



Unit 1 - Unit 1 lecture notes.

Professional Ethics (Athabasca University)



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Ethics is the branch of philosophy that studies morality. (from the Latin moralitas which means manner, character, or proper behavior).

Sub-disciplines of ethics:

Descriptive Ethics	aims to answer issues about the moral values that individuals and groups actually possess and live by. <i>Do people believe that it is morally acceptable to perform dangerous medical experiments on non-human animals?</i>
Moral Psychology	aims to answer issues about the nature and development of moral agency, where a moral agent is a being that is capable of being moral and immoral, capable of acting morally and immorally. <i>At around what age are children capable of making important moral decisions for themselves?</i>
Applied Ethics	aims to answer issues about the moral aspects of specific situations. <i>What should a psychiatrist do when her client discloses an intention to harm another person?</i>
Theoretical Normative Ethics	aims to answer issues about how moral values should be determined and how moral decisions should be made. <i>By what reasoning may we properly determine what is morally right and distinguish this from what is morally wrong?</i>
Meta-Ethics	aims to answer issues about the fundamental nature of ethics as a discipline and about the nature of the concepts and methods we employ when we study morality, including the meanings of moral terms and the epistemic status of moral claims. <i>What does it mean to say of something that it is intrinsically morally valuable?</i>

The term morality has three main usages:

1. descriptive – to say that people live by their morality as part of their everyday lives. (it is to say that individuals and groups have beliefs about what is good/bad and try to act according to those beliefs). – deals with some aspect of reality.
2. Prescriptive – to say that we prescribe actions, behaviours, traits, etc. to be good or bad. This contains a moral “ideal”. A feature of prescriptive morality is that it can usually be applied universally to all people. – this is a sub-division of normative ethics.
3. Synonym for ethics – little reason to discourage the practice. Just recognize instances where prices usages are intended to avoid problems.

Explain in your own words the main difference between descriptive morality and prescriptive morality, and provide an example of a descriptive ethical claim and an example of a normative ethical claim.

Post Answer:

From what I gathered from the brief overview, there are a few well-defined differences between descriptive morality and prescriptive morality.

Descriptive morality is the idea that people live by their morals as part of their day to day lives. Descriptive morality deals with a particular facet of reality. In other words, descriptive morality is, we could say, more individualistic in its definition (though as the text points out it can refer to sub-groups or cultures as well), as it refers to how someone lives out their morality in real life. As an example, if we said that John believes all Canadians should have equal access to free medical marijuana, a descriptive moral stance is taken by John. John holds a certain belief and may then attempt to act on his belief (ask his local MPP to push for a bill that grants equal access to the drug), thus putting his moral belief into practice.

Prescriptive morality is the idea that actions, behaviours, and traits can be good or bad. Prescriptive morality contains a moral "ideal" and this ideal is usually universally applied across all of mankind. An example would be the statement, "humans must not kill one another." The starting point applies to all moral agents (humans) and the ending reaches an ideal. The entire sentences form a prescriptive moral statement that can be universally applied to all people. This type of morality is a sub-group (as stated in the overview) of normative ethics.

Amorality is the idea that moral values do not apply to him, her or it. An amoral decision is a decision where a moral judgment is deemed unnecessary (for example choosing chicken over beef).

First, we will quickly define what an amoral action is. An amoral decision is when a moral judgement is deemed unnecessary for that decision.

An example of an amoral decision would be the purchase of one type of vehicle over another. (ie. a Lexus vs a Dodge).

As an aside for thought, technically speaking, the above example (and the chicken and beef one in the text) really are moral judgements on a small scale. If one considers the environmental impact of purchasing one product over another (let us say the Dodge takes less materials to build and uses cleaner production methods - thus polluting the environment less), we then (from what I can see) have a descriptive ethical judgment to make. Do we purchase the Dodge in order to cause less pollution and harm to others in various parts of the world that purchasing a Lexus would make worse?

The same could be said with poultry (as a chicken farmer!) chickens in general cause less pollution, manure, and facilities to keep. Would one then buy chicken over beef because chickens are more environmentally friendly?

Just a couple thoughts as I read though this. They may not be correct, but I thought it would be worth discussing anyway!

We should determine and be able to distinguish moral issues from those of legal, prudential, economic, religious, bias, or taste.

Conventional vs reflective morality:

Conventional morality is simply to be directed by traditional or customary rules or practices without stopping to examine or criticize those rules or practices.

Reflective morality: beings with a reflection on principles that will govern a person's actions – especially when those involve others.

Distinction between Morality and Law: morality cannot be deduced to law, as what the law permits or requires is not necessarily what is morally right or wrong. The law permits many immoralities (ie. breaking a promise, disloyalty to friends, etc.) we would not want to make this illegal (thus aligning law to morality) because it would then encroach to much on the individual.

Distinction between Morality and Economics: the most economical solutions are not always the most moral. For example, it would be easier to kill off those who cost the state a lot to look after, but doing so would not be moral. Thus, certain ways of being economical are morally unacceptable. One does not necessarily discover the correct moral choice by finding the most economical alternative.

Distinction between Morality and Religion: what a religious leader or religious tradition says is not necessarily to find out what is morally right. Religious leaders can (and do) make moral mistakes. Religious reasons are good when one's actions are self-regarding, but when liberty and welfare of others is involved, interfering with another's liberty and welfare requires moral justification that must stand on its own philosophical feet. One supposedly does not have the right to violate the moral rights of another for religious reasons that the other person does not share.

Distinction between Morality and Obedience to Authority: a moral agent always retains the right to question commands if there is any reason to believe that those commands involve a unjustifiable infringement of rights or will lead to harm to persons or other beings. Blindly obeying an authority does not make the action necessarily morally correct.

Distinction between Morality and Opinion/Taste: Taste involves choices which are value-laden, and could be considered relatively morally-neutral, ie. it pertains to preference. Very few people believe morality can be deduced to opinion or taste. We can condition people to new preferences, but this is very different from persuading them by rational argument.

Moral Terms: (any term or concept that intrinsically or used in certain contexts express why we think one thing is morally right or wrong).

Good, bad, evil, right, wrong, trust, honesty, care, harm, autonomy, virtue, vice, respect, deception, obligation, responsibility, rights, benevolence, justice, loyalty, fairness,

Moral Responsibility – is to be morally accountable for one's actions and their consequences. The praise or blame placed on a moral agent is often linked to moral responsibility.

Obligations – there are things that are morally necessary for a moral agent to do (or not to do). (syn. with duty).

Moral Rights – are entitlements of individuals or groups to be treated in certain morally significant ways or to be provide with certain morally significant benefits.

Positive Rights - to have a legitimate claim demanding that someone act so as to satisfy that entitlement. (require an action by some other person).

Negative Rights - is to have a legitimate claim demanding that someone refrain from acting so as to satisfy that entitlement. (require only inaction).

Obligations (Prima Facie Duties) – denote a duty that one has, but which may turn out to be overridden by a more pressing or important duty. (prima facie – on the face of it). On first glance, we may acknowledge a prima facie duty in that situation, but once all the relevant factors are in place, find that the duty may have to yield to another one that is more morally significant. (In other words, if one has two duties, one must discern which is the more significant and thus overturn or ignore the first).

As far as I could tell, the following positive and negative rights were not mentioned in this unit:

The positive right to free and fair elections. This is a positive right because it leans on the necessity and requirement of someone else (a governmental organization's staff) to provide such an entitlement to the people.

The positive right to keep and bear arms (US only). Putting aside the contentious nature of this topic (whether to keep arms by the private citizenry is morally permissible or not or is legitimate), this is a positive right because it requires State and Federal staff to act in order to satisfy that right (ie. handing out permits, etc.).

The negative right to encroach or seize private property without due process. This is a negative right because the person (or persons) doing the seizing refrain from acting in order to satisfy this entitlement.

The negative right to read what one wishes. This is a negative right because another person or organization does not have to take action in order to provide this entitlement.

After some thought, I thought of the following: can a negative right become positive, or vice versa? If we take the idea of bearing arms before the 20th Century in the USA, we could almost say that the situation then could be classified as negative, as the government (for the most part) refrained from acting so as to satisfy the entitlement. However, in the latter 20th and now the 21st Century, it could be looked on as positive. Just a thought.

This would be a controversial example, but a good one as an illustration, nonetheless. In 2015, a University in BC named Trinity Western, after several court cases against Law Associations in various provinces, took their case to the Supreme Court. The reason for this was that the Law Associations in several provinces wanted to deny the University's law students the chance of sitting on the Provincial Bar because of some of TWU policies. One of which (their "community covenant") stated that it is in the best interest of students if they refrain from sexual relations before marriage and homosexual behaviour. TWU argued that it is the free choice of a student to either sign up for their program and thus submit to the covenant, or go to UBC or other institutions (in other words they are not obligated to choose TWU). They also argued that they have the freedom to publish or speak what their convictions are under the Charter. The Bar association argued that a student's freedom of expression was being violated by sitting under such a covenant and thus wanted TWU to rescind the covenant.

TWU lost several cases in a couple provinces, but the majority granted them the ability to place students on the bar. However, they decided to take it to the Supreme Court to finalize the decision and also hope that those provinces in which they lost would be required to accept their students.

Now, the Judge (who should be giving a ruling in the next week or so), has a Prima Facia Duty issue on hand. At first glance, it would appear that TWU is being so-called "homophobic" and brash. However, when the relevant factors are in place, every post-secondary institution should (and must) have the freedom to decide what its policies are. Students then have the freedom to accept such a policy and go to the institution, or refrain and go to another.

The judge will have to pick which duty is the more pressing, and thus override the lesser one. I will not make a judgment here, as that is for the courts to decide. However, in my opinion, this is a perfect example of a professional (a Judge) who has to make a hard decision.

On the flip side, let us use a theoretical situation (this actually has happened but names and other personal information will be withheld or changed). Joe owned a computer company. Sally needed her computer fixed. Joe said he would do it. However, Joe usually did big projects with pressing deadlines. When Joe received Sally's computer, he assumed (at first glance) that she would like it done as quickly as possible. He neglected to reach out to her for instructions, and so went ahead and quickly completed the job. Upon completion, he learned that Sally had in fact not wanted the job to be a rush order, and was upset that he had been so quick (as she did not need it done at that time and was waiting on several other things). In the end, the customer was not satisfied, and Joe ended up losing a client. This situation would be a perfect example where Joe, on first glance, acknowledged a duty, but neglected the more pressing or important duty (informing and communicating with the client).

Distinguishing Rules from Principles –

Moral principles are understood broadly to be more general than moral rules and more basic or fundamental. They are the most basic building blocks of moral theories (which in themselves attempt to offer strategies for determining moral value and distinguishing between good and bad). Moral principles are open-ended and widely applicable. Some theorists believe moral principles are incontrovertible.

Moral rules follow from (or are derived from) moral principles.

Premise 1 – General Moral Principle

Premise 2 – Factual claims

Conclusion – Derivative/Particular Moral Judgment

Moral arguments in brief –

In order to determine whether a set of premises supports the conclusion, we must look at :

1. what is claimed by each premise

2. whether the claim is true or adequately reasonable.
3. whether the set of premises as a whole provides adequate support for the truth of the conclusion.

If we judge a premise to be neither true nor adequately reasonable, we have two options:

1. we may believe that it is false
2. we may believe that it should not be accepted without its being further supported by additional reasons.

Should the conclusion be believed based on the premises presented?

Whitbeck says that moral problem solving are too often presented within philosophical ethics as limited scenarios where one's possible response are already contained within the scenario presented. Whitbeck explains an important part of our reasoning about a moral situation takes place at the level of devising the possible solutions or responses we could bring to a situation.

Notes from Readings:

Solving moral problems is a matter of devising possible responses to situations.

Ethical judgments are important in devising responses to moral problems.

Confining yourself to the judge's seat is not necessarily helpful.

Deciding what to do with a moral dilemma is important (should it be reported, ignored? Refused? Etc.)

Design problems are problems of making (or repairing) things and processes to satisfy needs (they may not solve the original problem, but cope with it).

For problems, there may be no uniquely correct solution (or any solution for that matter).

There are wrong answers even if there are no unique right answer.

Solutions to design problems:

- Achieve the desired performance
- Conform to certain specifications or criteria
- Be secure against incidents
- Be consistent with existing background constraints

Ambiguity or uncertainty has to be taken into account.

The development of possible solutions is separate from definition of the problem and may require more information.

Clarify the problem.

Answering problems without seeking to investigate is poor training.

Questions are usually decided under pressure.

The dynamic nature of an ethical situation must not be neglected.

One needs to:

- a. clearly understand another's argument before criticizing the reasoning
- b. clearly understand one's own reasoning.

Learning another's argument before counter-arguing is essential for several reasons. First, it gives your reputation a boost. No one likes to hear someone rattle off a counter-argument without doing research. It makes the person look uninformed and ridiculous. Second, it informs yourself. You gain knowledge and a widened perception if you carefully go through someone else's argument to see why they think the way they do. Third, it helps you frame a careful and logical response.

An example where people rarely listen and understand one another's reasoning is in controversial debates or discussions. 21st Century society is focused on sound-bites, which does not help debators, who simply attempt to produce the best sound-bite so people will be on their side rather than carefully understand the other person's argument, and the counter-argue it.

Mele on Ethical Education in Accounting:

Codes of conduct can be used to help accountants resolve issues, and are usually the most clear when deciding on a course of action.

Value in general may best be glossed as that which is worth having, getting, or doing.

The agent's character is crucial.

Rules, moral values, and human virtues are interdependent.

"human virtues are habits, they provide promptness or readiness to do good..." (pg. 74)

Ethical education for good behavior:

- Moral sensitivity (how the subject comprehends the ethical dimension of a situation).
- Moral judgment (the capacity to judge which alternatives are ethically acceptable and which are not).
- Moral Motivation (willingness to take the moral course of action, placing moral values above others)
- Moral virtues (permanent attitudes and interior strength for moral behavior)

Teaching rules, starting with prohibitive ones makes sense and should be promoted.

Case Studies:

Considerations:

- Taking a picture of the incident, and showing him (for proof) quietly could have been an option.
- It is not morally relevant that the student is bright – in fact, cheating is less excusable because he should know better.
- It is not morally relevant. Death is a fact of life. If the student felt that he could not successfully complete the exam due to a death, he should have talked to the instructor before hand, instead of trying to circumnavigate the rules.
- The policy is too strict, and the policy would affect my decision – as they are the rules.
- The central moral values/principles is that the student due to external influences, felt it necessary to (knowingly) cheat on exam due to his mental health.
- Morally, the best course of action would be to go to the administration and report it.

He is going against the law. So the part of morality that could be addressed here is the distinction between law and morality. The issue with not reporting abuse cases is that proper justice cannot be given, vital statistics on child abuse cannot be collected, and other essential governmental agencies are denied the flexibility to use the information to curtail the abuse (ie. CAS from removing the children and placing them into another safe environment).