



PHIL 333 Ethics Final

Professional Ethics (Athabasca University)



Scan to open on Studocu

PHIL 333 Ethics Final

1. Descriptive vs Prescriptive Morality

Descriptive ethics involves observing and understanding existing moral practices, while prescriptive ethics involves recommending what is considered morally right or wrong.

Example of descriptive morality:

"Jason believes that he should treat women with respect."

Example of prescriptive morality:

"All people should be treated with kindness and respect."

2. Amorality

A pharmaceutical company hiding safety information about a new drug for profit is unacceptable. Companies should be honest about what they sell, especially for medicines. Prioritizing money over honesty and people's health is amorality.

3. Examples of Positive and Negative Rights

Two positive rights:

- 1) The right to be informed of hazards in the workplace.
- 2) The right to retain counsel in the event of an arrest.

Two negative rights:

- 1) freedom to choose religion
- 2) freedom of speech

4. Explain a situation where a professional has a prima facie duty that turns out not to be her actual duty, and explain another situation where a professional has a prima facie duty that does turn out to be her actual duty.

A Prima facie duty is binding or obligatory, all other things being equal. Or rather someone's duty based on first appearances.

Consider a situation where a doctor prescribes painkillers to a patient who complains of persistent headaches. Initially, the doctor's prima facie duty is to relieve the patient's pain and discomfort, which suggests prescribing medication.

However, upon further investigation and tests, it is discovered that the patient's headaches are actually caused by a more serious underlying condition such as a brain tumor. In this case, the doctor's actual duty shifts from simply treating symptoms to properly diagnosing and treating the root cause of the problems such as ordering more tests and referral to a specialist.

5. Explain in your own words why it is important to understand another person's reasoning before you critique that reasoning and before you offer counter-arguments. Demonstrate the importance of this practice with a brief example.

It is essential to understand someone's insight before criticizing their reasoning or presenting counter-arguments. Disregarding their viewpoint can cause unproductive and meaningless disputes, leading to frustration for both parties involved in the discussion. Hence, it is always advisable to take the time to understand the other person's perspective before engaging in any debate or conversation.

Example:

A judge listens to both sides of a case carefully before decision-making to ensure fair circumstances

Unit 2

- 6. Provide an example of a morally problematic situation and explain how a proponent of act utilitarianism would reason about that situation differently than a proponent of rule utilitarianism.**

Act utilitarianism looks at how much happiness will be caused by a particular action at the moment.

Rule utilitarianism looks more broadly at what would happen if everyone performed that same action and makes a rule based on what will bring the most happiness to the most people overall.

Example: Assisted Suicide. Act utilitarianism would deem the maximum happiness for the patient and family whereas rule utilitarianism would deem taking one's life to never be morally right

- 7. Do you agree with Kant's reasoning that the concept of duty captures what is most important about ethics and about evaluating people's moral behaviour, and why or why not?**

Agree with Kant's reasoning because the concept of duty allows morally permissible acts and shuns morally impermissible acts regardless of maximum happiness. Allows for greater consistency regarding what is right and wrong.

- 8. Consider the hypothetical situation where you tell your son falsely that his mother loved him, which was used in this unit to illustrate Kantian deontological reasoning. Do you think that one of the utilitarian approaches or the Kantian approach better indicates the morally right action in this situation? Why?**

With the assumption that my son's mother is no longer present, act utilitarianism would be deemed the ideal approach because it maximizes happiness in my son in a situation where other alternatives would create a negative impact on all parties involved.

- 9. Contractarianism**
Do you agree with the basic contractarian idea that people should be bound to abide by only those moral principles to which they would rationally and freely agree? Why or why not?

I agree with the statement because these moral principles are widely accepted in society, based on the social contract. The majority of people believe in highly moral values such as not harming others, not stealing, not cheating, and not lying.

- 10. Rawlsian Justice**
Do you think Rawls' two principles of justice provide adequate moral justification for the social inequalities that would exist in a Rawlsian society, given that some people, and not others, would achieve high levels of income and status within society, even while they were constrained by the principle of equal liberty? Explain your reasoning.

"Yes, it has adequate moral justification, because in a Rawlsian society, all individuals would have equal opportunity to access positions of privilege as long as they are qualified. Additionally, this would not result in taking advantage of the portion of society that is least well-off."

- 11. Consider the idea that physicians, as primary healthcare providers, are granted the power by society to control healthcare resources. Do you think this exemplifies contractarian ethics, and why or why not?**

Further, does the contractarian ethical model appropriately capture the ethical relationship between society and other professions? Why or why not?

"It is essential that physicians do not harm their patients while receiving a salary for their services, and that patients are not biased towards their physicians when seeking medical care. The morality of this relationship is determined based on the minimum ethical standards set out by contractarianism, as well as any additional conditions agreed upon by both parties."

12. Do you think virtue ethicists are correct that virtuous dispositions will lead people to act in morally right ways? If you agree with virtue ethicists, do you think that moral theories that focus on the rightness or wrongness of actions, such as utilitarianism and deontology, are beside the point? Why or why not? If you don't agree with virtue ethicists, explain why.

"I agree that individuals with virtuous dispositions tend to act morally without hesitation. Such individuals are naturally conditioned to do what is right, and therefore, there is no need for them to consciously strive to do good. In this case, moral theories such as utilitarianism and deontology become irrelevant, as the consequences of actions or the attainment of maximum happiness are not important. This is because people with virtuous dispositions are unlikely to be lost from performing moral acts."

13. Feminist ethicists think that ethical analyses should consider the ways in which social and political structures render some persons in society subordinate or oppressed in relation to other persons who are dominant and more at liberty. Provide an example showing how differences in social power and status may be ethically relevant to our moral evaluations.

Feminist ethicists argue that it is important to consider how different groups of people are treated when determining what is right or wrong. They believe that certain social and political structures give some people more power and freedom while oppressing others.

For instance, if we look at the issue of pay disparity between men and women for the same job, feminist ethicists will say that it is not just about the job itself but also about how society values the work done by men more than that of women. In most workplaces, men earn more money than women for the same work.

Feminist ethics remind us that it is crucial to consider the social power and status of men and women when making a fair judgment on the ethical implications of the pay gap. It helps us understand that job performance is not the only factor but also how society's structures influence people's treatment and opportunities based on their gender.

14. In your own words, identify the main features of each of the five normative ethical theories you have studied in this unit (six theories when we count act and rule utilitarianism as separate theories).

1) **Utilitarianism (Act and Rule):**

Focuses on maximizing overall happiness. Act utilitarianism looks at each situation to bring the most happiness, while rule utilitarianism follows general rules for the greatest happiness.

2) **Kantian Deontology:**

Emphasizes following moral principles based on reason, not just consequences. It's about treating others with respect and dignity and acting according to universal laws.

3) **Contractarianism:**

Involves creating fair rules that everyone would agree to behind a hypothetical veil of ignorance.

4) **Virtue Ethics:**

Centers on developing good character traits like honesty and compassion. Actions are judged based on whether they align with these virtues.

5) **Feminist Ethics:**

Considers fairness and empathy, particularly focusing on marginalized groups. It critiques traditional ethics for not addressing issues of gender and power, aiming for inclusivity and equality.

15. Explain in your own words one main objection to each of the five normative ethical theories studied in this unit

- i. **Utilitarianism** - ignores means by which happiness is produced, even when those means carry significant moral weight
- ii. **Kantian deontology** - because all duties are absolute, it can't help us to resolve conflicts of duty
- iii. **Contractarianism** - lack of control by persons would make contractarianism invalid (Stanford Prison Experiment)
- iv. **Virtue** - relativism to community (is what's good for one community the same for another)
- v. **Feminist** - A person cannot truly care for someone if she is economically, socially, and/or psychologically coerced to do so

16. Explain what Aaron Quinn means by "ethical pluralism" and "pluralistic ethics."

1. **Ethical Pluralism:** This means there are many different ethical beliefs or ideas about what is right and wrong. It's like saying there are lots of different ways people think about what's good or bad.
2. **Pluralistic Ethics:** This is about considering all those different ethical beliefs when making decisions. It's like saying we should consider all the different views about what's right or wrong, instead of just sticking to one particular way of thinking.

17. According to Aaron Quinn, by what reasoning can we distinguish between acts of photomanipulation that are morally wrong (and thus to be prohibited) and acts of photomanipulation that are morally permissible?

The purpose of allowing photo manipulation is to not deceive or misinform the public, while still allowing for creative expression.

Aaron Quinn suggests that we can tell if photomanipulation is right or wrong by considering why it's done. If it's to allow creativity without tricking people, it's okay. But if it is to deceive or mislead, it's wrong and should be stopped. So, the difference is in the intention and the effect on truthfulness.

18. Edmund Pellegrino argues that responsible physicians will have virtuous dispositions that allow them to perform on an ethical level both proper to medicine and superior to a mere duty-based ethical approach to medical practice. Show the qualitative difference that Pellegrino has in mind here by sketching a scenario where one physician fulfills his duty by using only a duty-based ethics and where another physician fulfills his duty by using both duty-based and virtue-based considerations.

I believe that the difference between the two scenarios can be seen in how physicians interact with their patients. A busy physician may not have enough time to listen to what the patient is saying, which can cause the physician to overlook important clues about the patient's condition. Even though the physician is fulfilling their duty of addressing the patient's immediate needs, they may fail to identify other issues that require treatment because they are not taking the time to ask questions and learn more about the patient.

On the other hand, a physician who takes the time to carefully listen to everything the patient says and provides advice, suggestions, and referrals beyond the immediate issue is someone who is acting based on virtue.

Unit 3

19. Explain the difference between a descriptive account (e.g., Greenwood) and an evaluative account (e.g., Downie) of the nature of professions.

In the given text, it seems that Greenwood is describing the distinguishing characteristics of a profession without evaluating the reasons behind them.

On the other hand, Downie is attempting to evaluate what makes professions unique and socially valuable in comparison to business or commerce.

20. Summarize the features of professions provided by Greenwood and those provided by Downie. Do these two accounts mostly agree with one another or are there any significant points of disagreement between them? Explain.

Features of professions provided by **Greenwood**:

1) systematic theory, 2) authority, 3) community sanction, 4) ethical codes, and 5) a culture.

Features of professions provided by **Downie**:

1) knowledge base, 2) service through relationship, 3) social function 4) independence, and 5) education and training.

Two accounts mostly agree with one another with the 5 principles above being shared beliefs by both Greenwood and Downie.

21. Do you think there is a viable distinction to be made between professions and non-professions?

No there is no viable distinction between professions and non-professions. Both require a body of knowledge specific to the field, clientele acknowledges both as professional authority in the field, and both have certain ethics and expected professional culture

22. Consider an occupation that you think is in the process of professionalization and, in relation to the features studied, explain why you think it is becoming, but has not yet become a profession.

Plumbing is getting more professional, but it's not fully there yet. One reason is that it relies more on learning while working instead of formal education. Without standardized training and certification, it lacks the uniformity and standards typical of a profession. As plumbing continues to develop clearer educational paths and certification requirements, it may become a fully recognized profession.

23. Does Kipnis think that lawyers in our society have a professional responsibility to provide legal representation for persons who cannot afford to pay for legal services? Explain the main reasons he uses to support his position

According to Kipnis, lawyers do not have a professional obligation to offer legal representation to individuals who cannot afford their services. Kipnis argues that lawyers believe they deserve to have a monopoly over the types of services they provide. Instead, Kipnis proposes establishing a system where legal services are offered in a straightforward free market context by non-professionals.

24. Explain the basic legalist position and the basic anti-legalist position in relation to professional responsibility.

Anti-legalists claim that legalism would encourage professionals to perform at an inadequate level of the ethical minimum

Basic legalists claim following the rules of one's professional code of ethics is sufficient for being a responsible professional.

25. Explain interpretative obedience, as Davis understands it, and explain why he thinks this interpretation of "just following the rules" satisfies professional responsibility.

1. Understanding the rules
2. Knowing the justification for the rule
3. Carrying out a course of action consistent with the justification for the rule.

Davis defends the Interpretive model of just following the rules because it does not leave anything out

26. In the context of professional ethics, anti-legalists claim that legalism would encourage professionals to perform at the inadequate level of the ethical minimum. Davis denies this and maintains that following the rules of one's professional code of ethics is sufficient for being a responsible professional. Which of these two positions do you agree with, and why?

I agree with Davis because I believe that relying on the rules outlined in a professional code of ethics is sufficient for being a responsible professional. In my view, professionals possess extensive experience and knowledge within their respective fields, which equips them to make ethical decisions. Trusting professionals who are most qualified in their areas of expertise is paramount, and adhering to the rules of their professional code of ethics demonstrates their commitment to upholding ethical standards.

Therefore, I believe that following these rules is enough to ensure responsible professional conduct.

27. According to Turnick, what is the problematic situation occupied by professional engineers that needs to be rectified? What suggestions does he make for rectifying this situation?

Professional engineers often face the challenge of being pressured by outside influences to ignore safety concerns. This can happen for various reasons, but it is important to rectify this issue to ensure the safety of individuals and the community. One method to address this problem is to implement strict laws and consequences that hold outside influences accountable for pressuring engineers into making unsafe decisions.

28. Are you convinced by Welch's argument that professional ethics are not distinct from ordinary ethics? Why or why not?

I agree with Welch that professional ethics should not be distinct from ordinary ethics. I think the ways that professional ethics would differ from ordinary is in how they are applied to specific situations and relationships that are encountered by the professional. A doctor's code of ethics may be essentially the same as a firefighter, but how they follow the ethical codes within their roles is specific to their profession. This to me is the difference between professional and ordinary ethics.

Unit 4

29. List the parties to whom professional engineers have responsibilities, and explain the main responsibilities they have to each of these parties.

Employers - fulfilling contracts, protecting confidential information, performing in ways that degrade neither employer nor affiliates.

Clients - fulfilling contractual agreements, showing loyalty to a company, protecting confidential information/trade secrets to which they may be aware.

Public - ensuring that projects worked on are done ethically and are safe

engineering colleagues - engineers are responsible to their colleagues to uphold the profession as trustworthy and accountable.

Engineering profession - engineers are also responsible to their profession to make sure they are seen as professionals, accountable, and trustworthy.

30. If these authors are correct, does this mean that professional ethics is significantly different from ordinary ethics? Explain your answer.

Yes, professional ethics can differ from ordinary ethics, especially in professions like medicine and law. These fields have specific responsibilities and trust relationships with clients or patients, which may require following codes of conduct or standards that go beyond what's normal in everyday life.

For example, in cases like assisted suicide, professionals must consider additional factors like preserving life, legal regulations, and maintaining trust with patients.

31. Michael Pritchard's account of LeMessurier supports his idea that professionals are properly responsible only when they exhibit virtues and perform beyond the level of merely satisfying the explicit codes of their profession. We saw in Unit 2 that Pellegrino holds a similar view with respect to the performance and responsibility of physicians. If these authors are correct, does this mean that professional ethics is significantly different from ordinary ethics? Explain your answer.

I believe that the authors don't necessarily argue that professional ethics is fundamentally different from ordinary ethics. Rather, they suggest that professionals bear a higher level of accountability and should be willing to exceed their prescribed duties when necessary. This is more of an attitude than a specific call for higher or different ethical standards.

A professional attitude involves going beyond the minimum requirements of the job, rather than simply doing what is required in a perfunctory manner.

32. Compare and contrast the views of professional responsibility held by Michael Davis, which we studied in Unit 3, and Pritchard, from this unit. Explain why someone might (reasonably) think that these two views are compatible with one another. Do you think they are ultimately compatible or incompatible, and why?

I understand that Michael Davis and Pritchard have similar views on interpretive obedience.

Davis believes that professionals should adhere to ethical codes, but also make necessary adjustments based on specific situations. In contrast, Pritchard considers the engineering code of ethics as the highest standard for its members but also allows for adaptation and surpassing the code when required. In essence, both

authors are promoting the same idea of interpretive obedience, but with different explanations.

33. Define whistleblowing and explain the distinctions between (i) internal and external whistleblowing and (ii) anonymous and non-anonymous whistleblowing.

Whistleblowing is when a person brings attention to a moral issue they are aware of within a corporation, despite pressure to remain silent.

Internal whistleblowing happens when someone discloses a problem to someone else within the organization, but not through approved channels.

External whistleblowing is when an employee discloses a problem to someone outside the organization, such as the media.

Anonymous whistleblowing is when information is shared while keeping the whistleblower's identity confidential,

while **non-anonymous whistleblowing** means the whistleblower's identity is disclosed.

34. What are the advantages and disadvantages of anonymous whistleblowing?

Advantages:

include avoiding potential negative effects of the organization knowing who blew the whistle. This means people might be more likely to be whistleblowers if they don't have to fear for their jobs, and/or their personal safety, or any other negative consequences.

Disadvantage:

the whistleblower may lose credibility if they aren't willing to identify who they are and how they know about the moral issue. Those in power may not take the whistleblower seriously in this instance.

35. List the conditions that De George thinks are necessary for (a) the permissibility of whistleblowing and (b) making whistleblowing obligatory. Also, list the four conditions that indicate a strong prima facie obligation to blow the whistle, according to Martin.

A) According to De George, whistleblowing is permissible under the following three conditions:

1. If the product's harm to the public is significant and considerable.
2. If the concerns have been communicated to superiors.
3. If the available channels within the corporation, including the board of directors, have been exhausted and no satisfaction has been obtained.

In addition, two more conditions make it obligatory to blow the whistle:

4. If there is documented evidence that would convince an impartial observer.
5. If there is strong evidence that making the information public will prevent harm.

B) On the other hand, Martin identifies four conditions that indicate a strong obligation to blow the whistle:

1. If there is good reason to believe that there is a serious moral problem.

2. If normal channels have been exhausted.
3. If there is a reasonable amount of documentation.
4. If there is a reasonable hope of solving the problem by blowing the whistle.

36. Do you agree with Martin's criticisms of De George's conditions for the permissibility and the obligatoriness of whistleblowing? Do you think Martin's set of conditions are more satisfactory? Explain your answers.

I don't agree with Martin's criticisms of De George's conditions for whistleblowing. I think De George's conditions are appropriate because they cover all the necessary steps to ensure the safety of the public and to stop unethical behavior.

37. Martin's account of whistleblowing holds that an engineer may satisfy all five of De George's whistleblowing conditions but still not be obligated to blow the whistle on her organization because, for example, doing so would likely bring harm upon herself and her family. Do you agree with this view, and why or why not?

No, I disagree because the harm to the masses outweighs the potential harm to herself and her family, who would be protected after the whistle-blowing. Whistle-blowing and protecting the masses is the moral priority.

38. From what you know of cases where whistleblowing may be justified, such as the cases of the Ford Pinto, the space shuttle Challenger, and McDonnell Douglas' DC-10, do you think we should consider whistleblowing to be at most only permissible or do you think we should consider it to be sometimes obligatory? Explain.

It is essential to take certain actions because they are morally correct and can prevent harm to a large number of people. Furthermore, it is crucial to ensure the safety of all parties involved. We cannot tolerate unethical actions, especially when corporations can harm society by committing immoral acts.

39. List a few reasons for and a few reasons against whistleblowing protection legislation. Are you in favour of such legislation, and why or why not?

Reasons in favor of whistleblowing protection legislation include:

1. Encourages people to report unethical behavior without fear of retaliation.
2. Helps uncover wrongdoing and promotes honesty and accountability.
3. Protects whistleblowers from harm, such as losing their jobs.

Reasons against whistleblowing protection legislation include:

1. Could protect whistleblowers even if their claims are untrue.
2. Might damage trust between employees and employers.
3. Could lead to an increase in false reports and strain resources.
4. May create a culture of fear within organizations.

strongly support whistleblowing protection legislation because it encourages transparency and accountability within organizations. Such legislation provides a necessary safeguard for individuals who have witnessed wrongdoing and wish to report it without fear of reprisal. By protecting whistleblowers, such legislation can help uncover and address unethical behavior, ultimately contributing to a more ethical and responsible society.

40. What is a conflict of interests and why are conflict of interest situations morally problematic for professionals in particular? Also, explain the differences between real, potential, and apparent conflicts of interest.

Conflicts of interest can occur when a person or organization has multiple interests that can lead to moral dilemmas and uncertainty about the best course of action. This can be especially problematic for professionals because it may compromise their judgment and make them appear untrustworthy to others. There are three types of conflicts of interest:

1. **Real conflict of interest:** This occurs when a person's interests actually interfere with their ability to act objectively or ethically. In these situations, the individual may prioritize their personal gain over their professional responsibilities.
2. **Potential conflict of interest:** This refers to a situation where a conflict can arise in the future, even if it hasn't occurred yet. It arises when there's a risk that a compromising interest could undermine a professional's judgment or integrity.
3. **Apparent conflict of interest:** This occurs when there is a perception or appearance of a conflict of interest, even if there may not be one in reality. Even if no actual conflict exists, the appearance of impropriety can still damage trust and credibility.

Professionals must carefully navigate these different types of conflicts of interest to maintain their integrity and the trust of those they serve. They must be transparent about any potential conflicts and take steps to mitigate them to ensure that their decisions and actions remain ethical and in the best interests of their clients or stakeholders..

41. Explain what Resnik means when he says that conflicts of interest can undermine (a) a professional's judgment and (b) a professional's will.

In his work, Resnik discusses the problem of engineers being biased in their judgments due to their interests or obligations. He refers to this issue as a "corruption of judgment". Resnik also explains the concept of a "corruption of will", which occurs when an engineer knows what the right decision is, but is unable to follow through due to an unwillingness to act against their own interests. This can lead to a situation where the engineer's professional judgment is compromised.

42. Consider the professions of engineering, medicine, and journalism. Do you think it is important for all of these types of professionals to make decisions in a disinterested manner? If so, do you think it is equally important for each of them? If not, do you think it is important for any of them? Explain your reasoning.

In any profession, it's crucial to make unbiased decisions. However, the consequences of biased decision-making vary depending on the profession. The potential for serious harm caused by biased decision-making is much higher for a doctor than for a journalist. Even though it's still essential for journalists to act in an unbiased way, the consequences of biased decision-making are unlikely to be life-threatening.

Therefore, the more potential harm that can be caused by a professional's decision-making, the more important it is for them to be unbiased. However, this doesn't mean that being unbiased is unimportant in other professions.

43. Explain Resnik's suggestions for avoiding or alleviating conflict of interest situations. Can you think of any other strategies that would be useful here? Explain.

Resnik describes two common strategies for avoiding the problems created by conflicts of interest.

The first strategy is disclosure. Disclosure also plays a key role in promoting the trustworthiness of research, since it allows the public to understand the financial and personal interests at stake, and it promotes honesty and openness. If you want your actions to be viewed as trustworthy, it is better to keep personal and financial interests "out in the open" instead of hiding them and having them discovered later.

The second strategy for dealing with conflicts of interest is known as recusal. Recusal occurs when a person with a conflict avoids making or even influencing decisions that involve this conflict.

According to Resnik, a preventative approach to conflicts of interest is best.

Unit 5

44. After comparing the traditional and the modern versions of the Hippocratic Oath, do you think that the modern is better than the traditional or just different? Why, specifically?

Modern is better. Both oaths carry similar beliefs with differences as well. The modern oath accounts for the profession not being male domain, caring adequately for the sick, and realizing patients are human beings with lives beyond health conditions and not just cases. Traditional oath condemned abortion and euthanasia.

45. Do you think that, in revising our moral beliefs and behaviors, we make moral progress or do we only adapt to different environments and become different, not better? Explain your reasoning.

As societies progress and evolve, their customs and expectations also change. This can lead to shifts in moral beliefs and behaviors, as people adapt to new views held by the majority of society. For example, in the past, abortion was often condemned, whereas in modern times it is generally accepted. Our morals and behaviors reflect these changes and adapt to the current societal norms.

46. For each physician-patient relationship model studied, describe a healthcare situation where that model would be the best one to use, and explain why it would be best.

Paternalistic - emergencies, where the patient is unable to participate in making a decision in a timely manner (life-threatening gunshot), Allow the physician to care for a patient in the best way possible to preserve life without any opposition

Informative - Treatment of mental health via medication. Patients will have a sense of what medication does not work and what does and thus, their input regarding the matter provides significant insight to physicians regarding what to prescribe

Interpretive - Pregnancy, a physician can inform the patient of all possible options for the woman and thus from there, they can proceed on the best course of action in regard to pregnancy

Deliberative - For patients with weight issues, the best option because the physician takes the teacher/friend role, it informs the patient on the medically best option and provides self-development to prevent weight issues from arising again in the future

47. Explain the distinction between self-understanding and self-development as these concepts are explained and discussed with respect to the interpretive and deliberative models of physician-patient relationships.

The idea of self-development refers to the changes a patient may experience in their desires and beliefs as a result of consulting with their physician about available options.

Self-understanding, on the other hand, doesn't necessarily mean growth or change. It involves a person understanding their higher-order desires and how these align with their first-order desires and behaviors.

Self-development, on the other hand, involves analyzing these higher-order desires and changing them to accurately reflect what the patient wants to do and believes.

48. Do you agree with Emanuel and Emanuel that the deliberative model is the ideal physician-patient relationship model of the four discussed? Why or why not?

I agree with this approach because it not only offers the best medical treatment but also fosters self-improvement in patients to prevent the recurrence of similar health issues. By educating patients about what actions to take and what to avoid, they help put an end to the problem rather than allowing it to persist in the future.

49. Provide three (or more) reasons why maintaining confidentiality in physician-patient relationships is morally important.

- 1) Patients are often in a vulnerable state when receiving health care, and this can be exacerbated depending on the seriousness and sensitivity of their health condition.
- 2) Physicians must maintain patient confidentiality to prevent patients from losing control over information they wish to keep private, thus further adding to their vulnerability.
- 3) If patients do not trust that their personal information will remain confidential, they are less likely to divulge crucial information necessary for effectively treating their health issues.

50. Provide reasons both for and against the view that physicians should never breach patient confidentiality. Which of these two sets of reasons do you think is most convincing? Justify your choice.

For:

1. Without the ensure of confidentiality, patients are less likely to share information that can help improve their health.
2. Depending on the sensitivity of their health condition, some patients may be more vulnerable.

Against:

1. Breaking confidentiality may become necessary if the patient poses a risk to others.
2. In some cases, the patient may not be in a position to make informed decisions, and hence, breaking confidentiality becomes necessary.

The argument against maintaining confidentiality is more convincing since, in most cases, breaking confidentiality does not harm the patient's well-being. Confidentiality may only be breached when it is necessary for the safety of others or when the patient is incapable of making a logical and informed decision.

51. Do you think that there are situations where the principles of beneficence or non-maleficence should override the principle of respecting patient autonomy so that physicians are morally justified (perhaps even obligated) to deceive their patients either by lying or by omitting truths? Explain your view and reasoning.

Situations can arise where respecting a patient's autonomy may not be the best course of action. In these cases, some physicians may decide not to disclose the full truth about a diagnosis if they believe that revealing it could cause the patient to lose hope, become discouraged, or hinder their recovery. By withholding information, the physician is acting in the patient's best interests, even if the patient may not see it that way.

52. What, according to Freedman, are the three standard requirements of patients' valid informed consent? Which of these standards does he

think is not necessary and why? Do you agree with him, and why or why not?

1. Patients must be competent
2. Patients' consent must be informed
3. Patients' consent must be free, that is, voluntary

Informed is not necessary because required only if one's making responsible decisions depends on having and understanding certain information, which is not always the case.

Agree because there are situations where the patient being informed is not necessary due to a lack of knowledge on the matter and risks confusion.

53. Explain what changes Katz thinks the medical community must make if we are to consistently and properly secure valid informed consent from patients.

Physicians have a responsibility to disclose information to patients, and patients have a responsibility to make decisions about their healthcare.

To facilitate joint decision-making, physicians should communicate with patients respectfully and collaboratively.

Additionally, physicians should recognize that their knowledge may be limited and they may not be able to share all of their insights with patients. They should not be ashamed of their lack of knowledge and should trust their patients to respond appropriately to their acknowledgment. To create a new relationship of joint decision-making, physicians should work with patients to identify choices to be made.

54. Sketch an example that illustrates the distinction between an "outcome standard" and a "process standard" when it comes to assessing a patient's competency.

An example of an outcome standard is when a physician evaluates a patient's competency based on their decision in a specific situation.

For instance, when a smoker expresses his desire to quit smoking, the outcome standard would be the result of his decision and the potential future outcomes. On the other hand, the process standard would be the reasoning and benefits of quitting smoking, explaining why it is important for the patient.

55. Explain why Buchanan and Brock think that, in assessing a patient's decision-making competency, we must consider the particular choice made by the patient in relation to the alternatives the patient could choose. Do you agree with them, and why or why not?

Buchanan and Brock emphasize considering both what a patient chooses and the options they reject when assessing decision-making ability. I agree because understanding why a patient picks one option over others helps evaluate their competency. For example, refusing a lifesaving procedure demands higher competency as the consequences could be serious. Overall, their view underscores the importance of looking at a patient's decision within the available options to ensure choices reflect their wishes and values.

56. Explain why it is considered morally preferable for a surrogate decision maker to use the substituted judgment standard over the

best interest standard. Develop an example and apply to it these two standards of surrogate decision-making.

The substituted judgment standard respects what the patient would choose for themselves if they could. For example, if a patient wanted assisted suicide when critically ill, the surrogate would honor that wish.

The best interest standard focuses on what's best for the patient's well-being, regardless of their wishes. For instance, if a patient with autism needs stitches but can't consent, the best interest standard would prioritize getting the stitches for their health.

Substituted judgment is preferred because it respects the patient's autonomy, while the best interest standard prioritizes what's best for the patient's health.

Unit 6

57. Detmer thinks that there are two separable conceptions of objectivity that journalists may adopt. Concisely explain each of these conceptions.

Detmer presents two different interpretations of objectivity that journalists can adopt. The first approach is to only state the facts, which are believed to be objective while avoiding presenting any subjective opinions, interpretations, conclusions, theories, or value judgments. Detmer disagrees with this approach, as he feels it is unrealistic.

Instead, he suggests a scientific interpretation of objectivity in journalism, which involves a journalist's subjectivity in the form of opinions, conclusions, and theories. However, he emphasizes that these opinions and theories must be based on evidence, logic, and reasoning to be considered valid and respectable.

58. Provide a sketch of the conception of journalistic objectivity that is favoured by Ryan.

Ryan believes that objectivity is a crucial principle that guides a free society. He proposes a realistic approach where an observer should be mindful of their own biases and work towards overcoming them. Ryan also suggests that an observer who strives to be objective will have a better chance of understanding reality than someone who allows their personal agenda to influence their decision-making.

59. Explain Glasser's main reasons for concluding that objectivity in journalism leads to irresponsibility on the part of journalists and the press. Explain your agreement or disagreement with his view.

I disagree with the view that objectivity in journalism leads to irresponsibility. The role of journalists and the press is to report news to the public in an unbiased manner.

By suggesting that personal investment in news reporting is necessary, the writer is promoting bias in news coverage. Journalists should remain objective and avoid personal involvement in news stories in order to maintain their credibility and the integrity of their work.

60. Should there be rules within the profession of journalism that prohibit journalists from reporting on subjects in which they have vested personal interests? Why or why not?

Yes, there should be rules in place to prevent conflicts of interest, whether they originate from the journalist or the company they work for. It is natural for people to have biases when it comes to matters that concern them personally. Therefore, prohibiting journalists from reporting on subjects they have a personal stake in can help to eliminate significant biases in their reporting to society.

61. Do you think journalistic objectivity (of some form or another) is crucial to the integrity of journalism as a profession? Explain and defend your answer.

Yes, it is crucial to the integrity of the profession because it helps provide legitimacy to the reporting as opposed to being taken with a grain of salt by the public. Bias regarding invested personal interests in journalism creates doubt in society regarding what is factual and what is being fabricated to push an altered agenda.

62. For what main reasons does Lichtenberg think that journalists should be prohibited from participating in political activities? Do you agree with her, and why or why not?

Lichtenberg argues that journalists should be prohibited from participating in political activities due to the potential of promoting a particular political agenda or creating bias in their work and reporting.

I agree with this stance, as journalists' vested personal interests and views can taint their reporting and compromise their objectivity. In some cases, journalists may be bribed to fabricate or hide information, which further undermines the integrity of their work.

Therefore, to ensure an unbiased point of view, journalists should refrain from participating in political activities. The assigned number of this text is 63.

63. Lichtenberg argues that journalists should be obligated to publicly disclose the income they receive from sources outside their primary employment. Consider whether it would be morally appropriate to require this of other kinds of professionals, such as lawyers or doctors, and discuss whether or not, in relation to this issue, there is a relevant difference between other professions and journalism.

It is important to demand transparency from all professions, including pharmaceutical companies. Some doctors may be bribed to prescribe certain products, even if they are not in the best interest of the patients. Professionals who are unbiased and have no conflicting interests would be willing to reveal such information. Journalism can greatly affect public perception of global events, so it is crucial to ensure that news reports are free of any bias.

64. Explain Winch's distinction between intimate and non-intimate privacy. Do you agree with him that this distinction is useful for placing a moral limit on journalists' invasions of the privacy of public figures, and why or why not?

Intimate privacy refers to matters that should not be made public without a good reason. Non-intimate privacy, on the other hand, refers to matters that are not personal in nature and are not appropriate for public consumption. I agree with this distinction because certain matters of personal privacy are not relevant to the public and should not be reported. This invasion of privacy is unjustified and not limited to public figures, as matters such as cheating and spousal problems should not be shared publicly.

65. Wilkins argues that it is important for democratic decision-making that journalists report on a political character. In your view, what are the main ethical "pros" and "cons" of her position? On the basis of these, do you agree with her that this kind of reportage should be encouraged, and why or why not?

"Pros: This report provides insights into the morality of individuals who hold political power.

Cons: The report can be biased by journalists who favor one political side over the other.

It is important to encourage impartial reporting that covers all sides equally. This type of reporting allows the public to better understand the morality of political leaders and make informed decisions when choosing who to elect."

66. Explain the main point behind Thompson's adopting a version of "Gresham's law" (page 305) in his discussion of the extent to which journalists are justified in publicizing private matters of public officials.

Thompson's argument regarding Gresham's law is that when publicity undermines the practice of accountability, it should be limited. The notion that "Cheap talk drives out quality talk" in politics implies that people are drawn towards sensationalized and less reliable information regarding personal lives. Such information tends to dominate other forms of information, thereby lowering the overall quality of public information and reducing democratic accountability. Therefore, it is essential to prioritize reliable information about public affairs in order to maintain a healthy and functional democracy.

67. Explain why Thompson contends that "the press should concentrate more on the effects of private behavior and less on the behavior itself" (page 306). Do you think he is right about this, and why or why not?

He argues that citizens may not care about a politician's behavior, but being aware of their behavior can make them think more critically about whether the candidate is suitable for the position they are running for.

While it may be true that the majority of the public may have a similar level of unconcern towards private behavior, being aware of it can help them make more informed decisions about whether that official is the best fit for the role based on personal encounters with those private behaviors.

68. Considering the respective views of Winch, Wilkins, and Thompson, which of these do you think is ethically best? Briefly explain the main reasons supporting your judgment.

Winch argues that there are different levels of privacy. He concludes that intimate private matters should always be kept confidential, even for public officials, unless clear evidence of a significant general injustice is hidden.

Wilkins has a less protective view of public figures' privacy. She believes certain conditions must be met before journalists can disclose politicians' private matters, but some disclosures are crucial to our political system. She argues that journalists must report on issues that reveal the political character of officials.

Dennis Thompson discusses how political journalism that invades the private lives of public figures can either strengthen or undermine our democracy. He emphasizes that accountability requires citizens to make informed and reasonable judgments about politicians' performances. Thompson cautions against journalists using poor-quality talk that drowns out quality talk.

I believe Winch's views are the most ethical because he believes there are moral limits to journalists' invasion of privacy. While Thompson's views may attract a larger audience, he advocates for the invasion of privacy and poor-quality talk. Wilkins' views can also be biased.

Unit 7

69. Explain the idea that a lawyer's primary responsibility is to be a zealous advocate for the client.

According to Freedman, every client is entitled to a lawyer whose primary responsibility is to be a zealous advocate for their client. This is a necessary function of attorneys under the current adversarial system. Freedman describes it as, "entire devotion to the interest of the client, warm zeal in the maintenance and defense of their rights, and the exertion of their utmost learning and ability" (Freedman, 2008).

A lawyer's fundamental duty is to passionately defend the freedom or innocence of their client, regardless of their personal views or knowledge of whether their client was guilty of the act committed.

70. What features characterize an adversarial legal system? Describe the basic differences between an adversarial system and other possible legal systems, including an inquisitorial system and a convivial system, (sketches of which appear on pages 434-35 and 347 of our textbook).

Adversarial legal systems treat court proceedings as a competitive process where the court acts as a neutral arbiter between the prosecution and defence.

In contrast, inquisitorial systems involve active involvement from the court in investigating and verifying the facts of the case.

Convivial systems aim to provide widespread legal education programs empowering individuals with the knowledge and skills to represent themselves while opting for a simpler legal system that requires minimal instruction.

71. In your own words, recount why, basically, Freedman thinks that a lawyer should maintain client confidentiality even if doing so means that he must violate ordinary moral principles such as honesty and truthfulness.

He argues that for the adversarial legal system to function effectively, lawyers must provide the best possible representation for their clients. This requires lawyers to have accurate information about all aspects of the case. To obtain this information, clients must be willing to share relevant details, which they will only do if they trust that their information will be kept confidential and won't harm their case. To instill this trust, lawyers must promise confidentiality and pledge not to use any information from the client that could harm their case. Upholding this promise, even if it involves maintaining client confidentiality through methods like withholding information from the court, ultimately supports the system's ability to uncover the truth.

72. According to this Study Guide, why does Luban think it is morally appropriate that criminal defence lawyers adopt the role of zealous client advocate?

Luban argues that there is a significant difference between criminal and non-criminal proceedings. He believes that this difference lies in the state's involvement in criminal proceedings, which is usually absent in non-criminal proceedings. According to Luban, the state's involvement in criminal proceedings creates an imbalance of power between the state and the individual, which can lead to unjustified interference in individual lives.

Therefore, individuals in criminal proceedings may require protection to prevent such encroachment by the state. In Luban's view, zealous advocacy for the defendant is necessary in criminal proceedings to safeguard individual liberty against the state's violation.

73. Luban thinks that the adversary system excuse cannot justify a non-criminal lawyer's immoral behaviour. Outline his main reasons for this view, insofar as these are given in this Study Guide.

Luban argues that the concern over individual liberty is not as significant in non-criminal legal cases. In such cases, the competition in the courtroom is usually more balanced since it does not involve the state against the citizen. Both parties involved are primarily self-interested, and lawyers do not have the same excuse as in criminal cases, where they are protecting personal liberty from state encroachment.

In non-criminal cases, the contest usually revolves around who has a better lawyer rather than who has a stronger case. Lastly, when professional and moral obligations conflict, moral obligations should take priority.

74. Considering cases where a lawyer must choose between being truthful with the court and maintaining client confidentiality, which of the maxims below do you think should guide the lawyer's behavior, and why?

- i. Be truthful, even if this means breaching client confidentiality.
- ii. Maintain client confidentiality, even if this means being deceitful.
- iii. Consider the details of the particular situation and judge on a case-by-case basis whether truth or confidentiality should take precedence.

In my opinion, the best option is iii. Because not all cases are the same, depending on the details of each case, some might require being truthful in court while others maintain client confidentiality.

75. What virtue does Gutmann argue is crucial for lawyer-client relationships yet overlooked in three of the leading ideals of lawyering? State the best reason you can think of for agreeing with Gutmann that this virtue is necessary to the practice of law, and also any reasons you can think of for disagreeing with her.

Gutmann says empathy is essential in lawyer-client relationships, but it's often ignored in three main lawyering ideals.

Agreeing: Empathy helps lawyers understand clients better, leading to improved communication and trust, and better outcomes.

Disagreeing: In some legal contexts, other qualities like advocacy or objectivity might be more important. Empathy could also potentially hinder a lawyer's judgment or be impractical due to time bound.

76. What two rules regarding lawyers' duty of client confidentiality does Landesman offer? For each of these rules, consider and explain an objection that may be raised against it. Further, state whether you agree or disagree with Landesman, in the end, that these rules should be adopted, and why.

Lawyers are required to disclose confidential information if it is necessary to prevent death or serious bodily harm to someone. In all other cases of wrongful activity or

foreseeable harm, lawyers can use their discretion to decide whether or not to disclose confidential information.

Furthermore, lawyers must make an effort to discourage their clients from committing perjury. However, if a client does commit perjury, lawyers are required to reveal this information to the court.

77. Pizzimenti discusses four ways that lawyers could approach informing their clients about lawyer-client confidentiality. Which of these ways do you think is ethically best, and why?

In this text, Pizzimenti presents four options that lawyers could consider concerning confidentiality. The best ethical approach, in my opinion, would be to be transparent with clients and fully inform them about the importance of confidentiality and its limitations. By doing so, clients can make informed decisions about how much information they want to disclose.

78. According to Wolfram, under what conditions, generally, should lawyers not be permitted to reject a prospective client's request for representation? Do you think it is immoral to restrict lawyers' autonomy by imposing upon them a general obligation to represent (under these or any other conditions)? Explain.

Wolfram suggests that lawyers generally shouldn't refuse to help clients, especially under the following conditions:

1. Lawyers are capable of handling the legal needs of the client.
2. Providing help won't put the lawyer or others at significant risk.
3. Refusing help could seriously harm the client.

As for whether it's wrong to force lawyers to help clients in these situations, it's a tough question. On one hand, it's important to respect lawyers' freedom to choose their cases based on their beliefs. But on the other hand, we also want to make sure everyone has access to legal help when they need it, especially those who might be overlooked. So it's about finding a balance between respecting lawyers' choices and making sure everyone gets the help they need.

79. Give reasons for your agreement or disagreement with Wolfram's argument that, under certain conditions, it is ethically permissible for lawyers to decline representing repugnant clients.

Agreement: In certain cases where lawyers ethically disagree with the actions of clients, it would be harder for lawyers to defend clients to the best of their ability. If a lawyer opposes the goal of a client, there is likely highly immoral intent behind the goal.

Unit 8

80. List the parties toward whom accountants tend to have responsibilities. Next, imagine an accountant in some particular work situation (any sort of example will do), and consider whether this accountant has a responsibility to the public. If you think he doesn't, explain and defend your view. If you think he does, what precisely is this responsibility and by what reasoning do you ascribe it to him? Also, where would this accountant's responsibility to the public rank in priority among the responsibilities he has to others, and why?

Accountants usually have responsibilities to:

- the company they work for (including supervisors, coworkers, and clients)
- their professional association
- the law
- the public

I think that accountants have a responsibility to the public to accurately report facts and figures and to provide honest information.

81. The rules of financial reporting, as given by GAAP, "allow for a plurality of reporting methodologies" (Vaidya, 53) that can be exploited by accountants in order to present a company's financial information more favourably to particular recipients of the information. Such plurality is a result of honest professional disagreements about best practices. Do you think that, despite conflicting professional views, the rules should specify one method of financial reportage to be followed, or do you think that we should trust accountants in any given situation to choose from among the different methods that are viewed as acceptable to report the information in the manner judged best by the particular accountant responsible? Defend your response.

There are good reasons for honest professional disagreements about best practices, as a result, it would be difficult to enforce a single method of financial reporting that would be useful in every situation. It makes sense to train accountants to understand valuable ethical principles and then trust them to use their best professional judgement to determine how to best give financial reports in each situation.

82. According to Abdolmohammadi and Nixon, what is the difference between an ethics audit and a financial audit?

According to Abdolmohammadi and Nixon, there are significant differences between an ethics audit and a financial audit. An ethics audit is used to identify a client's areas of vulnerability in comparison with industry benchmarks, it is a positive confirmation of the existence and effective implementation of best ethical practices. This is different from a financial audit where the fairness of financial statements is assessed against accepted accounting principles.

83. To what extent are you reassured of the trustworthiness of public accountants in light of the AICPA's Disciplinary Action Statistics 1977-1996, presented by Abdolmohammadi and Nixon? Explain why your level of reassurance is where it is.

I think that the data shows that violations of the code by the AICPA members are rare. There are unreported or undetected violations which do occur, which makes

the level of true ethical behavior difficult to assess. However, a self-regulating profession such as accounting is best served by exposing unethical behavior.

Not reassured of trustworthiness of public accountants especially with larger corporations where budgets and numbers are stretched to fit. More must be done to hold accountability of accountants to ensure stakeholders and public are protected.

84. Explain what Abdolmohammadi and Nixon mean when, in agreement with Abbott, they say that "the legitimacy of technique has replaced the legitimacy of character" (64). Include the basic ethical point of their discussion in your explanation.

The statement that "the legitimacy of technique has replaced the legitimacy of character" means that accountants have become more concerned with following the rules rather than focusing on the best, fairest, or clearest presentation of accounting information.

85. By restricting other kinds of services that accounting firms can provide companies for which they perform external audits (e.g., see p. 98), Sarbanes-Oxley aims to preclude problems that arise when accounting firms are allowed to offer potentially conflicting services. Explain in your own words what the problem is/was with accounting firms offering services that could conflict.

If accounting firms offer services that could conflict with each other, this results in a conflict of interest where the accountant may be acting in a way that is not best for one client, because of their representation of other (opposing) interests.

It was common for auditors to leave public accounting to accept employment with audit client.

By offering conflicting services, there is a conflict of interest for auditors and accountants to ignore issues because it affects the company the work for..

86. Rockness and Rockness doubt that information technology (IT) is useful as a means of controlling accountants' unethical behavior (pp. 98-100). Explain their main reasons. Additionally, why do they contend that IT may cause more ethical problems than it solves?

1. Internal control systems are built based on a set of assumptions that have been proven invalid.
2. Designing, implementing, and documenting internal controls has become increasingly challenging in today's business world.
3. Internal audit has assumed a much less significant role in many corporations, even as systems have become more difficult to audit.

This enables corporations to quickly bypass fraudulent activities with the help of information technology.

87. Insofar as whistleblowing is discussed in our readings from this unit (all readings are useful, but see pp. 94-97 in particular), do you support or not support the protection offered to whistleblowers by Sarbanes-Oxley? Defend your position.

Whistleblowers are safeguarded by Section 1107, and individuals who take revenge against them can be held personally liable and face penalties of up to 10 years. I fully support this protection provided to whistleblowers. It is essential to promote a culture of internal accountability, and company leaders can establish this culture by

ensuring that people are aware that whistleblowers will be safeguarded. This will lead to greater accountability within the company.

88. Which two reasons, among those discussed by the authors in this section, do you think best support the permissibility of insider trading, and which two reasons do you think best support its impermissibility? Overall, what are your judgments about the ethics of insider trading and its legal permissibility? Provide a summary of the strongest reasons for your judgments.

Pros:

1. Insider trading might make the market work better.
2. It could encourage managers to be more creative and productive, benefiting shareholders in the long run.

Cons:

1. Insider trading gives an unfair advantage to some traders.
2. It can cause non-insiders to lose money.

Overall, insider trading is a tricky issue. While it might have some benefits, like making the market more efficient and motivating managers, it also has downsides. It's unfair and can harm investors who don't have insider information. So, considering fairness and protecting investors, it seems best to limit or prohibit insider trading.

89. Do you support or not support the protection offered to whistleblowers by Sarbanes-Oxley? Defend your position

"I do not support the current penalty for harming whistleblowers, as I believe it should be much harsher. Those who expose unethical actions should be protected to a higher degree, and individuals who intend to harm whistleblowers are displaying further immoral actions and no remorse for their unethical actions. I suggest a prison sentence of 30+ years as a suitable penalty."