of Justice and Integrity

One reason for whistle-blowing is that the whistle-blower possesses an intrinsic sense of justice or integrity. When seeking justice the whistleblower is seeking to hold the wrongdoer accountable for the action. The whistle-blower can also be driven by a sense of integrity, in the sense that he or she takes action because it is the right thing to do. This is often seen in the most common whistle-blower who reports on the wrongs of their senior management. The most prevalent motivation of an insider is that they wanted to seek justice to hold the wrongdoer accountable or because they simply want to put an end to the unethical behaviour.

4.5.2 Financial Gain

Another strong motivation for whistle-blowing is the promise of financial gain. Announcement of rewards is sometimes seen by the government as an important tool in encouraging employees to bring an unlawful activity that they observe at work to light. Large awards occasionally are meant to act as strong incentives for individuals to come forward who might otherwise be deterred by retaliation from their employers. A sizeable financial reward can shift a whistle-blower's motivation instead of reporting on fraud because it's the right thing to do morally; the whistle-blower becomes motivated primarily by the financial gain of the reward.

4.5.3 Public Safety

Ensuring public safety is another motivation for whistle-blowing. A whistle-blower might take action simply because the safety of the public might be compromised as a result of the actions of his employers. For example, an employee who works in a construction company contracted to build a high rise building could decide to blow the whistle on the company's unethical act of cutting cost and using substandard materials. Using substandard materials could lead to the collapse of the building which in turn might cause a large number of injuries and fatalities. To prevent such an outcome and eventual negative harm to the public, an employee may decide to turn whistle-blower.

4.6 Moral Obligation of Employees and Justification for Whistle-blowing

Scholars like Cavanagh (1984) and Bok (1980) have theorized and speculated about the essential conditions that make whistle-blowing acts justifiable. Before whistle-blowing can be justified, it must reflect the essence of the morality of purpose for the benefit of the common good;

the necessity for a specific, important event to be under consideration; the certainty of information regarding the issue under consideration; proper internal efforts to correct the situation; and the absence of personal gain for the whistle-blower if the action does take place in the public sector. De George (2014:327-331) clearly identifies the required conditions for both permissible (justifiable) and obligatory whistle-blowing, if they have a moral foundation. These conditions are as follows:

A product or policy of an organization or a firm needs to possess the potential to do serious and considerable harm to employees or the members of society.

Once the concerned employee identifies a serious threat to the user of a product or the general public, he/she should first of all report the facts (as far as he/she known) to his/her immediate superior and make his/her moral concern known.

If the immediate superior fails to act effectively about the concern or complaint, the concerned employee should take the matter to more senior managers (if necessary and possible to the Board of Directors), exhausting all available internal channels in the process. The prospective whistle-blower must have, or have verifiable, documented evidence that would convince a reasonable, objective observer that one's view of the situation is correct and that the firm's product or practice poses a serious and likely danger to the public or user of the product.

The prospective whistle-blower must have good reasons to believe that by going public the necessary changes will be brought about as a result of his/her whistle-blowing act.

The prospective whistle-blower must be acting in good faith, without malice or vindictiveness.

Velasquez (1982) takes a different stance. For him, rather than theorising rules and guidelines, what is important is posing substantive questions through which we can identify permissible and obligatory whistle-blowing. The questions should deal with issues such as the ability of the whistle-blower to know about unethical practices; the level of unethical practice; the potential for public harm; the substantiality and the probable irreversibility of such practices; and the effects of whistle-blowing on the firm, the employees and the society at large.

You would agree with De George (2014) that corporations have a moral obligation not to harm others. This obligation falls on the corporation as such, and internally it falls primarily on those who manage the

corporation. This responsibility passes on to other members of the corporation e.g., engineers and assembly-line workers. This means they are not morally allowed to take part in any immoral activity. Hence, they may not morally take part in any activity or practice that they know will cause harm, including manufacturing products that they know, will cause harm. Do they further have a moral obligation to prevent harm, if they can do so?

Also a general rule, people have a moral obligation to prevent serious harm to others if they can do so and can do so with little cost to them. As the cost increases, the obligation decreases. This begs the question: what is the obligation as an employee to prevent his or her company from harming others?

Ethical dilemmas arise in whistle-blowing. The whistle-blower's dilemmas are twofold and interacting: a conflict between personal and organisational values and conflict between obligations owed to an organisation and parties beyond it. The second is treated as an ethical choice problem, a decision about what ought to be done in the face of conflicting duties and responsibilities. The first dilemma is more in the realm of virtue ethics, being concerned, especially, with the capacity to act, and with avoidance of complicity (Jubb, 1999:81). It may be argued that revealing unethical acts is a moral obligation. But when you consider that the perpetrator may be left unemployed and with a bad reputation or that the company will close down, a problem becomes apparent. There are conflicting values. For instance, let us examine a company whose manufacturing plant illegally dumps lots of toxic waste into a river which serves as the primary water supply of a community. This dumping of toxic waste pollutes the water causing a lot of the members of the community falling sick and visiting the hospital daily. Should an employee after exhausting all internal avenues to remedy this illegal and immoral act without progress disclose this unethical act to the government authorities or the press? Discuss this whistle-blowing case study regarding the normative ethical theories of utilitarianism, deontology and virtue-based.

Self-Assessment Exercise

Why do people blow the whistle?

4.7 Summary

In this unit, the concept of whistle-blowing was explored. An analysis of different conceptions of whistle-blowing was made to extrapolate the key ideas of whistle-blowing. Various kinds of whistle-blowing as given by scholars within the field were examined to give a wide and clear

account of the concept. Motivation, moral obligation, and justification of whistle-blowing were also discussed. Whistle-blowing has been a debatable issue because it involves revealing or exposing unethical practice and activity that a company is involved. The whistle-blower is often in the centre of the investigations and will be asked to reveal the problematic areas. This is why it is sometimes hard for people to disclose unethical practices in the organizations they work. Bad feelings and ill-will towards the whistle-blower often result in these circumstances. Even though generally whistle-blowing is considered bad, some benefits may result from whistle-blowing. Whistle-blowing helps to put the needs of other concerned parties first. In situations such as projecting false profits to the public, whistle-blowing can save investors from huge losses.

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4.9 Possible Answers to Self- Assessment Exercise

1. Whistle blowing is an act of revealing to the public or to a person that can take action, activities or practices that are unethical, illegal that an employer somewhat condones.
2. Internal and external whistle blowing, personal and impersonal, whistle blowing, private and public sector whistle blowing.
3. Whistle blowing is done for various reasons: for justice and integrity, financial gain, public safety etc.