STUDY GUIDE

IS HONESTY ALWAYS THE BEST POLICY?

KEY TERMS: ethics, morality, control, perception, truth

NOTE-TAKING COLUMN: *Complete this section during the video. Include definitions and key terms.*	**CUE COLUMN:** *Complete this section after the video.*
What is the 'Golden Rule'? What does Mr. Telushkin claim is 'perverse about human nature'? What are the benefits of learning self-control over what you share with others?	What is the difference between sharing something negative about someone when what you are sharing is untrue versus what you are sharing IS true? Why can telling the truth sometimes be a bad thing to do?

DISCUSSION & REVIEW QUESTIONS:

- Mr. Telushkin observes that "...for most of us, the deep secret that we're concealing doesn't involve a criminal act. But we all know that if people learn about this one thing, it can easily become their primary association with us and with our name." Why do you think people care so much about how others perceive them? Many people would answer this last question with "Because people wish to be liked and thought of positively." Do you agree with this assessment? If not, why not? If so, why do you think people wish to be liked (in many cases desperately wish to be liked)?

- Ethics is the study of human conduct (in terms of moral acceptability), and is one of the four main areas of general philosophical study. In fact, the primary goal of philosophy is to reason and reflect to find truth. However, the next questions after discovering truth are usually, "What kind of value judgment will I place on this truth (i.e. is it 'good' or 'bad')?" and "What should I do with this truth?". Thus Mr. Telushkin is asking you to think about whether you should always share the truth and to consider the consequences before doing so -- especially if the truth is 'bad' and someone, their feelings, their reputation, a relationship etc... could be hurt or damaged. If you knew that your mother had embezzled from her business partner only once in the past, under desperate circumstances, should you tell anyone? What should you consider when making this decision? Either way, what would your reasoning be for sharing this embarrassing information or not sharing it?

- Mr. Telushkin claims that "...what is most interesting about people is what's not so nice about them." Do you agree with his premise that learning what's good about people is boring compared to learning about their transgressions? Why or why not? Is this always the case? If it is ever the case, why do you think learning something negative about someone is so interesting?

- Mr. Telushkin states that "...every perceptive person knows that if you bad mouth others to them, you will surely bad mouth them to others!" What do you think compels some people to thrive on speaking poorly of others? Does regularly speaking negatively about others reflect a basic character flaw, or is it a habit that good people can fall into (and thus remedy themselves of as well)?

- Will you accept Mr. Telushkin's challenge to go 24 hours without speaking negatively about anyone? What about his more important challenge to ask yourself "Does the person to whom I am speaking really need this information? Is what I am saying fair? Why am I saying it?" before sharing negative information about someone? What further important strategies could you employ to condition yourself out of badmouthing others (or that people in general could employ if you don't feel you have an issue with this)?

EXTEND THE LEARNING:

CASE STUDY: Occidental Engineering

INSTRUCTIONS: Read the articles, “An Ethics Case Study and Commentary” and “Deontological Ethics”, then answer the questions that follow.

- One of the most important contributions Kant made to philosophy was his query regarding how actions should be judged. Essentially he asked, “Should an action be judged based on intent or outcome? If a doctor creates a medicine that treats a disease, applies the medicine to all the children in a village sick from the disease, but unbeknownst to anyone they are all allergic to the medicine and die -- were the doctor’s actions good or bad? Thus, in order to help answer the question Kant contributed the ‘Categorical Imperative’ -- the maxim that you should judge an action to be good or bad essentially based on the question “Would an action be morally acceptable if EVERYONE did it? What is the answer when applying the categorical imperative to ‘always telling the truth?’

- The opposite of Mr. Telushkin’s question of “Is it always okay to tell the truth?” is “Is it never okay to lie?” Can you think of some examples of when it might be morally acceptable to lie?

- What is most important about how to approach judging the actions of others? Does the ‘Golden Rule’ mentioned by Mr. Telushkin in the beginning of the video suffice? What criteria do you use to judge the actions of others? Would you want them to judge your actions using the same criteria?

http://www.scu.edu/ethics/practicing/focusareas/technology/occidental_engineering/occidental_engineering.html

An Ethics Case Study and Commentary

Occidental Engineering Case Study: Part 1

By Michael McFarland, S.J.

Wayne Davidson is a software engineer in the aerospace division of Occidental Engineering, a large engineering firm. For the past two years he has been working as a test engineer for Operation Safe Skies, a project to build a prototype of the next generation air traffic control system. This project, which is funded by a contract from the Federal Aviation Agency (FAA), is a very important one for Occidental. With all the cutbacks in defense spending, the aerospace division has been losing business. The Safe Skies project has provided much needed business, and could lead to a much larger contract if successful. Mindful of its strategic importance, the company had bid very aggressively for the original contract. In fact they had "low-balled" it, bidding less than it would take to do the work properly. They felt that was the only way they could beat out their competitors, who were just as hungry for the work. Because of their somewhat shaky financial position, the company was not willing to take a loss on the project, so the project has been underfunded and understaffed. Nevertheless those working on the project have made a heroic effort, working eighteen hour days seven days a week to meet the deadline, because they know how much it means to the company, not to mention their own jobs. They are now very close to success.

A version of the prototype has been completed and turned over to Wayne for testing. He has run extensive simulations on it and found that it works as it should except for one little problem. When there are too many aircraft in the system, it will sometimes lose track of one or more of them. The "forgotten" aircraft will simply disappear from the screen, there will be no trace of it anywhere, and it will be ignored by all of the collision avoidance and other safety tests. Wayne has been working with the software designers to identify the cause of the problem, and they have traced it to a subtle error in memory allocation and reuse. They are confident that they can fix it, but it will take a month or more to do the redesign, coding and testing.

Wayne meets with his boss, Deborah Shepherd, the project manager, to discuss the implications. She tells him that what he is asking for is impossible. The contract requires that the company deliver a fully certified, working version of the software in three days for system integration and test. The government has developed a new, get-tough policy on missed deadlines and cost overruns, and Occidental is afraid that if they miss this deadline, the government will make an example of them. They would be subject to fines and the loss of the remainder of the prototype contract; and they might not be allowed to bid on the contract for the full system. This would have a devastating effect on the aerospace division, resulting in thousands of

lost jobs.

They consider whether they can do a quick patch to the software before turning it over, but Wayne adamantly refuses to release any code that has not been tested thoroughly. There is always a chance that the patch would interact with some other part of the program to create a new bug.

"Then we'll have to deliver the software as is," Deborah says. "I can't jeopardize this project or the jobs of my people by missing that deadline."

"We can't do that!" exclaims Wayne. "That's like delivering a car with defective brakes."

"Don't worry," Deborah reassures him. "We have contacts in the FAA, so we know their testing plans. They will do a lot of simulations to make sure the software works with the hardware and has all the functionality in the specs. Then they will do live tests, but only at a small airport, with a backup system active at all times. There is no way they will overload the system in any of this. After that they will have some change requests. Even if they don't, we can give them an updated version of the program. We can slip the bug fix in there. They will never see the problem. Even if they do, we can claim it was a random occurrence that would not necessarily show up in our tests. The important thing is no one is in any danger."

"Maybe they won't find the bug, but I know it's there. I would be lying if I said the system passed all the necessary tests. I can't do that. Anyway, it would be illegal and unprofessional."

"You can certify that it is safe, because it is, the way they are going to use it."

And so he does. In the end Wayne signs off on the software. It is delivered to the FAA and makes it through all the preliminary tests, including live tests at a small airport in the Midwest. As a result of these tests, the FAA requests some changes in the user interface, and when Occidental delivers the new software it includes a robust solution to the problem of the disappearing aircraft. No one outside of Deborah's group ever learns of the problem. In fact Occidental's success with the prototype leads to major contracts for air traffic control software, giving much-needed business to the aerospace division. This saves hundreds of jobs, and allows the company to add hundreds more.

Wayne Davidson, however, takes early retirement once the prototype project is finished, in order to write a book on software testing. He feels that the book should have a chapter on ethics, but he can never bring himself to write it.

What do you think about Wayne's decision? Was it ethical?

Here are some helpful resources:

A Tutorial on Ethical Decision Making
Foundations of Ethical Judgment
Ethical Conflict
Ethical Reasoning
Derived Sources of Ethical Wisdom
Responsibility
Summary

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http://www.scu.edu/ethics/practicing/focusareas/technology/occidental_engineering/occidental_engineering_ethical_reasoning.html

Ethical Reasoning

(from)

Occidental Engineering Case Study: Part 5

By Michael McFarland, S.J.

(excerpt)

Deontological Ethics

Deontological ethics recognizes that there are some things that are wrong in themselves, apart from their effects. Thus when in the Occidental case, Wayne says, "I would be lying.... I can't do that," he is making a deontological argument. In his view, lying is simply wrong; it does not matter whether it bring about good results. In a deontological system, therefore, duty is primary. This is what gives it its name: *deon* is the Greek word for duty. An ethical action is one that is consistent with the basic duties, such as fidelity, nonmalfeasance, and justice. To violate any of these is unethical.

The best known statement of deontological ethics is due to Immanuel Kant.[16] Kant wanted to get to the foundation of ethics, so he began by asking what is good in itself. He decided that it is a good will, that is, the will choosing out of a sense of duty, not because of some advantage gained. For if the will chooses some object because of an expectation of a good result, then there is nothing particularly moral in that. The good is in the result, not in the choosing. It is the pure response to an inner moral law, without regard for the consequences, that is morally good.

The next question, according to Kant, is, what kind of law is it that can be chosen in itself, without reference to its effects? He concluded it had to be a law that was universal, not tied to any particular circumstances, and derivable by pure logic. This led to his first statement of the so-called categorical imperative: "I should never act except in such a way that I can also will that my maxim should become a universal good."[17] This captures Kant's idea that to be good is to be directed by a universal, inner moral law. While this law appears to be strictly formal and without content, Kant maintained that it formed a basis for judging specific behaviors. For example, one can conclude from the categorical imperative that breaking a promise is wrong. For if it were ethical for me to break a promise, I would have to accept that it was ethical for everyone to do so. But if everyone was free to break promises, promises would have no meaning. Thus inherent in the notion of a promise is the duty to keep it. There are no exceptions to this because the moral law is universal, applying to all reasonable beings.

At the center of Kant's moral universe is the free and rational subject. That subject follows its own moral law, acting for its own purposes, not for the sake of anything outside of itself. Therefore the subject is an end in itself, not the means to any other end. This suggested a second, more practical statement of the categorical imperative: "Act in such a way that you treat humanity, whether in your own person or in the person of another, always at the same time as an end and never simply as a means."[18] This principle, which we might call the principle of human dignity, has profound implications for the way we treat one another. It means that we cannot sacrifice the interests of any individual or group, even when there is great benefit in doing so. We cannot simply use someone to accomplish some goal of our own, no matter how good that goal is. For example, a manager cannot simply regard her employees as units of production or information processors, to be used in whatever way is necessary to maximize the firm's profits, without regard to their wishes or needs. Nor can customers be treated simply as consumers of goods and services and producers of revenue. All are in some way partners in the enterprise.[19]

A third principle, or third statement of the categorical imperative, follows from the recognition that it is the will freely following the moral law that makes the subject good. As Kant wrote, "autonomy of the will is universally bound up with it [morality], or rather is its very foundation."[20] It is this autonomy that gives the rational subjection its goodness and dignity. Therefore respect for the dignity of a rational being also demands respect for its autonomy. We cannot decide what is good for others, even with their best interests at heart. They must be able to exercise their autonomy. This means, for example, that a doctor, no matter how knowledgeable and well-intentioned, cannot simply decide what treatment to give to a competent patient. The patient must participate in the decision and must give full and informed consent to what is decided.

The system of Kantian ethics is highly abstract and formal, and therefore difficult to apply in practice. The categorical imperative, especially in its first form, has little content, so it is not clear what specific duties follow from it, although the fundamental duties listed earlier in this chapter could probably be justified in Kantian terms. The other problem with the Kantian system is that it gives no guidance about what to do when duties conflict. For Kant all duties bind absolutely. To violate any one is wrong, no matter what good might be achieved by it. Thus is one were harboring a fugitive from an unjust oppressor, and it was necessary to lie to protect him, it would still be wrong to lie.

Any deontological system, precisely because it refuses to reduce ethical values to measurable consequences, will have trouble with choices in conflict situations. There are, however, some ways to ameliorate the problem. The distinction, mentioned earlier, between accepting foreseen but unintended consequences of an act and directly willing evil, is helpful. One might, for example, risk harm to innocent civilians in attacking an unjust aggressor, even though to attack the civilians directly would be wrong, no matter how advantageous that strategy might be. The acceptance of an unintended evil byproduct of a good act is valid, however, only if the good done, or evil avoided, by the act outweighs the evil that accompanies it, and there is no alternative that avoids the evil.

Some deontological systems also allow for a prioritizing of duties, so that when these duties conflict one can choose the most important. This is the approach that W. D. Ross takes, for example.[21] The fundamental duties he lists are *prima facie* duties, meaning that each one is presumed to hold unless there is a more important duty that overrides it. When duties conflict, one is to choose the most important. In some cases the duties can be given an absolute priority. For example, for Ross the preservation of human life is more important than the cultivation of the life of the mind, so you would be obligated to drop your book and run next door to save your neighbor whose house was on fire, assuming you had the necessary knowledge and ability to help him. In most cases, however, one must decide based on the specific context what duty has priority.

Nevertheless, in a deontological system there are still values that are immeasurable. One cannot, for example, trade one human life for another, or even one for five. As Paul Ramsey writes:

- Human, embodied, physical, individuated life is the subject of all values and goods we know. The value or good of life itself should be acknowledged as not to be commeasured with all other or higher worths which for that life cannot be if it is not. Moreover, one life is not to be pooled or interchanged with another. Where human lives are concerned, the idea that they compose a net measurable good is a vacuous and a right dangerous notion.[22]

This gives little comfort or guidance in conflict situations where one cannot act without violating some fundamental ethical duty. Its value is that it recognizes those situations as tragic, as having no truly acceptable outcome, rather than blithely declaring good the sacrifice of a thousand lives as long as it saves a thousand and one.

In spite of its ambiguities, Kant's ethics suggest three important principles that help balance the everything-for-sale spirit of utilitarianism and other teleological systems. They are:

1. **Universalizability.** This states that if action X is justified in situation Y, then X is also justified in any situation Z that does not differ from Y in any morally significant way. This principle, which follows from the first statement of Kant's categorical imperative, ensures that moral judgement will be applied fairly, without favoritism or prejudice. There cannot be one set of rules for me or my group and a different set for everyone else. For example in the Occidental case, one way of testing Deborah's judgement that it is acceptable knowingly to deliver software with hidden flaws as long as they will cause no harm would be to ask if she would accept that same attitude from a subcontractor. It is always worth asking, "How would I feel if this were done to me?"[23]
2. **Human dignity.** Human beings must always be treated as ends in themselves, not simply as means. This is just the second form of the categorical imperative. This recognizes the primacy of the human person in ethics, as against economic considerations for instance, which are important only insofar as they serve the interests of the human person. It also provides some protection for the individual and the minority group against domination and manipulation by a powerful majority.
3. **Autonomy.** Always respect the autonomy of the human subject. This principle, from the third form of the categorical imperative, asserts not only that people must be given responsibility for their own lives, but that all must have an opportunity to *participate* as free and responsible subjects in the ethical, social and political life of their communities.

There are a number of modes of ethical reasoning that are based on these principles and are therefore at least derivatively Kantian. We will discuss three of them: rights, contracts and justice.

Rights

Rights are certain protections people are entitled to simply as human beings. Rights are seen as necessary to safeguard people's interests and autonomy, and thus are rooted in the principles of human dignity and autonomy.

There are a number of rights that are seen as fundamental to human existence.[24] They include:

1. **Life.** This includes freedom from violence and torture as well as threats to one's life.
2. **Freedom.** This includes freedom of movement and freedom from arbitrary arrest or imprisonment.
3. **Freedom of thought, conscience and religion.** This includes the ability to express and advocate one's thoughts and beliefs.
4. **Equality.** This means equal treatment under the law and protection from organized racial or religious prejudice and hatred.
5. **Freedom of Association.** This includes the right to participate in the political process.

In addition to these human rights, there are certain economic rights that are recognized, especially in socialist countries, as being necessary to safeguard human dignity.[25] These include:

1. **An adequate standard of living.**
2. **The freedom to organize and belong to trade unions.**
3. **Social security, including social insurance.**
4. **Freedom from hunger. .**
5. **Health care. .**
6. **Education. .**

These are coming to be accepted as important in the first world as well, although it would be inaccurate to say that western governments are ready to commit themselves to ensuring all of these rights for all their citizens.

There are other rights that, while not fundamental like the above rights, are seen as important for safeguarding the fundamental rights. These we call *derived rights*. Examples are procedural rights, such as the right to a speedy trial, the right to legal counsel, the right to cross-examine witnesses, and so on. Many of the rights listed in the Bill of Rights of the U.S. Constitution are of this sort. They are deemed necessary to protect individuals against the abuse of power by a hostile government, and therefore to guard the life, freedom, and dignity of the individual. Private property is also a derived right. It is possible to conceive of a society without private property that is nevertheless humane and free. In fact such societies have existed, at least on a small scale. Although the idea is not popular today, some have suggested that a propertyless society would by its nature be more likely to nurture human freedom and dignity.

However that may be, it is widely accepted, based on human experience, that private property creates a sphere in which people can pursue their personal interests relatively free of outside influence, protect their lives, and provide for their economic needs. Therefore private property is seen as an important part of the rights package in many societies. Nevertheless, it should be borne in mind that property is not a fundamental human right in the same way that, say, the rights to life and liberty are.

Respect for rights is an important dimension of ethics. Rights guarantee the individual certain personal, economic and social goods that are necessary for a decent human life, and they safeguard individual autonomy against oppressive societies and governments. The original justification for liberal democratic government, with its ideals of limited governmental power and guaranteed freedoms for its citizens, was based on human rights.[26] Moreover rights ensure a certain measure of fairness in that they are meant to protect all human beings, not just those who are economically productive or politically loyal or who belong to the favored religion, race, class or gender. To appreciate the importance of the fundamental human rights, one need only contemplate what life is like in societies that do not respect them.

Nevertheless critics see some dangers in a rights-based ethic. Because rights involve the claims individuals have against society, they can be divisive. They emphasize privileges and protections individuals can demand from society, and not the duties individuals have to contribute to society and to make it work. Understood in this way, rights serve individual interests but not the common good. Those who worry about a "welfare state mentality," in which individuals see themselves as entitled to be taken care of by society without giving anything in return, often attribute it to an excessive emphasis on rights. On the other hand, those who are disturbed by the behavior of some individuals and corporations who pursue their own profit single-mindedly to the detriment of society blame it to an assertion of freedom unbalanced by any sense of social obligation.

Another problem with rights is that they can be so open-ended. It is hard to define where legitimate expectations end and unreasonable ones begin. The temptation is to keep sliding the line further and further out to encompass every possible unpleasantness. Now people are demanding protection against the rude language of second-graders, the freedom to defecate in public, insurance against all job-related stress, and immunity from the consequences of their own reckless activity.[27] All of these claims, if accepted, as they

have been in some cases, create further costs for the rest of society. They also insulate the claimants from having to take responsibility for their own actions.

Finally, like the duties in other Kantian systems, rights can conflict with one another, and there is no well-defined procedure for deciding between them. The old adage says, "Your rights end where mine begin," but where do we draw that line? Suppose some parents' religious beliefs compel them to beat their children severely when they misbehave. What takes precedence, their freedom of religion or their children's right to protection from physical harm? What happens when one person's freedom to smoke impinges on another's right to a healthy, smoke-free environment, or when one person's freedom of expression is experienced as racial or sexual harassment by another? Many of the most difficult and hotly contested ethical issues in our society are rooted in rights conflicts. Rights theory itself, because it is based on individual claims, has no reliable way of choosing between them.

Rights language has become the favored mode of ethical reasoning in the developed countries of the west. In fact it is their distinctive contribution, and an important one, to ethical thought and practice. But too much emphasis on rights can lead to excessive individualism and a loss of civility and coherence in society, an acknowledged problem in those societies.